

***Technical Hazardous
Liquid Pipeline Standards Advisory Committee
Meeting Minutes***

August 17, 2022

Mr. Alan Mayberry, Associate Administrator for the Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration (PHMSA), U.S. Department of Transportation (DOT), serves as the Designated Federal Officer (DFO) of the Technical Hazardous Liquid Pipeline Safety Standards Committee also known as the Liquid Pipeline Advisory Committee (LPAC).

Mr. Mayberry started the LPAC meeting on August 17, 2022, at 10:35 am ET by introducing the Chairperson, Ms. Diane Burman, Commissioner for the New York State Public Service Commission.

The meeting was held virtually and was open to the public.

I. DFO Opening Remarks

In Mr. Mayberry's opening remarks, he discussed 811 Day (August 11) and encouraged the practice of safe digging, covered various administrative issues, described his role as the presiding official of the meeting, and provided audience participation instructions.

II. Call to Order

Chairperson Diane Burman called to order the meeting of the LPAC on August 17, 2022.

III. Attendees

A list of the individuals who were virtually present at the meeting, including advisory committee members, DOT staff, and members of the public who registered for the virtual meeting is summarized below.

A roll call of the advisory committee's members was conducted by Cameron Satterthwaite, PHMSA. A quorum was present for the committee.

The following LPAC committee members were in attendance:

Diane Burman (Chair), Commissioner of the New York State Public Service Commission

Jon Wolfgram, Chief Engineer & Program Manager, Minnesota Department of Public Safety

Graham W. Bacon, Executive Vice President, Chief Operating Officer, Enterprise Products Partners, L.P.

Jerry K. Barnhill, Group Vice President and Chief Environmental Health and Safety Office, DCP Midstream

Angela Kolar, Vice President, Operations Services and Chief Risk Officer, Colonial Pipeline Company

Todd Denton, President, Phillips 66 Pipeline LLC

Shawn Lyon, President, Marathon Pipe Line, LLC

David Barnett, former Special Representative, United Association of Plumbers and Pipefitters

Charles “Chuck” Lesniak III, retired

Sarah K. Magruder Lyle, President and CEO, Common Ground Alliance

Bill Caram, Executive Director, Pipeline Safety Trust

In addition to the DFO, Alan Mayberry, the following DOT staff attended the meeting:

Massoud Tahamtani, Deputy Associate Administrator, Policy and Programs, OPS

Clayton Bodell, Standards and Rulemaking Division for Pipeline Safety

Nathan Cole, Attorney Advisor

Amal Deria, Attorney Advisor

Charles Enloe, Office of the Secretary of Transportation

Sean Ford, Office of the Secretary of Transportation

John Gale, Director, Standards and Rulemaking Division for Pipeline Safety

Leigha Gooding, Supervisor, Operations Systems Division

Alanna Herron, Technical Advisor, Office of Associate Administrator for Pipeline Safety

Robert Jagger, Standards and Rulemaking Division for Pipeline Safety

Blaine Keener, Director, Operations Systems Division

Ahmad Maaty, Economist, Economic Research and Regulatory Analysis Division for Office of Planning and Analytics

Ryan McClure, Attorney Advisor

Janice Morgan, Analyst, Financial Administration and Resource Management

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Sayler Palabrica, Standards and Rulemaking Division for Pipeline Safety

Cameron Satterthwaite, Operations Supervisor, Standards and Rulemaking Division for Pipeline Safety

Nathaniel Thompson, GIS Coordinator, Operations Systems Division

Robert Ross, Assistant Chief Counsel

Lydia Wang, Environment Protection Specialist, Office of Planning and Analytics

Ermias Weldemicael, Director, Economic Research and Regulatory Analysis Division for Office of Planning and Analytics

Tewabe Asebe, Standards and Rulemaking Division for Pipeline Safety

In addition, 44 members of the public registered for the virtual meeting. The following members of the public made verbal statements during the meeting:

Keith Coyle, Babst Calland, representing GPA Midstream and API

Matthew Hite, Vice President for Government Affairs, GPA Midstream Association

David Murk, Director of Pipelines, American Petroleum Institute

IV. Opening Remarks

The DFO stated that PHMSA's Deputy Administrator, Tristan Brown, could not attend the meeting but sent his regards and was very interested in the outcome of the meeting. In addition, the DFO recognized the PHMSA staff and the LPAC members for their hard work, addressed the diverse backgrounds of the committee membership, and highlighted the important work expected to be carried out at the meeting.

V. Agenda Adoption

Chairperson Burman and the DFO reviewed the agenda for the meeting. The LPAC agenda for the day was to discuss the Coastal Ecological Unusually Sensitive Areas Interim Final Rule (IFR). Chairperson Burman asked if there were any questions from PHMSA staff or the committee on the agenda. There were no questions on the agenda.

VI. Committee Discussion and Voting

Mr. Sayler Palabrica, PHMSA, provided a presentation on the following topics: background information relevant to the IFR, the IFR's requirements and implementation, impacted mileage, regulatory impact analysis, rulemaking procedures, summary of public comments received on these topics, and PHMSA's responses to those comments.

After Mr. Palabrica presented the above-listed items, Chairperson Burman opened the meeting for public comment, followed by committee and PHMSA staff discussion.

Thereafter, Mr. Palabrica resumed his presentation with a discussion of the applicability, definitions, data sources in the IFR, a summary of public comments received on these topics, and PHMSA's responses to those comments. The complete slide presentation is publicly available at the meeting webpage (<https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=160>) and at <http://www.regulations.gov> using docket number PHMSA-2022-0077.

After Mr. Palabrica concluded his presentation, Member Todd Denton requested a short break for industry members to have a discussion before a vote on the IFR. The DFO and committee chair granted this request, and the committee took a break between 12:43 – 1:21 pm ET.

After returning from the break, Member David Barnett made a motion to vote on one item – the applicability, definitions, and data sources in the IFR – and Member Shawn Lyon seconded that motion. The committee unanimously voted to approve the below motion:

The interim final rule as published in the Federal Register, with regards to the applicability, definitions, and data sources are technically feasible, reasonable, cost-effective, and practicable if PHMSA consider the following:

With respect to regulated rural gathering lines, rural low-stress pipelines, and certain coastal waters between the 3 nautical mile line and the 12 nautical mile line, PHMSA exercise enforcement discretion for the requirements in the IFR through the date of publication of the final rule or 08/17/2023, whichever is earlier.

After voting on the IFR was complete, Member Graham Bacon made a motion, seconded by Member David Barnett, to approve the below motion:

The transcript of this meeting (duly recorded and accurately transcribed), together with the presentation slides documenting the committee's votes during this meeting, represent the report of this proceeding.

All verbal comments and discussions from this meeting were transcribed by a court reporter and have been posted to the meeting webpage, listed above, and [regulations.gov](http://www.regulations.gov).

VII. DFO Closing Remarks

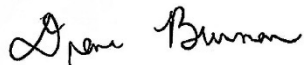
DFO Alan Mayberry thanked the committee for participating in the meeting, and commended the committee for its ability to reach a consensus on the topics discussed

during the meeting. Mr. Mayberry also thanked Mr. Palabrica for the briefing he provided, and Chairperson Diane Burman for leading the meeting.

VIII. Adjournment

Chairperson Diane Burman adjourned the meeting for the day at 2:23 pm ET.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

A handwritten signature in black ink, appearing to read "Diane Burman". The signature is written in a cursive style with a large initial "D".

Diane Burman

Chairperson