

US DEPARTMENT OF TRANSPORTATION

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PIPELINE AND HAZARDOUS MATERIALS
SAFETY ADMINISTRATION

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GAS PIPELINE ADVISORY COMMITTEE

+ + + + +

MONDAY
MARCH 26, 2018

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The Gas Pipeline Advisory Committee met in the Ballroom of the Hilton Arlington, 950 North Stafford Street, Arlington, Virginia, at 1:00 p.m., David Danner, Chair, presiding.

PRESENT:

DAVID W. DANNER, Chair
W. JONATHAN AIREY, Member
STEPHEN E. ALLEN, Member
RONALD A. BRADLEY, Member
DIANE BURMAN, Member (via telephone)
J. ANDREW DRAKE, Member
SARA ROLLET GOSMAN, Member
ROBERT W. HILL, Member
SARA W. LONGAN, Member
TERRY L. TURPIN, Member
RICHARD H. WORSINGER, Member

ALSO PRESENT:

HOWARD "SKIP" ELLIOTT, PHMSA Administrator

ALAN MAYBERRY, Associate Administrator for
Pipeline Safety; Designated Federal
Official

DRUE PEARCE, Deputy Administrator

CHERYL WHETSEL, Advisory Committee Manager

BRYAN CROWE

JOHN GALE, Director, Standards and Rulemaking

ROBERT JAGGER, Transportation Specialist

CHRIS McLAREN, Program Manager

STEVE NANNEY, Program Manager

SAYLER PALABRICA, Transportation Specialist

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P-R-O-C-E-E-D-I-N-G-S

(1:01 p.m.)

MR. MAYBERRY: I think we're ready to get started, if I can have your attention.

Good afternoon, everyone, it's good to see you today. Thank you for your attendance at the Gas Pipeline Advisory Committee.

My name is Alan Mayberry. I'm the Associate Administrator for Pipeline Safety here at PHMSA. And under the Federal Advisory Committee Act I'll serve as the Designated Federal Official. As such, I'm the presiding official.

The chairman for today's meeting is the Honorable Dave Danner, Chair of the Washington Utilities and Transportation Commission. Before I turn it over to Dave, I had a couple of other housekeeping items to go through today.

First-off, I'd like to welcome two new members we have that complete filling the vacancies we have on our advisory committee.

1 First, I'd like to introduce Dr. Sara Longan, who
2 is Executive Director of the North Slope Science
3 Initiative for the Department of Interior, Bureau
4 of Land Management, in Alaska. So welcome, Sara,
5 and thank you for joining us.

6 I think on short notice flying all the
7 way from Alaska to be here. So thank you for the
8 warm, balmy weather which is actually cold here
9 for us.

10 And then next, Mr. Jonathan Airey to
11 my left. He is a retired partner with Vorys,
12 Sater, Seymour, and Pease LLP. So, welcome, Mr.
13 Airey. And thank you as well for joining us on
14 such short notice.

15 And as you might have imagined, Sara
16 represents the government side. However,
17 Jonathan, or Jon, represents, he's a public
18 member of the committee.

19 Also like to -- you'll hear from this
20 person a little bit later -- but the Honorable
21 Howard "Skip" Elliott, the PHMSA Administrator,
22 to my right; and then as well Drue Pearce, our

1 Deputy Administrator, are in attendance today.

2 Very important items of note. The
3 restrooms, first-off, are off to my left. Ladies
4 rooms are straight across the corridor. Men's
5 room to the left in back of that.

6 There are emergency exits. I need to
7 point out a couple things related to that.
8 First-off, you can go either to my left or to my
9 right. Let's start with the ones to my right.
10 You can go either direction, left or right, once
11 you go through that corridor. And there will be
12 exit signs at the end of the corridor that will
13 direct you to go downstairs.

14 Let's talk about to the left here,
15 because you'll have a little bit of construction
16 going on out there, so one of the normal
17 stairwells is blocked. But if you go out to the
18 left and through the glass doors you probably
19 came in, and take an immediate right and walk
20 down to the lobby, that is the way to get out if
21 you go to the left. So just keep that in mind.
22 You keep going straight you'll be blocked by some

1 construction that's going on with the stairs area
2 over there.

3 If you would silence your mobile
4 devices just to minimize disruption, which I'm
5 going to do right now just so mine doesn't go
6 off.

7 And then related to audience
8 participation and just general decorum, I know
9 this is probably obvious but I need to say it
10 anyway, is in order to complete the business of
11 the advisory committees we ask that all parties
12 hold their comments until we open the floor.
13 Please keep your remarks brief, say, less than
14 two minutes.

15 And, you know, I realize we may have
16 in the, at least in the public have some service
17 providers that, you know, really want you and
18 need you to avoid any advertisements today if you
19 will. You know, if I do hear advertisements,
20 either the chair or I will cut you off. We may
21 have to ask you anyway if you go on for too long
22 to cut your comments short and, if necessary just

1 to keep the agenda moving.

2 And, please, if the comment's already
3 been mentioned, you know, let's leave it at that
4 unless there's a point that needs to be stressed,
5 just again to keep the business moving and yet,
6 you know, make sure we have enough time for
7 everyone to comment with relevant points.

8 Also, there's an opportunity to
9 present written comments. We have a docket
10 number that we'll be -- that's actually we'll be
11 sharing it to you in a bit, but it's PHMSA-2016-
12 0136. That's the Advisory Committee docket where
13 written comments may be submitted.

14 You know, this is a federal advisory
15 committee meeting, as such committee members and
16 members of the public are asked to preserve order
17 and decorum during this meeting. No one shall
18 either by conversation or otherwise delay or
19 interrupt the proceedings or the peace of the
20 committee nor disturb any member while speaking,
21 or refuse to obey the instructions of the chair
22 or the designated federal official. We are very

1 strict, and we will cut you off.

2 If someone chooses to be disruptive,
3 we will ask you to leave.

4 I think that covers the housekeeping
5 I had up front. You know, we have a good bit of
6 business to cover over the next two-and-a-half
7 days, so at this point I will turn it over to our
8 chair for the day, the Honorable David Danner.
9 David.

10 MR. DANNER: Thank you very much, Alan.
11 And thank you, Administrator Elliott.

12 My name is Dave Danner. As Alan said,
13 I'm the Chair of the Washington Utilities and
14 Transportation Commission. And I am chairing the
15 meeting today. So I will call this meeting of
16 the Gas Pipeline Advisory Committee to order.

17 A reminder that this meeting is being
18 recorded. A transcript will be produced for the
19 record. And a transcript and presentations will
20 be available on the PHMSA website, meeting Number
21 132, one thirty-two. And it's on the eGov docket
22 at www.regulations.gov.

1 And as Alan said, the docket number
2 for this meeting is PHMSA-2016-0136.

3 So, as we move forward today I want to
4 remind members, presenters, and others to
5 introduce yourself each time you speak so your
6 comments can be acknowledged in the meeting
7 transcripts. And for members, please set your
8 tent card on end when you wish to make a comment
9 and I will call on you in the order as your tent
10 cards go up.

11 We'll now take roll call. Cheryl, can
12 I ask you to, to do that?

13 MS. WHETSEL: Okay. Steve Allen.

14 MR. ALLEN: Here.

15 MS. WHETSEL: Dave Danner.

16 MR. DANNER: Here.

17 MS. WHETSEL: Diane Burman. Diane's
18 going to be joining us by phone, so we'll check
19 on her.

20 Sara Longan.

21 MS. LONGAN: Here.

22 MS. WHETSEL: Terry Turpin.

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MR. TURPIN: Here.

MS. WHETSEL: Cheryl Campbell.

MS. CAMPBELL: Here.

MS. WHETSEL: Andy Drake.

MR. DRAKE: Here.

MS. WHETSEL: Ron Bradley.

MR. BRADLEY: Here.

MS. WHETSEL: Rich Worsinger.

MR. WORSINGER: Here.

MS. WHETSEL: Chad Zamarin.

(No response.)

MS. WHETSEL: He is not here.
Jon Airey.

MR. AIREY: Here.

MS. WHETSEL: Mark Brownstein is not
here.
Robert Hill.

MR. HILL: Here.

MS. WHETSEL: Sara Gosman.

MS. GOSMAN: Here.

MS. WHETSEL: Rich Pevarski. Okay,
Rich is not here today.

1 Okay, thank you.

2 MR. DANNER: All right. And Alan just
3 informed me that Diane Burman is on the phone
4 today. Welcome, Diane.

5 Okay. And now up on the screen before
6 you you see the agenda for today's meeting. We
7 are going to have a discussion of gas gathering
8 and the strategy for addressing the issues
9 relative to gas gathering pipelines in the
10 proposed rule. And we will have briefings and,
11 hopefully, a vote on outstanding issues. That
12 includes MAOP reconfirmation and related issues,
13 IM clarifications, definitions, and repair
14 criteria.

15 And it is our hope that we will
16 adjourn with some good results to show on
17 Wednesday at 5:00 o'clock.

18 So, with that I will turn it back over
19 to Alan and he will -- Oh, okay, in that case we
20 are going to go to Skip Elliott, the PHMSA
21 Administrator.

22 MR. ELLIOTT: So, good afternoon,

1 everyone. This is a little bit different than
2 you're probably used to, but I learned a long
3 time ago when I started to talk to groups that it
4 was very rude for me to talk to group with my
5 back to most of you. So I asked my team if for
6 today's comments I could come up here so when I
7 address not only the committee that I can address
8 all of you that are here representing the public
9 and interested parties as well.

10 First of all, good afternoon and thank
11 you for all coming out for this meeting. I
12 believe the strength in this committee lies in
13 its diversity. You come from across the country
14 and represent many facets of our pipeline safety
15 stakeholders. And it's that breadth of
16 experience that convinces me that our shared goal
17 of zero incidents is not mere aspiration, in fact
18 it can be achieved.

19 None of us here is perfect but perhaps
20 all of us can be. I'm personally committed to
21 the safety goal, and I know that you all here
22 today share that same goal with me.

1 I enjoy these opportunities to speak
2 with others who accept the challenges of chasing
3 perfection. There's a problem for me here
4 though. As a safety administrator, boring is the
5 highest good because no news in my business is
6 good news. On the other hand, as a public
7 speaker boring is less desirable, and a fear,
8 however, that you all may be about to discover
9 that as a public speaker I'm an excellent safety
10 administrator.

11 This is the fifth meeting on our gas
12 transmission rule. And I applaud your dedication
13 to pipeline safety.

14 I'd also like to also extend my
15 welcome to the new members of the committee.

16 I'm happy to see all of you again
17 today. And the last time I addressed this
18 committee I was getting my feet wet as PHMSA
19 administrator. Since then I've had the
20 opportunity to meet with many of our
21 stakeholders, as well as learn more from PHMSA's
22 hard-working safety professionals. I can tell

1 you that everything I've seen has made me more
2 impressed with our pipeline infrastructure's
3 admirable safety record.

4 Our job as a regulator is to establish
5 minimum safety standards. And this committee
6 serves an important role in helping us simplify
7 our rules and make sure that our limited
8 resources are invested where they are needed most
9 and have the greatest safety benefits.

10 Like many other issues before, PHMSA's
11 regulatory agenda is part of ongoing regulatory
12 review pursuant to the executive orders issued
13 last year by the White House. We are
14 reevaluating both current and planned
15 regulations, working to make them less onerous
16 without sacrificing safety.

17 As we move forward on our regulatory
18 review, one way that we're working to prioritize
19 our rulemaking efforts is by making sure that we
20 are responsive to Congress in closing outstanding
21 mandates. So far PHMSA has completed 34 of the
22 42 total mandates from the Pipeline Safety Act of

1 2011. And remaining mandates are a top priority.

2 PHMSA has made significant progress
3 working towards the final rulemaking efforts that
4 will close the rest of these mandates. And, as
5 you know, we believe that this rule will close
6 several more of those important mandates.

7 To complete these mandates as quickly
8 as possible, we are splitting up this rule so we
9 can move the mandated actions forward. And Alan
10 will go into that detail in a bit.

11 As part of the efforts to complete
12 this rule and close these mandates, PHMSA has
13 reviewed and analyzed over 400 comments in
14 response to the gas transmission and gathering
15 pipeline rulemaking. And I hope with your help
16 we can continue building on all the input and
17 hard work that's come before us and complete this
18 rule. I want PHMSA to move forward on clearing
19 our mandates and looking ahead for other
20 innovative ways to improve safety.

21 Now I want to take a moment to talk
22 about innovation. You probably remember that

1 it's one of my favorite themes, as well as one of
2 Secretary Chao's key goals. I'm proud of the R&D
3 work we've accomplished so far at PHMSA, funding
4 270 projects, and bringing 27 new technologies to
5 market. But I believe that we can do more.

6 I encourage research and development
7 efforts that will improve, create, and apply
8 cutting edge technology to safety solutions. And
9 I believe this is an important element in our
10 drive to improve safety. And I know it's been a
11 major theme in my talks with many industry
12 leaders.

13 So I want to pose the question to you:
14 what can PHMSA do to support R&D efforts and
15 innovative technology solutions? What red tape
16 can we remove to help you push innovation into
17 your safety systems? I want to hear those ideas.

18 With a long career in industry and as
19 a former railroad executive, I am here to say
20 that now is not the time for industry to
21 celebrate the administration's efforts at
22 regulatory reform. While we should all be proud

1 and congratulate ourselves on the amazing safety
2 achievements we've achieved over the last 20
3 years, our focus now must be on future safety
4 improvements.

5 We have a short time together to show
6 that the best path to higher levels of safety is
7 not an endless proliferation of burdensome
8 regulations, but instead, that together industry
9 regulators and the public can simultaneously
10 achieve reform that increases both efficiency and
11 safety. To this end I encourage all of you, both
12 industry and our other valued stakeholders, to
13 work towards supporting and advancing pipeline
14 safety outside of the regulatory arena.

15 I strongly encourage you to take
16 advantage of our time together to go beyond just
17 offering input on creating regulations that
18 meaningfully enhance safety. These efforts might
19 focus on researching new technologies or
20 investing in infrastructure improvements.

21 Pipeline safety is a responsibility
22 that all of us -- the industry, the public, and

1 our state partners -- share. The work that you
2 do here truly demonstrates that at the end of the
3 day we're all in this together.

4 I know that a great deal of work still
5 lies ahead, and I look forward to your continued
6 input and recommendations. I appreciate your
7 willingness to travel here to discuss how to best
8 support and expand the United States' pipeline
9 infrastructure, reduce regulatory burdens, and
10 protect both the public and the environment.

11 I want you to know that one of my
12 goals at PHMSA is to make our rulemaking process,
13 typically three to five years, move more quickly
14 and efficiently. I believe your input is vital,
15 not just for the rules that you provide expertise
16 on, but as participants in the process. Your
17 experience working with us on our rules gives you
18 important insight to our process and our
19 communications. So, please, I want to hear from
20 you.

21 How can we make it easier for you to
22 submit key feedback? And how can we be more

1 transparent and responsive in our rulemaking
2 process?

3 I look forward to hearing more of your
4 input and working together to complete our
5 mandates. And, more importantly, to continually
6 move the bar higher for gas pipeline safety.

7 Thank you. And have a good,
8 productive meeting.

9 MR. DANNER: All right. Thank you, Mr.
10 Elliott. Now I'll turn it back to Alan Mayberry
11 to give some opening remarks.

12 MR. MAYBERRY: Thank you, Mr. Chair.

13 As the administrator mentioned, this
14 is the fifth meeting of the Advisory Committee.
15 I must say, this has been quite a long road we've
16 been down together. And I'm very pleased here
17 today to be before you seeing light at the end of
18 the tunnel.

19 You know, this is a process that
20 started back in 2011 with our Advance Notice of
21 Proposed Rulemaking. And then we later issued a
22 proposed rule -- Notice of Proposed Rulemaking in

1 2016. We're here today. In 2016, you know, in
2 March 2016, I see the light at the end of the
3 tunnel as we, you know, head to the home stretch
4 on this rule.

5 As you know, we've tinkered with the
6 formula here a bit. And I think here lately
7 we've really had some good success, with good
8 traction in making progress at these meetings.
9 And I think what's helped, as we've talked before
10 and discussed with many of you, I think the
11 preparations we've made, the briefings we've done
12 has helped to that end.

13 As you know, it takes a lot to put
14 these meetings on. So I'd like at this point
15 before I give you kind of an introduction to
16 where we're heading with splitting up the rule,
17 let me introduce the staff who really is
18 responsible for putting all this together. So
19 why don't we go around the room starting to my
20 left here. John.

21 MR. GALE: John Gale, Director of
22 Standards and Rulemaking, Office of Pipeline

1 Safety.

2 MR. NANNEY: Steve Nanney, Engineering.

3 MR. SATTERTHWAITE: Cameron
4 Satterthwaite, Standards and Rulemaking.

5 MR. JAGGER: Bobby Jagger, Standards
6 and Rulemaking.

7 MR. PALABRICA: Saylor Palabrica,
8 Standards and Rulemaking.

9 MR. MAYBERRY: And why don't we go to
10 other -- let's see. Oh, we have Cheryl.

11 MS. WHETSEL: Cheryl Whetsel, also
12 Standards and Rulemaking.

13 MR. McLAREN: Chris McLaren, State
14 Programs.

15 MR. MAYBERRY: Okay, thank you very
16 much. And now, as the Administrator mentioned,
17 we're looking to, you know, as we move forward to
18 split the rule up into essentially three
19 components. And this is actually, if you go to
20 the DOT docket, it's already up there. You'll
21 see that we have three regulatory identification
22 numbers related to three separate rulemakings,

1 which I will define how we're going to do that in
2 a moment.

3 And, obviously, you know, each rule
4 that we are talking about putting into these
5 three different categories will be written as
6 final rules. I think that pretty much goes
7 without saying.

8 Now let's talk about the first
9 rulemaking. And, John, we're going to have to
10 find a sexier title for these. We have kind of a
11 catchall of different topics here. But under the
12 reg --

13 MR. GALE: We can make it longer if you
14 like.

15 MR. MAYBERRY: Okay. Yeah, I know,
16 we've gotten away from calling them miscellaneous
17 rules. But the title infers what's in it. But
18 under the RIN number that you see there we will
19 address this, the first of three:

20 The 6-month grace period for the 7-
21 year calendar -- seven calendar year
22 reassessment;

1 Seismicity;

2 The MAOP exceedance reporting;

3 That third bullet really relates to
4 integrity verification process, or IDP;

5 There's also non-HCA assessments in
6 the MCA definition, or Moderate Consequence Area
7 definition;

8 And then there are related record
9 provisions for those areas as well.

10 Okay, the second rulemaking we'll deal
11 with another category, another grouping of repair
12 criteria; safety features of ILI launchers and
13 receivers; inspections following extreme events;
14 management of change; corrosion control; certain
15 clarifications of integrity management; and then
16 strengthened assessment requirements.

17 And then, lastly, we will break out --
18 gathering lines into a separate rulemaking. It
19 will stand on its own, which will include the
20 reporting requirements. You know, and then what
21 are the appropriate safety regulations for gas
22 gathering lines in Class 1 locations.

1 And then probably the big elephant in
2 the room is definitions related to gas gathering
3 will all be in that rule. So that will be a
4 single rule on gas gathering.

5 Again, you know, this is being done
6 really, as the administrator had implied, to
7 really, you know, make progress. We had, really
8 with good intentions, created one rule just
9 because we didn't at the time get too many
10 opportunities to issue rulemaking, so we have one
11 big rule.

12 But I think we've learned through the
13 process that in order to be a little bit more
14 nimble, or a lot more nimble, to get this done
15 and see the end definitely, especially as it
16 relates to mandates. But then all, you know, all
17 these proposals that are important that it would
18 be best to break it up into three different, you
19 know, rules so we can get to the end game.

20 And then with that, be glad to talk
21 about that further I guess during our discussion.

22 Sara, you have a question?

1 MS. GOSMAN: I just have a quick
2 question. How is the two for one rule going to
3 apply to this, so when you break it up into
4 three?

5 MR. MAYBERRY: Well, we do obviously
6 have to comply with the executive order on two
7 for one. And we will be doing that through the
8 rulemakings that these three, but also others
9 that are on our agenda.

10 As you know, if you look at our
11 regulatory agenda it includes other rules like
12 plastic pipe and class location and others that
13 we see those as providing the balance of both
14 dereg and regulatory action that will help us
15 balance it out and we'll be where we need to be.

16 But definitely that comes into play
17 and we will comply with that executive order
18 through this process.

19 MR. GALE: Yes, just -- John Gale --
20 just real quick. Sara, we don't believe it's
21 going to hold us back, you know, with our reg
22 reforming issues that we've already identified.

1 In addition to two for one, we also have the
2 budgetary that we have to address. And,
3 obviously, that's no change because we're not
4 changing the impact, we're just splitting it into
5 three components.

6 MR. MAYBERRY: Questions? I guess
7 we'll go ahead and move into gas gathering.

8 MR. DANNER: Yes. Any other question
9 with regard to splitting this up into three?

10 (No response.)

11 MR. DANNER: So at this point we will
12 go into our discussion of gas gathering
13 pipelines. Okay, so Alan.

14 MR. MAYBERRY: Let me go ahead and cue
15 the topic up. You may recall at the last meeting
16 the topic came up about keying up the discussion,
17 the strategic discussion on gas gathering at this
18 meeting. Really not with the, not with to debate
19 the issue today or to deliberate on the issue but
20 just have a discussion that will sort of whet our
21 appetites for the next meeting.

22 So, consistent with that commitment,

1 we made a commitment at that meeting to hold a
2 preliminary discussion here today that will kind
3 of seed the discussion that we'll have at our
4 June meeting. So today we're going to, you know,
5 present a brief overview. And then I'll talk a
6 bit.

7 I'm going to turn it over to John Gale
8 here in a second. And then after John's finished
9 doing an overview I will give you a philosophy of
10 kind of where I see us headed on that. So with
11 that, I'll turn it over to John first. Thank
12 you.

13 MR. GALE: Thank you, Alan.

14 Real quick, I'd like to invite Dave
15 Murk from API, and Bryan Crowe from MarkWest to
16 join us at the table at this time. Thank you,
17 gentlemen.

18 As Alan has mentioned, the main
19 discussion of the gas gathering proposals will
20 occur at the next GPAC meeting. And just to be
21 clear, we're not looking for a vote at this
22 meeting on gas gathering.

1 PHMSA is committed to having a
2 strategic discussion of the handling of this
3 topic at this meeting. At today's meeting we
4 will provide an overview of the gas gathering
5 proposals and discuss our philosophy on how to
6 address the issue of gas gathering moving
7 forward.

8 We have also asked the American
9 Petroleum Institute to provide the GPAC an
10 overview of the activities of what's referred to
11 as the API RP 80 group relative to gas gathering.
12 As many of you are aware, API RP 80 is the
13 document that we currently use to define, or help
14 define gas gathering in the pipeline safety
15 regulations.

16 We are then going to provide the
17 public an opportunity to comment on our
18 philosophies and our plan going forward, and then
19 have an open discussion among the GPAC members on
20 how to address the issue of gas gathering moving
21 forward. But again, to repeat, we're not looking
22 for a vote or, again, for details of the

1 proposals but just as a pass forward to address
2 the issue.

3 So, what's the safety issue we're
4 trying to address? Well, recent developments in
5 the field of gas exploration and production from
6 non-conventional sources indicates the existing
7 framework for regulating gas gathering lines may
8 no longer be appropriate. Modern gathering lines
9 often operate at higher pressures and larger
10 diameters, comparable to transmission lines, and
11 present potentially higher risks than typical
12 legacy gathering pipelines if an incident occurs.

13 To address this issue and these
14 concerns in the gas transmission NPRM we propose
15 the following:

16 We propose to subject all gas
17 gathering lines to the incident reporting and
18 annual reporting requirements of the code;

19 We propose to replace the use of API
20 RP 80 for determining gathering lines, adding new
21 definitions for production facility or production
22 operation, and revise the definition of gathering

1 line;

2 We also propose to extend the
3 regulatory requirements in Class 1 locations and
4 for some Class 2 for lines diameter -- for lines
5 with a diameter greater than 8 inches. And,
6 basically, we propose to subject these lines to
7 effectively what's referred to as a Type B
8 requirements.

9 In a variety of our different advisory
10 committees and in other briefings we also made it
11 very clear that certain aspects of the gas
12 transmission rule were not applicable to gas
13 gathering lines, such as the IVP provisions, and
14 the like, and some of the safety-related
15 condition reporting requirements.

16 Some of the more specific proposals
17 related to gas gathering were as follows:

18 In Part 191 we propose to revise the
19 scope of the part to apply it to all gas
20 gathering lines and require that all gas
21 gathering lines obtain an op ID using our
22 national registry, report incidents, and submit

1 annual reports.

2 This is very consistent with the
3 approach we took in the proposal we had on
4 hazardous liquid gathering lines.

5 In 192.3 and 192.8 we propose to
6 replace API RP 80 for determining gathering lines
7 and added in revised definition 4, gathering
8 line, gas processing plant, gas treatment
9 facility, onshore production facility, or onshore
10 production operations. As many of you are aware,
11 as you go through defining what's a gas gathering
12 line you also have to define the end points and
13 the beginning points of both production and
14 transmission lines.

15 In 192.8 we also defined a new
16 category of regulated gas gathering lines. I
17 would call it a Mycus Ronnie legacy term of a
18 Type A area 2 meaning all of the following:

19 A Class 1 location that's got a
20 diameter greater than 8 inches -- or equal to or
21 greater than 8 inches;

22 And if it was metallic, with an MAOP

1 greater than or equal to 20 percent of SMYS; or
2 for non-metallic lines with an MAOP greater than
3 125 psig.

4 So, as I mentioned before, what we
5 proposed effectively was to require these Type A
6 area 2 lines to be subject to effectively what we
7 refer to as our Type B requirements. So what are
8 those requirements? So this would be, and just
9 to be clear, this is in addition to the reporting
10 requirements:

11 The design, installation, and
12 construction, and initial inspection and testing
13 for new or replaced lines. As many of you are
14 aware, our authority limits us from imposing
15 construction type requirements on existing lines.

16 We propose to require that all these
17 types of lines be subject to the corrosion
18 control requirements of the Pipeline Safety
19 Regulations.

20 Also, consistent with the most
21 frequent accidents and incidents we see related
22 to pipeline safety, in addition to corrosion

1 control we propose to require that all these
2 lines be subject to our damage prevention
3 provisions in 192.614; and, of course, our public
4 education requirements in 192.616.

5 We propose to require that the
6 operators also establish an MAOP and provide a
7 methodology for that in 192.619.

8 We also propose to require our
9 operators, also consistent with damage
10 prevention, to require that they utilize our line
11 marker requirements in 192.707, and to require
12 leakage surveys and appropriate repairs in
13 accordance with 192.706, and other sections as
14 appropriate.

15 And with that, I would like to quickly
16 turn it over to Alan to give kind of our thoughts
17 and philosophies where we stand on these three
18 areas of the proposal.

19 MR. MAYBERRY: Yeah, thanks, John.
20 I'll be covering there are three more slides and
21 really three different topics. The first one is
22 data. The next one relates to the definition of

1 gathering. And then lastly just a bit about the
2 high pressure, large diameter gathering
3 pipelines.

4 But first-off, if you look at the
5 approach that, you know, as far as our go-forward
6 approach, I could see us potentially taking one
7 relates to data. And I think we would all agree
8 that data collection would be very important. I
9 think certainly to understand the assets that are
10 out there related to gathering, currently
11 unregulated gathering, I think data collection
12 should be collected on, say, all gathering lines.

13 If we go to the next slide, related
14 definition, as I said that's really the elephant
15 in the room. Where do you draw the line between
16 gathering and, you know, regulated gathering and
17 unregulated gathering?

18 I know I have encouraged the RP 80
19 Committee of API to continue to work on their
20 revision to the RP 80 standard for gathering
21 lines. We have a history of considering
22 standards that we incorporate by reference that

1 are developed by standards, developing
2 organizations such as the API RP 80 group.

3 And while we currently, you know, in
4 this proposal it doesn't propose to adopt the
5 latest version of API RP 80, perhaps at a future
6 rulemaking it could be considered as an adopt --
7 to be adopted for helping clarify how we define
8 what is covered by regulation, what is not
9 covered by regulation.

10 That really is the elephant in the
11 room.

12 And then lastly, you know, the
13 committee should consider, you know, all input
14 from a variety of stakeholders because I know
15 while certainly on the next slide I cover it, I
16 make no secret of the concern over high pressure,
17 large diameter gathering, there's a lot of input
18 related to all gathering, not just the modern
19 gathering but also the conventional gathering or
20 traditional gathering that may be lower pressure.
21 But we need to consider the input of stakeholders
22 and just how we decide where to draw that line as

1 we go forward.

2 And while I always encourage
3 stakeholders to work collaboratively to develop a
4 standard -- in this case the RP 80 Committee --
5 we have to move forward in this area. So we
6 accept the input and we move forward but, you
7 know, either in the future with an adopted
8 standard or in reg text, really those are your
9 two choices. You adopt a standard, incorporate
10 by reference, or you develop reg text, or you do
11 a combination of both. But we will need to move
12 forward.

13 And I look forward to the discussion
14 on this that helps inform this, you know, where
15 we land this. Again, you know, this discussion
16 today is really to whet your appetite. We're
17 going to be getting into this in the June
18 meeting, so thank goodness not today. We have
19 enough other stuff to go through today. But this
20 is really just an appetizer for the next meeting.
21 Hopefully it's provocative enough to make you
22 think that, hey, let's come there ready to, ready

1 to talk about it.

2 And then lastly, as I've mentioned
3 before, you know, certainly PHMSA and all
4 stakeholders have seen in the advent of non-
5 conventional sources of gas, you know, I guess
6 nowadays maybe it is convention because it's been
7 around so much, maybe we should call it
8 conventional now.

9 But, anyway, the advent of horizontal
10 directional drilling as a technology to extract
11 more hydrocarbons out of the ground and
12 subsequent increase in production of natural gas,
13 we're finding that there are large diameter, high
14 pressure lines that really design the federal
15 minimum standard out of the equation, that go
16 multiple counties, that really look and smell
17 like a transmission line but aren't because
18 they're installed, designed and installed under
19 the, you know, outside of the code.

20 So, you know, to that end I think we
21 should consider a federal minimum standard for at
22 least the high pressure lines. But again, you

1 know, considering all the input as we move
2 forward on that.

3 So those are the three areas: data,
4 the definition, and the particular concern over
5 large diameter.

6 I mentioned for -- I made a mention
7 of, you know, considering all stakeholder input.
8 And there's a reason for that. Because certainly
9 people are also concerned about conventional
10 gathering. So I don't want to lose sight of and
11 predispose the outcome of this. Let me assure
12 you I'm not doing that. But we do need to
13 consider, you know, all the options and just
14 where do we draw that line. And, you know, I'm
15 not so -- haven't really predisposed the outcome
16 so much that I want to lose sight of the
17 convention at all. I think we need to consider
18 that. And I look forward to the committee, you
19 know, discussion related to that.

20 Next we have, as far as to round out
21 what we're planning for today, we will have a
22 brief presentation of the API RP 80 Committee.

1 At that point we will open it up for public
2 comments. And then before we turn it over to the
3 committee for discussion before we wrap up.

4 And with that, are we on schedule for
5 the agenda? I just want to make --

6 MR. DANNER: Yes, we're doing great.

7 MR. MAYBERRY: -- be mindful of time
8 that we have time for the feature presentation.

9 Okay. With that I will turn it back
10 over to John.

11 MR. GALE: The first speaker from the
12 RP 80 group to us, Alan, is going to be Bryan
13 Crowe from MarkWest. And after that Dave Murk
14 from API is going to give us the presentation, I
15 believe, on the development process that API
16 uses.

17 And with that, I'll turn it over to
18 Bryan.

19 MR. CROWE: Thanks, John and Alan for
20 giving us the chance to speak to the GPAC.

21 My name is Bryan Crowe. I'm with
22 MarkWest, General Manager Operations for our

1 northeast operating area. We operate the larger,
2 higher diameter, higher pressure, higher flow
3 unconventional gathering lines out of Marcellus
4 and Utica.

5 So today we're going to talk about the
6 API recommended practice for onshore gas
7 gathering lines. I'm going to give you a high
8 level overview of gathering if it's something
9 that's new to you. We're going to talk about the
10 current regulations, how it's set up. Then we're
11 going to move into the RP and the background and
12 what we see as the path forward.

13 And this is really setting the stage,
14 like Alan had said, for the June GPAC meeting.

15 All right. So gathering lines are a
16 specific set of pipelines that serve a different
17 function than transmission and distribution
18 lines. So what a gathering line does is it takes
19 the gas from production facilities and production
20 operations and it brings it to usually a central
21 processing facility.

22 From there, that processing facility

1 removes natural gas liquids and any other
2 impurities to create pipeline quality gas. That
3 gas is then delivered to the transmission and
4 distribution customer, and then they deliver it
5 to the final customer for use as either high
6 volume or any other type of energy.

7 So the safety of these pipelines is a
8 top priority for the gathering line industry.
9 These lines are currently regulated. And PHMSA
10 data does show that regulated gathering lines
11 have an excellent safety record, and we want to
12 keep it that way.

13 There is a wide variability on the
14 different formations, and life cycles, and
15 production, and conventional versus
16 unconventional. So gathering is very unique in
17 the way that the rules are formed around it. And
18 there is a lot of different stakeholders, like
19 Alan has alluded to.

20 So this is a recap of what John and
21 Alan were talking about earlier. So PHMSA has
22 expressed concerns with the safety of rural

1 gathering lines, particularly the larger
2 diameter, higher pressure lines.

3 So, as technology has advanced over
4 the past few decades, development has moved into
5 shale production. So when you do the
6 unconventional long bores on the drill-outs there
7 you end up with a lot higher pressure, a lot more
8 volume coming off of one well tap. So, in turn,
9 you end up with some larger diameter, higher
10 pressure pipelines.

11 So, prior to this advancement in
12 technology, conventional gathering there's a ton
13 of 2 and 4 inch small diameter, low pressure, low
14 risk pipelines, and they're strung out throughout
15 rural areas. After the shale revolution kind of
16 takeover you still have those same pipelines in
17 the ground, and the vast majority is still small
18 diameter, low pressure pipelines. But there are
19 some large diameter, higher pressure lines. But,
20 again, the vast majority are on the smaller
21 diameter, lower pressure, low risk.

22 So industry is committed to addressing

1 these concerns. We would love to see reasonable,
2 risk-based approach for continued safe operation
3 of rural gas gathering lines.

4 So, current framework. PHMSA does
5 regulate pipelines, gathering lines, as do state
6 agencies. So these gathering lines are not
7 unregulated. And what I mean by that,
8 regulations apply to Type A, Type B gathering
9 lines.

10 And I have a picture. I'm better with
11 pictures than I am with all the words, so we'll
12 go over a picture in a minute. But just to give
13 you an idea, Type A gathering lines are higher
14 stress pipelines in the Class 2 or 3 or 4
15 location. And the Type B is a low stress
16 pipeline in a Class 2 or 3, 4 location.

17 Class 1 is the pipelines that we say
18 are exempt. So that's what the NPRM that was
19 focused on, these higher diameter, higher
20 pressure pipelines in a Class 1 rural gathering
21 area. And that's defined as buildings intended
22 for human occupancy.

1 So this is your current framework for
2 regulations for gathering. So I'm going to start
3 for the highest risk. So if you move over to the
4 right of the screen you'll see Class 4. Now,
5 this is not to scale but it does assume a sliding
6 mile. So your class location unit is the top
7 line. So this purple line up here, down to here.
8 This is your class location unit.

9 So as you do your class survey, you're
10 looking for buildings and particular structures
11 inside of that sliding mile. And what that does
12 is it gives you a risk framework to determine
13 what kind of requirements should that pipeline
14 have. So a Class 4 pipeline -- that's over there
15 on the right-hand side -- is a building where
16 four or more stories are prevalent. So it's an
17 area where buildings with four or more stories
18 are prevalent. And so that's running through a
19 downtown city or something like that.

20 Class 3 site, so there's a long
21 definition for Class 3 site. It's a building
22 that has 20 or more people for a certain amount

1 of weeks. And I'm not going to bore you with all
2 that. But it's a building that if there was
3 anything to happen within 300 foot you would have
4 to consider that a Class 3 site. So Class 3 site
5 you're looking at 300 feet in, not the full 660.

6 A Class 3, just based on the amount of
7 dwellings, are 46 or more houses. So to give you
8 an idea that's, in a sliding mile, you would have
9 to have this much residential areas, buildings
10 intended for human occupancy.

11 Class 2 is slightly less than that.
12 You're looking at 11 up to 46. So this is your
13 11 threshold.

14 And then what we are focusing on, and
15 what the NPRM is focused on, is this box right
16 here to the left. So you can see we've already
17 identified the higher risk areas. So these are
18 either Type A or Type B based on the amount of
19 pressure that you're operating, compared to what
20 your pipeline is designed for. So that's your
21 SMYS or what you can operate at.

22 So if you're going to design it a lot

1 higher and operate it lower it's not as risky as
2 if you're going to design it and operate it
3 closer to the top there.

4 So we're worried about this one house,
5 okay. Because that one house matters as much as
6 any of these other houses; right? And that's
7 what we're saying in industry, and we've heard
8 the public and we've heard all the comments. So
9 we want to make sure that one house is covered.
10 So how do we do that?

11 So what we've determined, the RP 80
12 group, initially we kicked around just changing
13 definitions and moving forward like that. But
14 what we determined is it makes sense to not only
15 look at the definitions, but from industry how do
16 you bring all that together? You know, there's a
17 lot of good operators out there. We're already
18 following a lot of industry practices for these
19 lines. And how do you put all that on paper and
20 move forward on that?

21 So we decided to open up an RP. And
22 Dave's going to talk about how all the RP stuff

1 works later. But this RP is for Class 1 rural
2 gathering. It's not only just to define it but
3 also how do you determine risk? And then once
4 you determine that risk, what do you actually do
5 with it?

6 All right. So we had our first
7 meeting January 16th through 18th this year. We
8 had almost 100 participants show up. We've had
9 67 different entities. Industry was there,
10 obviously. Regulators. We had representation,
11 and we still have representation from NAPSAR,
12 PHMSA; trade groups, INGAA, Polypipe, API, GPA.
13 And then we also had the non-industry groups:
14 EDF, Pipeline Safety Trust. We had some unions
15 show up. And RP is open to anybody that wants to
16 be part of the process. So it's an ANSI
17 standard. And, again, Dave can talk about that
18 later.

19 So we realized we had a tight time
20 limit, so we needed to address stuff in a hurry.
21 So what we did is we broke up the entire group,
22 instead of trying to draft something by committee

1 we broke it up into subgroups. So we have a risk
2 categories group. They define risk and how
3 that's determined.

4 We have a design construction testing
5 group. So once you've determined risk how do you
6 design construction and test it?

7 We have a corrosion control group.

8 And we have an O&M, or an operations
9 and maintenance group.

10 So the last meeting was actually last
11 week. We had a meeting on March 21st of last
12 week.

13 All right. So, develop, our idea here
14 is to develop a complementary framework for rural
15 gas gathering lines. So, again, Part 192 already
16 covers Type A and Type B in the Class 2, 3, and
17 4, which goes back to the pictures.

18 We've already defined the risks in
19 those. We already have our requirements. So
20 we're trying to figure out that one to the left,
21 that one house.

22 So this proposed RP takes that one

1 house and that risk and it breaks it up into two
2 different types. So there's already a Type A.
3 It has more stringent requirements than the Type
4 B. And then what we're saying is the Type B
5 should have more stringent requirements than what
6 we're proposing on the C, or something similar.
7 And then Type D is even lower than that because
8 Type D would be basically very, very low risk.

9 So a Type C is already a low risk
10 pipeline because it's not in the 2, 3, or 4. But
11 there is a potential of that one house, and
12 that's what we're looking for.

13 So we're using existing proven
14 concepts that are already in the code to evaluate
15 potential public risk. So something that we've
16 kind of come to a conclusion to is we can use the
17 diameter of the pipeline and the operating
18 pressure and you can determine what your impact
19 radius would be if there was ever a failure on
20 the pipeline.

21 And we've also used a class location
22 analysis, combined with potential impact radius,

1 to help determine that risk. So instead of just
2 throwing a diameter out there and saying, you
3 know, this diameter and whatever pressure you're
4 operating at it's going to be this risk, this is
5 a little bit more surgical approach to actually
6 doing it.

7 So we're going to create a practical
8 approach that industry can implement. So we
9 don't expect to, you know, be able to do
10 everything at once. Right? So if you've got a 2
11 inch line operating at 20 pounds it's not the
12 same risk as a, you know, 30 inch pipeline
13 operating at 1400 pounds. So, with the resources
14 that you want to make sure that we have a
15 implementation and a journey, a path forward to
16 kind of address all of that.

17 All right. So this is what we're
18 calling the three, two, one method here. So it's
19 three tiers, two methods, and you're looking for
20 one dwelling. Again, you're looking for that one
21 dwelling in the Class 1 location.

22 So there's three different tiers.

1 These are very conservative. And I do have
2 pictures. So we'll go over it here in a second.

3 Tier 1 would be a 2 to 12 inch.

4 Tier 2 would be a 14 to 24 inch.

5 And a Tier 3 would be a pipeline
6 that's greater than 24 inch lines.

7 So there's two different ways to
8 determine your risk. An operator can do a
9 modified class analysis, which is very similar to
10 the sliding mile. You're looking for a certain
11 amount of residences inside that 660 feet. Or
12 you can do a more surgical, more calculated
13 approach and use your potential impact radius.
14 And what you need to know there is your diameter
15 and pressure.

16 So if you don't want to do your
17 diameter and pressure you can just use your
18 diameter. But, again, you're looking for that
19 one dwelling.

20 All right. So this is a Tier 1
21 pipeline here. So the top line is the same, this
22 is the same background as I used for the class

1 analysis. So this is you've already done a class
2 analysis for 660 feet. So now you're going to
3 run a supplemental based on a generic Tier 1
4 number. And these calculations were done doing
5 the wet gas factor, which is .73. It's a more
6 conservative factor when calculating PIR than the
7 regular C-1 or just the methane. So it's a
8 little bit, it's a lot more conservative.

9 And we also assumed 1440 psi. So this
10 is your Tier 1. And it gives you a default
11 number of 330 feet. So you would be looking for
12 a resident inside this 330 feet.

13 All right. So a Tier 2 pipeline is a
14 14 to 24 inch. And if you look down here it's,
15 again, we assumed .73 and 1440. So, how we
16 determined both of these outsides, so if you
17 don't know your pressure, we assumed an ANSI 600
18 1140 system. We calculated out the PIR for a 24
19 inch. And that gave us right around 660. So
20 it's not a number that we made up, it's something
21 that science has behind it, as is the 12 inch
22 330. That's the PIR calculation for a 12 inch is

1 right around 330. So it's really it's based on
2 scientific method here.

3 All right. So how do I get back?
4 There we go.

5 So this is what we're calling the Tier
6 3. And although there's not a lot of these
7 pipelines out there, there are some gathering
8 lines that are greater than 24 inch out there.
9 So if you were to operate that pipeline right at
10 your maximum design pressure you can exceed the
11 660 foot. So obviously, you know, when you're
12 kind of looking at this those are the ones that
13 are the highest risk. So you would want the more
14 stringent requirements moving forward and then
15 kind of coming down from there just from a risk
16 management basis.

17 All right. So, from a function
18 standpoint -- let me go back here. All right, so
19 we're looking at the one on the right right now.

20 So from a function standpoint -- there
21 it goes -- gathering is very unique to
22 transmission and distribution, especially on the

1 suction side, which is the majority of your
2 miles. And what I mean by that, when you drill a
3 well you have a lot of flow and you have higher
4 pressure. However, that well declines rapidly.
5 So you may design your system for 1400 pounds or
6 1440, whatever that is, but after a year or two
7 you're going to have to add compression. And
8 when you do that you still have a pipeline that's
9 designed for 1440 but your impact radius if you
10 had a failure significantly drops.

11 So I'm going to give you an example.
12 This is a 24 inch. All right. So if I add
13 single stage compression and I lower my suction
14 pressure to 600 pounds, my PIR drops that much.
15 All right. So, for example, the 24 inch the
16 calculated PIR is 665 feet. If I lower my
17 pressure to 600 pounds my PIR goes down to 429
18 feet. And that's using the more conservative wet
19 gas factor. It would be even lower if this was
20 dry gas. But we want to make sure we're
21 conservative there.

22 So this can operate like this for a

1 couple years. This is very typical of what we're
2 experiencing up in Marcellus right now. These
3 wells, they have an initial production of a
4 couple years. You can free flow them directly to
5 a sales line. And you can without compression.
6 But after about two years tops you have to add
7 compression. And then after about another year
8 or two from that it drops below 600 pounds to
9 where you have to add even more.

10 So you're going to go from 600 down to
11 this. And this is the same line, the same
12 pipeline that was originally built for 1440.
13 It's the same line that, you know, we -- that
14 it's moving the same product. Nothing's really
15 changed other than that well pressure's gone down
16 so much that if we don't add compression to it
17 the well will no longer be able to flow. So your
18 potential impact radius now for that same 24 inch
19 line that was 429 feet, it just drops back down
20 to 248 feet. All right.

21 And as these wells, as they get down
22 to their, through their life cycle, they tend to

1 line out. And a lot of the conventional and a
2 lot of these wells are operating at around 100
3 pounds. And you can see that it continues to
4 drop.

5 So that it's different than a normal
6 transmission line that's feeding a customer at a
7 constant pressure. It's more you design it a lot
8 higher and then over time your impact radius and
9 all that gets a lot smaller.

10 All right. So what we would do on
11 this, how this would work for your potential
12 impact radius, as an operator for me determining
13 my risk what I would do on the right-hand slide
14 is I would do modified class analysis using my
15 baseline numbers, which again we determined on a
16 worst case scenario of 1440 psi.

17 So we're talking rural gathering.
18 I've done an analysis on my system, not every
19 system. But on our system I'm throwing out 97
20 percent of my pipelines are outside of these -- I
21 don't have any residences or any kind of
22 buildings inside of my windows. So I'm able to

1 knock out a lot of the Class 1.

2 Of the 3 percent or so that is still
3 left, I can go and determine what my pressure is,
4 my diameter, and use a more surgical base to kind
5 of accurately portray what the risk is. And then
6 I can make sure that I'm dedicating, you know, my
7 limited resources and all that to the proper
8 pipelines.

9 And one thing I do want to show is,
10 like, a 2 inch conventional. We have a lot of
11 conversation on that. Right here it's at 55 feet
12 at 1440. But as it continues to drop you can
13 barely even see it. You know, a 2 inch once you
14 get -- a lot of the conventional, you know,
15 impact radius is less than 15 feet. So, you
16 know, your 2 inch conventional, the smaller
17 diameter the risk isn't the same.

18 So once you determined if you had a
19 residence in here, again that would be what your
20 Type C versus your Type D requirements would be.
21 And that's kind of the whole framework of this.
22 It's a process that's moving forward. I don't

1 have all the specifics. We have directions. But
2 it's something that the stakeholders have to vote
3 on. It's an industry consensus with outside
4 stakeholders.

5 So I'm going to talk real quick about
6 the next steps of this process. I'm going to
7 turn it over to Dave.

8 Next steps, we just had the meeting to
9 give API some direction on how to draft it moving
10 forward. So we're going to start drafting it.
11 In May we're going to circulate the RP draft to
12 the work groups. The work groups are going to do
13 their review, final editing. And we're looking
14 at June going out to ballot for this document.

15 July and August, you send it out for
16 ballot. Then you have to do the comment
17 resolution. September, a second ballot. And
18 October and November a comment resolution. And,
19 hopefully, December we can get to where we can
20 publish the RP.

21 And, you know, Alan had mentioned
22 participants. And I just kind of, we just wanted

1 to put this up there. There's a lot of different
2 people, lot of different companies. There's a
3 lot of different industries represented, trade
4 groups, regulatory agencies. And we're all
5 trying to work together to come up with a good
6 risk-based reasonable solution to this issue.

7 All right, I'm going to turn it over
8 to Dave.

9 MR. MURK: Good afternoon, everybody.

10 John, how much time? We're good on
11 time?

12 MR. GALE: Forty-five seconds.

13 (Laughter.)

14 MR. MURK: As John mentioned, I'm Dave
15 Murk. I'm the Pipeline Manager for the American
16 Petroleum Institute. And prior to my time at API
17 the last two years, I did 26 years as a federal
18 regulator and had oversight of pipelines both on
19 the marine terminal side with the Coast Guard as
20 well as with PHMSA and the Office of Pipeline
21 Safety. So I bring a perspective from the
22 regulatory and the importance of standards and

1 incorporation of standards into regulations in my
2 current job.

3 So Bryan's presentation was really the
4 meat of what we wanted to talk about and present
5 today from a gathering perspective. But thought
6 it would be important really quick, high level,
7 to give you a sense of the API standards process
8 for a couple of reasons which I'll hit on.

9 And really the last slide I think that
10 Bryan showed with the participation is one big
11 part of the standards process that I think is
12 invaluable as we develop standards and
13 recommended practices.

14 So let me run through real quick and
15 then we'll get to questions because I know
16 there's probably some questions.

17 So API itself, we actually represent
18 the entire oil and gas industry. So we cover all
19 three segments: upstream, midstream, and
20 downstream segments. And in that, as a standards
21 setting body we've got over 100 years, or coming
22 up on 100 years of standards development and

1 publication. We have 700 technical standards
2 across the industry.

3 And in that, the volunteer aspect of
4 that is incredible. You know, just in the 100
5 that you saw that Bryan put up for the gathering
6 lines RP is an example of the commitment that is
7 involved from folks or stakeholders that have a
8 stake in seeing the RP or a standard move
9 forward. And one-third of all of our standards
10 are actually referenced in some type of
11 regulation. And that holds true on the pipeline
12 side as well.

13 And I'm going to show you what we call
14 our pipeline safety placemat. And this is 30, I
15 believe there's 34 standards up there, somewhere
16 around there, that are strictly pipeline-related
17 recommended practices or technical reports that
18 we have in play right now that have been
19 published or are close to publication.

20 And roughly same amount, about a third
21 of those, are in some way incorporated by
22 reference. And it just shows you the volume of

1 any importance that as an industry we place on
2 standards and recommended practices. And I think
3 this is a good visual just from the standpoint
4 of, you know, this is just one segment, one
5 aspect of our industry that has standards around
6 it. And you can see the number associated with
7 it.

8 So our standards process, as Bryan hit
9 on some of these points, it's a consensus-based
10 process. And I think that's an important point.
11 And the participation that we get is based on a
12 third, we call it the third-third-third make-up:
13 a third of industry participation; a third of
14 manufacturers and suppliers; and a third category
15 is others, so that's your other stakeholders, the
16 public, regulators, NGOs, et cetera, that would
17 want to participate in the process.

18 So that's ultimately what we strive
19 for in the process, in the development of an RP
20 or recommended practice that we move forward with
21 a standard.

22 The other important piece for us a

1 performance-based approach to it. Performance-
2 based standards and recommended practices allow
3 the flexibility for us as an industry, based on
4 the unique nature of and size of operations
5 across-the-board. Provides that ability to scale
6 based on risk, as Bryan just talked about from
7 the RP 80 group and gathering lines. It allows
8 for that flexibility to really focus our
9 resources, or to focus resources where the
10 greatest risk is.

11 It's an accredited process through the
12 American National Standards Institute, an ANSI
13 process. And our program through API is actually
14 audited every five years by ANSI. And we see it
15 as a transparent process just based on the fact
16 that it is consensus, does -- we do strive to get
17 that mix and that balance of those who are
18 participating on the group.

19 But we can also take another step
20 within the ANSI process to get additional input,
21 which we're looking at for another RP we're
22 working on right now, 1162, where you actually

1 have additional public comment and additional
2 discussion with underrepresented groups on that
3 RP development group that can support the further
4 development and get additional input, as needed,
5 moving forward.

6 So, again, the process, you know, for
7 us is important. It is audited. And we're not
8 the only standard-setting body. There's
9 obviously others like NACE, and ASTM, ASME, et
10 cetera, that do similar types of standards. And
11 so, you know, for us, again, this is an important
12 aspect of moving forward.

13 The last thing I wanted to talk about
14 was the difference for us between prescriptive
15 and performance-based. I already hit on it in
16 some way. Our focus, obviously there's at times
17 a need for a prescriptive standard or a
18 prescription within a standard. Our focus, based
19 again on the ability, the flexibility, and the
20 scalability of risk and performance, and really
21 focusing the resources on the highest risk. We
22 focus on the performance-based standard or

1 performance-based aspect when we're developing
2 recommended practices and standards.

3 And the importance of that as an
4 industry that's heavily dependent on technology,
5 and I thought it was appropriate with
6 Administrator Elliott was talking about the focus
7 he has on innovation, the importance of
8 innovation, and meaningful technology was
9 something else mentioned earlier. You know, for
10 us that's extremely important. Meaningful
11 technology and technology that can be applied
12 early as it's being developed to implement the
13 latest and greatest and safer technology is
14 important.

15 And that's where, from our standards
16 standpoint, we think it's important that it be
17 performance-based because it allows for that
18 flexibility, as well as new technologies are
19 developed. And it encourages, in our view,
20 innovation. And it's not a hard and fast
21 requirement, as some of the prescription is.

22 Again, there's going to be a need at

1 times to have a balance of both, but the, you
2 know, the focus for us as an industry is more on
3 performance-based, based on the uniqueness of the
4 operations and the requirements to apply
5 resources where the greatest risk is.

6 And so I think that is it for me.
7 That was, again, a quick snapshot of our process.
8 And I think it was good to dovetail off of the RP
9 80 group, which showed a lot of aspects of our
10 process as it's being developed.

11 The one other thing I would note is
12 the RP 80 group, typically an RP can take
13 anywhere from 12 to 18 months or more. This is
14 one area -- this is one recommended practice that
15 really we place a great deal of importance on,
16 recognizing the importance to the gas rule. And
17 it's really been expedited. And really there's
18 been a lot of great input into it across the
19 board from a lot of different key stakeholders.
20 So, I appreciate the effort in moving this
21 recommended practice forward.

22 So, John, back to you.

1 MR. DANNER: So, thank you, Bryan and
2 Dave. So, if you would stay in your seats I'm
3 going to ask for any public comments or questions
4 and -- from the folks sitting behind me. And
5 then we will turn it over to the committee for
6 the same.

7 So, is there anybody here in
8 attendance who has comments on what you just
9 heard from API?

10 Yeah, if you'd come to the mic in the
11 aisle.

12 MR. EDWARDS: Hi. Kepler Edwards with
13 the Plastics Pipe Institute, Wyman Associates. I
14 just have some prepared comments that I wanted to
15 read off.

16 The proposed Type A area two gathering
17 lines applies to pipe 8 inch in diameter or
18 greater, operating at 125 psig or higher. The
19 proposed changes would make certain Class 1
20 applications regulated, thereby invoking current
21 part 192 design rules intended for Class 3 and 4
22 gas distribution and limitations on plastic

1 piping that are in conflict.

2 This rule would effectively limit the
3 use of PE over 8 inches in diameter to gas
4 gathering applications with a maximum operating
5 pressure of less than 125 psig, or require the
6 use of larger diameter pipe to provide the same
7 gas flow at the lower pressures.

8 Many -- 50 percent of the total HDPE
9 gathering market, large dimension PE gas
10 gathering systems in operation today operate
11 successfully at pressures above 125 psig,
12 designed using the design equation with a design
13 factor of .63. Overall, more than 1,000 miles of
14 8 inch and larger PE pipe is installed for gas
15 gathering applications annually.

16 PPI believes that the proposed rule to
17 regulate onshore gas gathering lines, Type A non-
18 metallic area two Class 1 locations, with a
19 nominal diameter of 8 inches or greater, or with
20 a maximum operate -- MAOP more than 125 psig will
21 have a dramatic cost impact to gas gathering
22 pipeline operators.

1 PPI estimates that the design pressure
2 limitation annual compliance cost to industry to
3 be approximately 140 million. We estimate that
4 the newly regulated lines to be at least 30
5 percent of the total industry reporting energy
6 pipe and sales, we estimate that at least 50
7 percent of the gathering lines are designed with
8 an MAOP equal to the maximum design pressure
9 designed on PE 4710, design factor, DF, of .63.

10 To achieve equivalent gas flow with a
11 125 psig design pressure limitation for regulated
12 thermoplastic pipes, the NPRM will require PE
13 pipes currently designed to SDR 13.5 or lower to
14 be upsized or switched over to other more
15 expensive materials. The total cost of
16 eliminating rework is at least .3 -- or 30 cents
17 per pound, which will be passed through the
18 industry operators as the rework material will
19 have to be sold in lower resin cost markets and
20 to scrap recyclers.

21 I just wanted to introduce those
22 comments. And thanks for your consideration.

1 MR. DANNER: All right, thank you.

2 Are there other comments?

3 (No response.)

4 MR. DANNER: Okay, hearing none, let's
5 turn it to the committee. Are there any
6 questions or comments for Mark or Dave?

7 Yes, go ahead.

8 MR. ALLEN: Yes. Steve Allen, Indiana
9 Utility Regulatory Commission.

10 Dave, when you mentioned the
11 distinction between prescriptive and performance-
12 based approaches -- and I think you and I have
13 talked about this once before, the Transportation
14 Research Board of the National Academy of
15 Science, the study that they had completed, and
16 the report from, I think, last October talks
17 about the four different classifications of a
18 regulatory standard being a micro means, micro
19 ends, macro means, macro ends. And everyone in
20 the room probably knows I'm a big cheerleader for
21 micro ends or macro ends being safety management
22 systems.

1 Any consideration of a management
2 systems approach incorporated into the
3 recommended practice?

4 MR. CROWE: Yeah, I'm not that familiar
5 with the macro ends, and -- can you hear me now?

6 So I'm not that familiar with the
7 macro ends and what you're talking about. But as
8 far as the SMS method in performance-based and
9 all that, I know Stuart -- he's with API and
10 heads up the group, he is wanting to waive in the
11 SMS, you know, from the API side of it into this
12 RP and make sure that we do weave in some of the
13 safety management systems.

14 MR. MURK: Yeah, Steve, thanks for the
15 question.

16 So, as we move forward with any of our
17 recommended practices, safety management systems,
18 continuous improvement, planned new check act
19 element of that is being incorporated into our
20 RPs moving forward. So there will be some
21 element of safety management incorporated into
22 it. To what degree, you know, will depend on the

1 RP itself. But, yes, we're -- that's part of our
2 process moving forward is to include those types
3 of elements in.

4 MR. ALLEN: Mr. Chairman, may I follow
5 up?

6 MR. DANNER: Yes, Steve.

7 MR. ALLEN: Okay. Yes, Steve Allen,
8 IURC.

9 Yeah, I just wanted to -- I misspoke.
10 Really we're dealing with, okay, the performance-
11 based or the prescriptive-based approach being
12 the micro means, you know: how are you going to
13 do it?

14 Where the macro ends approach is
15 really more of a general duty statement. All
16 right? The management system is really more of
17 the macro means. You know, here is the what and,
18 generally, here is the approach that needs to be
19 taken but not specifically spelling it out.

20 So I just wanted to clarify my earlier
21 comment.

22 MS. CAMPBELL: Thank you, Mr. Chair.

1 Cheryl Campbell, Xcel Energy.

2 I just have a question. I'm probably
3 not going to do a great job of articulating, I'm
4 just going, just going to admit that up front.
5 So, first of all, API, I want to thank you guys
6 for doing a lot of standards work. I mean, a lot
7 of us use a lot of these standards. I appreciate
8 the process and the way that they're built.

9 I'm curious when we talk about this --
10 and I'm not a big one for writing a whole bunch
11 of new rules and creating a lot of more stuff,
12 right. So please understand where I'm coming
13 from, I look at this and I think, okay, I see a
14 lot of new concepts and ideas. I'm not sure they
15 get you to a new place, but I'm very interested
16 in that. How does this compare -- I mean if you
17 have a -- we have a whole bunch of pipelines in
18 this country, transmission pipelines in Class 1
19 locations without any houses around them that
20 follow a certain code. How does this compare to
21 that code that's already out there?

22 And does it bring more pipelines --

1 does it change the way you build some of those
2 pipelines?

3 And as kind of a follow-up to that, I
4 mean it feels like -- and I used to work in the
5 midstream sector, so the wells start here and
6 they tend to go down over time. I get that. But
7 is the way to deal with that -- what we've got
8 here is a sliding scale of MAOP over time. And
9 then can you use a lot of the words that are
10 already in the code instead of creating a lot of
11 new stuff?

12 MR. GALE: John Gale, PHMSA.

13 Cheryl, just real quick, you know
14 under the current regulations, you know -- for
15 gathering lines that is -- so we kind of -- we
16 carve them up into what we call Type A lines and
17 Type B lines. So we -- in our proposal -- I
18 mean, we've got to remember we're talking about
19 in terms of a path forward for this committee to
20 look at this rule. What API is putting forward
21 is both kind of a combination of something we can
22 look at short-term, plus possibly more of a long-

1 term solution on this issue.

2 We carve these regulations up under
3 Class Type A and Type B. And as I went through
4 before under Type B -- which is what we propose
5 to address or put these new lines under -- it's
6 about seven different things that we would
7 impose: cathodic protection, public awareness,
8 things like that.

9 And then when it comes to new
10 construction we would apply our construction
11 requirements that are in the code. By statute we
12 can't apply our construction standards to lines
13 that are already in existence if we newly
14 regulate them. So we're kind of -- we're limited
15 by that.

16 What we can apply -- and that's what
17 we proposed to apply -- was our construction
18 standards that are currently in the code to new
19 and replaced lines.

20 MR. DANNER: All right, Ron Bradley.

21 MR. BRADLEY: Thanks, Mr. Chair.

22 Just a comment and not really a

1 question. But I wanted to just share a thought
2 here, a few thoughts.

3 One, I definitely appreciate the
4 design here to whet our appetites to get us
5 thinking about this. So I really appreciate
6 that. The downstream impacts of the gathering
7 lines impact greatly us and our customers, and
8 it's a great topic to introduce this way.

9 And then just to sort of echo on what
10 Cheryl said. She did say -- and I want to repeat
11 it -- API does some great work. We appreciate
12 it. We've used your studies. I'd encourage you
13 to continue. Just wanted to put that on the
14 record.

15 MR. DANNER: All right, Jonathan.

16 MR. AIREY: I come at this from a
17 slightly different perspective. Ohio had a lot
18 of conventional low pressure gathering systems,
19 that many of which still exist. When the Utica
20 became dynamic and MarkWest and others came in to
21 build the midstream, it was a totally different
22 construction level that was encountered.

1 And what I'm curious about is isn't it
2 a option here to just address the non-
3 conventional and to leave the existing regulatory
4 scheme in place for the low pressure until RP 80
5 is updated? If we're looking at a impact radius
6 on a 2 inch gathering system at 1440 psi, 55
7 feet, it doesn't seem to me that requires any
8 immediate regulatory activity.

9 And when it goes down to 100 psi and
10 it's 15 feet, that doesn't strike me, again, as
11 something that requires significant regulatory
12 activity to address it. And it might be better
13 to wait and see what RP 80 does for conventional
14 gathering.

15 MR. DANNER: All right, thank you.

16 Alan.

17 MR. MAYBERRY: Yeah, actually, Jon,
18 that's actually what we'll be getting guidance
19 from the committee on. It's where we do land the
20 rule.

21 As you know, we have a proposal out
22 there in a Notice of Proposed Rulemaking that's

1 fairly far-encompassing. You know, I've made a
2 big point, and I know others at PHMSA are saying
3 certainly of concern are the high pressure, large
4 diameter, the more recent -- you know, the modern
5 gathering that's been installed. But, you know,
6 we'll be seeking the input of the committee on
7 really where we land it. And that will be, you
8 know, focus of our discussion in June.

9 MR. AIREY: You know, I really agree
10 with that suggestion that the focus ought to be
11 on the non-conventional, horizontal stuff because
12 the pressures are dramatically different. And
13 given the lack of conventional activity, the
14 pressures in the existing system are declining
15 significantly. So the risk is really not that
16 significant for much of the conventional stuff.

17 MR. MAYBERRY: Right. And if you would
18 indulge me, Mr. Chair.

19 Yes, I -- you know, certainly from a
20 public safety perspective we recognize that. But
21 also -- and as you know, we deal with all the
22 stakeholders. And, you know, so we can't lose

1 sight of the fact that there are also concerns
2 with conventional related methane emissions. So
3 that comes into the equation there that we
4 consider as we decide where to land it.

5 MR. DANNER: All right, thank you.

6 Are there any other questions or
7 comments from the committee members?

8 (No response.)

9 MR. DANNER: All right. Then I think
10 that that concludes our conversation for today on
11 gas gathering. And we will pick up this
12 conversation at our -- oh, I'm sorry. John, do
13 you have -- oh, okay, so we will pick this up
14 again at our next meeting.

15 And now we're going to move on to
16 discussion of some of the other outstanding
17 issues. So I'm going to turn it over to John
18 Gale.

19 And thank you, Mark and Bryan, for
20 your presentations.

21 MR. GALE: Yes. John Gale again,
22 PHMSA.

1 So, as the great regulator in the sky
2 once said, what a long strange trip it's been
3 with this rulemaking. And I'm looking down here,
4 I can't believe we've had five advisory committee
5 meetings since January of 2017. We pulled off
6 three of these since last December.

7 We put forward a plan and a schedule
8 in place soon after the December meeting to
9 possibly get us to the point that at this meeting
10 we could be done and completed with all the
11 transmission proposals by March 28th. And I
12 think all involved should be commended for that.

13 I kind of remember a flashback to the
14 very first meeting that we had back in January of
15 2017. And it was a simple proposal. And I
16 believe it was Erin Kurilla from AGA at the time
17 stood up and made a small motion or support for
18 one of the very small proposals we have in the
19 rule. And it was -- you know, it was small
20 thing, but it set a tone for us to move forward
21 with this rule.

22 As Alan said, we've dealt with over

1 400 comments on this rulemaking. It deals with a
2 variety of topics, some very, very difficult.
3 But we are now on the precipice of possibly
4 completing this action in short order.

5 We've dealt with a variety of things.
6 We've dealt with cancellations. We've dealt with
7 weather cancellations, other cancellations, we've
8 dealt with hurricanes and the like. But we've
9 gotten through this process, and all should be
10 commended.

11 So just, again, a recap of where we've
12 been. Back in January of 2017 we were able to
13 get passage from the committee on the issue of
14 the six-month grace period for reassessment
15 intervals.

16 We passed a proposal related to safety
17 features on the ILI launchers and receivers.

18 We also passed the proposal related to
19 seismicity, and inspections following extreme
20 events, and management of change.

21 And then we kind of set in process the
22 kind of the step-by-step kind of process we were

1 going through where we would discuss topics and
2 then resolve the issues and get that vote and
3 move forward at the following meeting. And those
4 topics of that first meeting involved corrosion
5 control, issues -- some issues related to records
6 and IM clarifications.

7 Then in June of 2017 we were able to
8 pass our proposals related to corrosion control,
9 some of our record provisions, some of the IM
10 clarifications, the MAOP exceedance proposals,
11 and again we had another discussion but didn't
12 pass or didn't have a vote on issues related to
13 some additional records sections, some of the IM
14 clarification procedures in 192.917(e)(3) and
15 (e)(4), and one of the more significant proposals
16 in the rulemaking regarding material
17 documentation or material verification process in
18 192.607.

19 Then in December -- which to me I
20 think was really a turning point for this
21 rulemaking -- we were able to get passed and get
22 a positive vote on material documentation, which

1 was very significant. And we even began -- and
2 to our surprise, were able to get a vote and
3 passage on issues related to strengthening IM
4 assessments for ICDA, SCCDA, and adding guided
5 wave ultrasonics to Appendix F, and passage on
6 the strengthening of assessment requirements for
7 192.150.

8 Then we set in place and began a
9 conversation on one of the more significant
10 proposals in the rule as well on MAOP
11 reconfirmation, and additional discussion on
12 strengthening of assessment requirements for
13 192.493, 506, and 192.921.

14 We then had a meeting on March 2nd,
15 2018, while the government was closed -- not to
16 point that out, Alan -- we passed requirements,
17 and to the committees to be commended for it, you
18 know, over the phone, which is a challenge, some
19 of the requirements again on strengthening IM
20 assessments related to spike tests and ILI
21 standards and HCA assessment requirements.

22 But we also tackled some more meatier

1 issues like the assessment outside of HCAs, which
2 is a very big step in terms of the pipeline
3 safety regulations, and addressed the issue of
4 the MCA definition.

5 We also came to resolution on most of
6 the record provisions in 192.13(e), 192.67,
7 192.127, 205, and of course Appendix A.

8 We then had, and did not have a vote
9 on, the discussion of the repair criteria, which
10 we will hopefully be able to get to a vote at
11 this -- today's, or the next three-day meeting.

12 So, some of the issues we're looking
13 to discuss at this agenda for this meeting over
14 the next three days:

15 We hope to resolve the issues
16 regarding MAOP reconfirmation. So that involves
17 the scope of the section, so what lines would
18 come under or be subject to 192.624;

19 The schedule for completing those
20 assessments;

21 The methods we would use, the six
22 methods we've identified;

1 Fracture mechanics;
2 The notification requirements, and;
3 The record retention requirements.

4 We also hope to address and get a
5 positive vote on issues related to MAOP in
6 192.619 and 192.503, and also the associated
7 record requirements.

8 We hope to come to conclusion also on
9 some of the IM clarification issues in
10 192.917(e)(3) and (e)(4) that we had put off.

11 We also have some additional
12 definitional issues we have to resolve that we
13 hope to address at this meeting. Also, I don't
14 want to -- I also want to point out, going back
15 to number two there, is the issue in
16 192.619(a)(3), which is the class location safety
17 factors for determining MAOP, which we hope to
18 address in this meeting.

19 So what's going to be left is,
20 hopefully, just gathering lines. And as we've
21 had a discussion today, we hope -- you know,
22 hopefully we'll have a way forward to at least

1 begin that discussion in that June meeting. And,
2 if need be, we will also address in that June
3 meeting the topics that we do not conclude at
4 this three-day meeting.

5 We're optimistic, however. And our
6 goal is is to have votes on almost everything
7 related to gas transmission in these three day
8 meetings and just leave for us to complete those
9 proposals related to gas gathering.

10 And with that being said, Chairman
11 Danner, if it's okay I would like to turn it over
12 to Mr. Nanney, who will begin our discussion on
13 the MAOP reconfirmation process that was proposed
14 in the gas rulemaking.

15 MR. DANNER: Okay. Before we do that,
16 let me ask the committee though if you have any
17 questions with regard to the schedule that John
18 has laid out. Andy?

19 MR. DRAKE: This is Andy Drake.

20 It may be appropriate while the
21 administrator and assistant administrator are
22 here -- this is my prep material for this

1 meeting. You know, and I have a stack that's at
2 least five times that sitting behind my desk from
3 the other meetings.

4 I really just wanted to say thanks to
5 the PHMSA staff. You guys have done an amazing
6 job digesting the carpet bombing of information
7 that you've taken over the last couple, well,
8 year now, digesting this and turning it into --
9 turning it around pretty quickly and allowing us
10 to come back to a meeting actually having a
11 record of what we talked about at the previous
12 meeting in the form of revisions to the proposal
13 and slides. It's really helping these meetings
14 move along.

15 And I just wanted to make that comment
16 out loud here to the whole group. But I know
17 many of my peers appreciate the same thing. This
18 has just been an unbelievable undertaking. But
19 to keep track of this and keep it kind of going
20 in real time has really been appreciated. I just
21 wanted to say thanks.

22 MR. DANNER: All right. Yes, thank

1 you. And, again, I do think we've made
2 tremendous progress. We're on something of a
3 roll. And I'm optimistic we can continue
4 progress between now and 5:00 o'clock on
5 Wednesday.

6 So, John, take it away.

7 MR. GALE: Yes, Chairman Danner, I'm
8 actually going to turn it over to Mr. Nanney at
9 this time.

10 MR. DANNER: All right. Steve.

11 MR. NANNEY: Steve Nanney. We'll be
12 starting with the MAOP reconfirmation process.
13 And since the committee has had a chance to
14 review the slides, and I hear many of you don't
15 want to stay two days, we can just take a vote
16 now and make it a short meeting.

17 (Laughter.)

18 MR. NANNEY: Well, first of all, the
19 MAOP reconfirmation will be our first topic. And
20 you can see here we'll be talking about Section
21 624, the scope, completion date, MAOP methods,
22 reconfirmation methods, fracture mechanics,

1 notifications, and records.

2 Going to the next slide -- and if you
3 can't hear me let me know and I'll get closer to
4 the mic -- is some public comments that we saw
5 that we were planning to highlight similar to
6 what we've done previous. The scope not included
7 -- include pipe of past failures. Past failures
8 are addressed based on response to the event and
9 integrity management.

10 And based upon this comment, PHMSA
11 suggests striking 624(a)(1) based upon the
12 committee recommendation. Instead, PHMSA
13 suggests including a new 917(e)(6), which is in
14 the integrity management section to address
15 failures due to cracks and crack-like defects in
16 HCAs within the integrity management program.
17 And, again, it's recommended by committee
18 members.

19 Going to slide 12 -- again just to
20 give an idea of what we're doing here is from
21 2010 to November 2017, again, we've looked at
22 reportable onshore still gas transmission

1 incidents caused by cracks or material defects.
2 And we saw about 112 total incidents.

3 And you can see that right now by
4 manufacturing date there was about 71
5 manufactured before 1971; 21 that were
6 manufactured 1971 or later; and then 20, year of
7 manufacturing -- 20 did not have a year of
8 manufacturing reported.

9 And a breakdown by cause was 19 by
10 stress corrosion cracking; 65 were construction
11 defects; 28 were latent manufacturing defects.

12 And of these incidents, 45 of them --
13 or about 39 percent -- occurred after a post-
14 construction pressure test. And 14 incidents
15 occurred on pipe with less than a 30 percent
16 SMYS.

17 Going to slide 13, another public
18 comment that we received was delete legacy
19 definitions from Section 3 and put into 624 by
20 using the joint factor less than one specifically
21 applicable to the MAOP reconfirmation. And also
22 clarify that the intent of dresser coupling is to

1 address mechanical non-restrained or sealed type
2 -- sealed-only type.

3 And, again, if the committee votes to
4 strike 625(a)(1), these definitions would not be
5 needed, in which case PHMSA would suggest to
6 withdraw the definitions for legacy construction
7 techniques, legacy pipe, and modern pipe.

8 Going to slide 14, another comment we
9 got was exempt low pressure pipelines based on
10 low risk and questionable cost benefit, and to
11 comply with statutory mandate. In other words,
12 limit the scope of Section 624 segments with an
13 MAOP greater than or equal to 30 percent of SMYS.

14 And PHMSA's comment there for slide 15
15 is -- and for this comment is for pipe without
16 records, the statutory requirements in 601.39(a)
17 through (c) would not allow PHMSA to exclude pipe
18 segments on this basis. All applicable pipe
19 without records and HCAs or Class 3 or 4
20 locations must reconfirm MAOP.

21 In the scope of the Notice of Proposed
22 Rulemaking for Section 624(a)(2) is mandated by

1 statute. PHMSA estimates that the mileage is
2 about 4,500 miles based upon reports from the
3 2016 annual reports. And a breakdown by HCA and
4 class locations will be shown on the next slide.

5 And you can see here, based upon the
6 2016 operator annual reports, what we're looking
7 at with most of the mileage being in Class 3
8 locations.

9 And you can see the breakdown from
10 HCAs to non-HCAs and then the total of each one.

11 Going to slide 17, again a PHMSA
12 comment on this was for previously untested pipe.
13 The statutory requirement requires that such pipe
14 be tested if operating at a pressure exceeding 30
15 percent of SMYS. And PHMSA suggests to limit the
16 applicability of Section 624(a)(3) to lines with
17 MAOP greater than or equal to 30 percent SMYS.

18 In a table comparing the estimate
19 segment mileage, FAR 624(a)(3) is shown on the
20 next slide.

21 And in doing this, you can see here
22 the -- in this slide, this is for grandfathered

1 segments. And the criteria for grandfathered
2 segments, as you can see in the first row there,
3 is HCA with an MAOP greater than or equal to 30
4 percent SMYS, and a Class 3 and 4 non-HCA with an
5 MAOP greater than or equal to 30 percent. And in
6 doing that, about 979 miles would be HCA pipe in
7 there; 1235 would be non-HCA, for a total of
8 about 2200 miles of pipe.

9 If do HCA (all) in Class 3 and 4, all
10 non-HCA, you can see in the middle row the total
11 would be about 2600 miles of pipe.

12 The last row, HCA with an MAOP greater
13 than or equal to 30 percent SMYS, in Class 3 and
14 4 non-HCA, with an MAOP greater than or equal to
15 30 percent, and a Moderate Consequence Area Class
16 1 and 2 with an MAOP greater than or equal to 30
17 percent. If you look at the numbers there, we
18 still have the 979 miles for HCAs; about 5834
19 feet for non-HCAs for a total of 6813 miles.

20 Going to slide -- oops, I went too far
21 -- slide 19, another public comment we got was
22 clarify the past test that meets subpart J are

1 acceptable and valid. And, again, PHMSA's
2 comment there is a pipe segment with a pressure
3 test meeting subpart J in accordance with Section
4 619(a)(2), and with the TVC records that
5 demonstrate compliance with Section 619(a)(2)
6 would not require MAOP reconfirmation under new
7 Section 624(a).

8 Now, going to slide 20, the committee
9 comments on this applicability from our December
10 2017 meeting. Some of the members desired to
11 remove past crack/seam incidents from the
12 applicability criteria, in other words strike
13 Section 624(a)(1).

14 The second bullet is some committee
15 members desire to restrict the scope to segments
16 greater than or equal to 30 percent SMYS per the
17 original mandate for previously untested pipe.
18 And also, based on leak before rupture concept
19 for lower stress lines.

20 The last bullet is other committee
21 members supported retaining the scope proposed in
22 the Notice of Proposed Rulemaking to address the

1 NTSB recommendations.

2 Going to slide 21 will be the PHMSA
3 comment to that, is our response there was we
4 suggest that we strike 624(a)(1), the cracking
5 criteria, and address it in Integrity Management
6 as I stated a couple of slides earlier. This
7 would create a Section 917(e)(6) to address
8 segments with crack incident history in an
9 Integrity Management. And also limiting Section
10 624(a)(3) for grandfathered pipe to segments with
11 MAOP greater than or equal to 30 percent SMYS.

12 Slide 22, again also PHMSA suggests
13 that Section 624(a)(2) for pipe without records,
14 that we retain that as mandated by the statute.
15 PHMSA also suggests changing 624(a)(2) to refer
16 to MAOP records instead of subpart J pressure
17 test records. And records to establish MAOP
18 would be -- are defined in 619(a) for post-code
19 pipe; in 619(c) for grandfathered segments.

20 Slide 23, in light of the committee
21 comments from the December 2017 meeting, PHMSA
22 suggests, as I stated earlier, that the committee

1 consider the following:

2 And there's three suggested amendments
3 to the scope of Section 624.

4 Number 1, revise 624(a) to strike
5 paragraph (a)(1) which was a proposed criterion
6 related to lines with previous reportable
7 incidents due to crack defects. And by doing
8 that, the new definitions of modern pipe, legacy
9 pipe, and legacy construction techniques would no
10 longer be needed in the rule. And PHMSA suggests
11 withdrawing them from the final rule

12 Going to slide 24, another
13 recommendation or amendment is renumber Section
14 624(a)(1) for line segments without TVC records
15 as paragraph (a)(1).

16 Revise to refer to TVC records
17 required in Section 619(a) and (c) instead of
18 pressure test records required by subpart J as
19 shown below. Instead of there being pressure
20 tests, show records necessary to establish
21 maximum allowable operating pressure in
22 accordance with 619(a) or (c) for the pipeline

1 segment.

2 And then, lastly, renumber Section
3 624(a)(3) for grandfathered lines as paragraph
4 (a)(2), and revise to apply only to lines with an
5 MAOP greater than or equal to 30 percent of SMYS.

6 Going to slide 25, on section 624(b),
7 the completion date, there were no comments on
8 that section.

9 Going to slide 26, again this is from
10 our December 2017 meeting. And, again, this is
11 in response to the NPRM comments. PHMSA
12 suggested to the committee that we consider the
13 following:

14 PHMSA suggests revising Section 624(b)
15 as indicated in the PHMSA response to public
16 comments. In other words, revise 624(b)(1) to
17 address how the completion plan and completion
18 rates required by 624(b) would apply to pipelines
19 that are not currently applicable under 624(a)
20 but may become applicable in the future. In
21 other words, they're located in an HCA or they
22 become a Class 3 or 4 location.

1 And, again, and lastly, would revise
2 624(b)(2) and (3) to refer to pipeline mileage
3 instead of location.

4 Slide 27, again this is from our
5 December 2017 meeting and it's response to public
6 Notice of Proposed Rulemaking comments. And
7 PHMSA suggests the committee consider the
8 following:

9 Revise proposed Section 624(b).
10 Again, as indicated in a response to public
11 comments, revise Section 624(b)(3) to address
12 completion date for newly identified segments as
13 follows:

14 And this would be (b)(3). The
15 operator must complete all actions required by
16 this section on 100 percent of the pipeline
17 mileage that meet the conditions of Section
18 624(a) by, insert date that is 15 years after the
19 effective date of the rule, or two years after
20 the segment first meets the conditions of Section
21 624(a), whichever is later.

22 MR. DANNER: All right. Thank you,

1 Steve.

2 Now let's open it up to the floor if
3 there are any folks behind me who wish to comment
4 on A or B.

5 MS. DiBIASIO: Hello. My name is Adele
6 DiBiasio and I work for National Grid.

7 National Grid supports a number of the
8 proposed changes to 624. However, PHMSA's
9 suggestion to revise 624(a)(2) to require TVC
10 records in accordance with 619(a), which includes
11 both paragraph 1, subparagraphs 1 and 3, or C,
12 would in fact, as written, require segments with
13 a valid pressure test to have their MAOP be
14 verified if we're missing MOP records from 1965
15 to 1970.

16 These MOP records were not required to
17 be maintained. And locating TVC pressure records
18 or charts from this period is virtually
19 impossible, as electronic records were not
20 available at that time.

21 We request that PHMSA considers
22 limiting the scope of 624(a)(2) to records

1 required by 619(a)(2) alone, just a pressure test
2 or paragraph C. Additionally, we request that
3 PHMSA allow for pre-code pipelines without MOP
4 records from '65 to '70 that an operator be
5 allowed to use the MOP of the five years prior to
6 this rulemaking.

7 With regards to slide 26, we are
8 encouraged that PHMSA has explicitly addressed
9 pipelines that in the future may fall under
10 Section 624. However, requiring the completion
11 of all activities within two years is overly
12 burdensome, given the extended time required for
13 obtaining permits in the states where we operate.
14 This time is added to the design and construction
15 times.

16 National Grid requests that PHMSA
17 consider allowing two years to develop a plan,
18 and seven years for completing all actions.

19 Thank you.

20 MR. DANNER: All right, thank you.

21 Are there other comments?

22 MR. KURILLA: Hi. This is Erin Kurilla

1 with APGA.

2 I just want to make a comment
3 pertaining to slide number 19 where PHMSA states
4 that a pipeline segment with a past pressure test
5 meeting subpart J would have to meet the MAOP
6 reconfirmation requirements. Just like the
7 committee or the Advisory Committee just to
8 discuss a little bit about the importance of
9 meeting a requirement at the time that the
10 pipeline was constructed and not by current
11 codes.

12 And we just reference subpart J here
13 basically. We're asking pipelines that were
14 constructed in the past to meet current
15 requirements.

16 So I would like this to say a pipeline
17 segment with a past pressure test meeting code
18 requirements at the time of construction, instead
19 of just referencing current subpart J.

20 Thanks.

21 MR. DANNER: All right, thank you. Are
22 there any other comments?

1 (No response.)

2 MR. DANNER: Okay. Let's open it up to
3 the committee then. Are there comments on A or
4 B? Or questions? Mr. Drake.

5 MR. DRAKE: This is Andy Drake with
6 Enbridge.

7 I thought there were some good
8 comments there. I particularly want to confirm
9 that an operator with a TVC record or a pressure
10 test in accordance with 192.619(a)(2) would not
11 be required to perform an MAOP reconfirmation
12 regardless of SMYS. Is that right? I mean, I
13 think there was a question there that was just
14 brought up about to the code at which the pipe
15 was installed to. I think that's actually a good
16 add there for clarification.

17 Is that what you're talking about when
18 you say subpart J test?

19 MR. DANNER: Steve, that question's for
20 you.

21 MR. NANNEY: Steve Nanney with PHMSA.
22 Would you just repeat that? I hear it but I'm

1 not hearing what you said. If you don't mind.

2 MR. DRAKE: Really just a confirmation
3 that if you've got a TVC record test -- and I
4 appreciate the other person commenting about TVC
5 record -- I think really the point is the test is
6 the gold standard. If you have a test, that's
7 actually the litmus to validate the MAOP.
8 Whether you have TVC records or not is
9 subservient to that.

10 I think that the other question is
11 really about is it a 619 -- or 619(a)(2) test at
12 the time the code was written when that pipe was
13 installed? Because codes moved around. And what
14 is the standard? What's the target?

15 MR. NANNEY: Well, the target would be
16 at the time it was constructed, unless you're
17 doing a new test.

18 MR. DRAKE: Thank you. That's what I
19 was looking for.

20 MR. DANNER: Okay, does that require,
21 Steve, does that require a change in what you
22 have here or is that -- do you feel that that's

1 captured in what you're written?

2 MR. NANNEY: I heard somebody say
3 something as John was saying something to me.
4 I'm sorry.

5 MR. DANNER: I think Andy was seeking
6 clarification. And I was just asking if the
7 clarification you gave, is that captured in what
8 is written here or does that require new
9 language?

10 MR. NANNEY: I think it's, I think it's
11 captured in what we plan to do in the rulemaking,
12 yes.

13 MR. DANNER: Okay. Andy?

14 MR. DRAKE: Just a follow-on comment
15 about TVC records. I think I was trying to
16 capture two thoughts. And I just wanted to make
17 sure we isolate them.

18 One was the issue about at the time
19 the pipe was tested. The other is this issue
20 about TVC records. I think that's really going
21 to come up in 192.624(c)(1), which is the next
22 discussion. But I thought the commenter's

1 question about TVC records is really valid as
2 sort of a place holder here.

3 If the test is the gold standard, I
4 think we need to be conscious about adding the
5 words TVC to the test. Because TVC comes with
6 all kind of burdens about MAOP confirmation. The
7 test may not meet the criteria for TVC.

8 And I think as long as you have a
9 test, that is the gold standard. And I think
10 that will help kind of ease some anxieties about
11 what is the hurdle rate for the test of the
12 record. Is it a TVC record or is it a
13 hydrostatic test record?

14 So I just I don't meant to be getting
15 into mincing nomenclature here, but you have to
16 be careful because you start kind of a do loop we
17 can't get out of because you may not have all the
18 TVC records. That's why you're doing the
19 hydrostatic test.

20 So I just wanted to kind of put that
21 thought out there.

22 MR. DANNER: Do you want to respond to

1 that? Okay, Ron.

2 MR. BRADLEY: Thank you, Mr. Chair.

3 Ron Bradley from PECO.

4 So I want to sort of underscore that.
5 The document uses -- almost had a cramp. I hate
6 when that happens.

7 (Laughter.)

8 MR. BRADLEY: The document uses the
9 word TVC at this point. I would say exactly what
10 Andrew says, a valid pressure test in hand, the
11 way I read this, and there's a lot here so I just
12 want to unravel what I've heard, Steve, a valid
13 pressure test in hand, you're done. You've got
14 what you need, you can move forward.

15 If you have to reconfirm and you've
16 already got that valid pressure test, you're set.
17 So when you reference 619(a), I sort of in my
18 mind see the reference to 192.619(a)(2). And I
19 think you said that's --

20 MR. DANNER: Okay, Steve. Your mic's
21 off.

22 MR. NANNEY: Yes, it is on the pressure

1 test.

2 Now, as far as the portion that we
3 talked about the last meeting -- I don't know if
4 it was March the 2nd or the meeting in January --
5 as far as it's getting material documentation
6 records for anomalies and things like that, when
7 you go do a dig if you don't have those that
8 would still be a part of it. If you had a valid
9 pressure test and you had anomalies and things
10 like that in the pipeline, when you go do the dig
11 and you don't have those material records you
12 would need to get that. That would be part of
13 it.

14 MR. DANNER: Okay. Alan. Or, Ron, did
15 you have a follow-up?

16 MR. BRADLEY: Yeah. Just to -- so just
17 wanted to -- I follow you with the repair. And I
18 think we'll talk about that later. I was just
19 thinking about the -- every now and then I hear
20 the concern about having traceable, verifiable,
21 complete records as it relates to doing your
22 pressure test. And we're doing a pressure test

1 with water or a different medium but nothing
2 explosive.

3 And I think we're safe that the onus
4 would then be on the operator that if we did
5 something wrong, I mean we generally bring the
6 pressure up slow, but when we've done an MAOP for
7 reconfirming lines I know in my company we
8 confirm back at the existing MAOP. So the
9 practice works. If we have a valid pressure test
10 we're in good shape.

11 If we have to MAOP and we don't have
12 all of the traceable, verifiable, complete
13 records that you could tie to the pipeline, we
14 bring it up slowly and confirm MAOP with the
15 hydrostatic pressure and then we're set.

16 So it seems like the process works.

17 MR. DANNER: Alan.

18 MR. MAYBERRY: I just wanted to make
19 sure we're on the same page with what we mean by
20 a valid pressure test.

21 And then also I heard the comment from
22 Erin was that, you know, to tweak it to be what

1 was valid at the time. Well, we, when we say a
2 valid pressure test or subpart J pressure test
3 are you meaning -- and this is a question for, I
4 don't know, Andy, Ron, or Cheryl perhaps -- that
5 the level would be consistent with what's in
6 subpart J or the level is consistent with what it
7 was required to be at the time it was installed,
8 which may vary a bit from subpart J?

9 MR. DANNER: Okay. So Ron's got his
10 tent up. Do you want to respond?

11 MS. CAMPBELL: Define the word "level."

12 MR. MAYBERRY: Well, Cheryl, you know,
13 whether it's one-and-a-half times or, you know,
14 that, the ratio, MAOP to test pressure.

15 MR. DANNER: Sara.

16 MS. GOSMAN: Sara Gosman.

17 So I wanted to get back to this issue
18 of threshold 30 percent SMYS. So if I'm
19 understanding the data correctly on the data
20 slide you showed us, the incidents from the last,
21 what, seven years there have been 14 incidents on
22 those types of pipelines, and 10 leaks, and 4

1 ruptures, if I'm correct.

2 So, you know, back to this question I
3 guess of risk. So one that I have here is, you
4 know, we look to this question of pressure as a
5 means of understanding the risk of these lines.
6 But when we also have to think about exposure on
7 the other side.

8 And I'm wondering if one possibility
9 here might be to include those grandfathered
10 pipes that are in areas like HCAs where we're
11 going to expect more exposure. Because to me,
12 right, the -- if we expect more exposure we
13 should go down in terms of, or be more
14 conservative in terms of the safety set of
15 requirements, especially if we're seeing some of
16 these pipelines actually have incidents that are
17 ruptures.

18 MR. DANNER: Any other comments? Ron.

19 MR. BRADLEY: Yeah, Ron Bradley, PECO.

20 Just to respond to Sara's thoughts, I
21 mean I thought the same when I saw the numbers
22 about the ruptures for pipelines lower than 30

1 percent SMYS. That word "ruptured" tends to
2 evoke a, you know, a concern.

3 But do a little bit more research and
4 find and, you know, ask them a few more questions
5 about the specifics you find things about the
6 issues that happen that are probably tied more to
7 integrity management and less to -- and most of
8 those pieces of pipe that failed had valid
9 pressure tests. And then over time, whether it
10 was a disruption of flow, or a vibration or
11 something, over time there was a failure mode
12 that came about.

13 But those were not, I don't believe
14 they were related to a lack of having a valid
15 pressure test up front.

16 MR. DANNER: All right, anyone else?
17 Cheryl?

18 MS. CAMPBELL: So I do want to -- I'm
19 sorry, Cheryl Campbell, Xcel Energy -- I wanted
20 to go back, Alan, and make sure that we talked
21 about your question about the level. Can you
22 state it again so I make sure I understand it?

1 And then I'll make sure I'm answering the right
2 question.

3 MR. MAYBERRY: Okay. There was a
4 suggestion to clarify that what we're saying was
5 that the -- I mean, currently we're talking about
6 it has to have a valid subpart J pressure test.
7 But the suggestion was to make sure that that
8 means that it's a valid pressure test, I guess
9 just really an alteration, a valid pressure test
10 at the time of installation.

11 Which may have preceded, you know,
12 prior to 1970 perhaps it would have been a
13 pressure test but it wasn't -- you know, we
14 didn't have subpart J at the time. It was a
15 pressure test. But I imagine that, and I believe
16 there are cases where, many perhaps, where it was
17 a valid pressure test at the time but it may not
18 be at the level that subpart J specifies, or a
19 combination of subpart J and 619.

20 MS. CAMPBELL: So are you saying, say,
21 a pressure test of 1.1 versus 1.25?

22 MR. MAYBERRY: I just want to make sure

1 I understand what I'm agreeing to.

2 MS. CAMPBELL: As do I. So what that
3 -- and I'm, it's never good when I just speak,
4 you know, stream of consciousness, but I'm going
5 to give it a shot because I know there's people
6 around the table who are going to correct me if I
7 just mess this up.

8 So what might have worked in a pre-'70
9 world, say a 1.1 times, and I'm in whatever class
10 location I'm in, and I should have tested to a
11 1.25 for that class location, is that what you're
12 asking about is, hey, maybe the MAOP should be
13 something different than the 1.1 if you're in a
14 Class 3 or 4?

15 MR. MAYBERRY: Right. Could it be if
16 it were to be done just like it was then today,
17 would it still result in that MAOP. I'm
18 gathering --

19 MS. CAMPBELL: The right safety factor.

20 MR. MAYBERRY: Right.

21 MS. CAMPBELL: We're talking about the
22 right safety factor.

1 MR. MAYBERRY: Right. I'm gathering
2 that perhaps it would be a little bit different.
3 Not much, but it could be. I think there are,
4 you know, cases out there like that.

5 MS. CAMPBELL: Okay. No, I need to
6 think about that for a minute.

7 MR. DANNER: Andy.

8 MR. DRAKE: Hey, Alan, this is Andy
9 Drake with Enbridge.

10 I mean, just to be very honest, you're
11 proposing changing subpart J. The question is
12 not before 1970, it's before today. Is the
13 current subpart J 1.1 test valid, or are we going
14 to now come up with a new subpart J criteria
15 today, tomorrow, next month that is a new subpart
16 J target? That's really what the question is.

17 And that's where the -- I'm just being
18 as transparent as possible. I think folks are
19 worried J is moving around, not before the code
20 but current code is moving around. So, is the
21 current, the current today subpart J standard the
22 gold standard? If it is, I think everybody's

1 okay. If it's the tomorrow standard then we've
2 got to stop because that's a target we haven't
3 even been held accountable to date.

4 MR. DANNER: Steve.

5 MR. NANNEY: Yeah. Just to answer, as
6 of today if you've got a valid 1.1 pressure test,
7 and it's Class 1 and it met the requirements, the
8 answer is yes. If after the rule goes into
9 effect you have to re-pressure test it, it's
10 1.25. That's what the rule states in 619(a)(3)
11 or (2) or what -- I think it's (a)(2).

12 If the class location changes and you
13 need a pressure test, it needs to be what 619
14 says it should be. If you started out at Class 1
15 and it's now some other class that requires a
16 pressure test higher, you'd have to meet whatever
17 that class location states.

18 MS. CAMPBELL: Okay, I understand. And
19 yes.

20 MR. DANNER: So are we all on the same
21 page? Okay, I see Andy, Ron, and Cheryl all
22 nodding. I haven't seen Sara nod yet. Okay.

1 Any other comments? Sara.

2 MS. GOSMAN: Sara Gosman.

3 I just wanted to thank Ron for his
4 information. I wonder if there's any way that
5 you can remind me the mileage that we're talking
6 about here in terms of pipelines, grandfathered
7 pipelines that would remain grandfathered under
8 your proposal?

9 MR. GALE: So, Sara, are you
10 specifically referring to the less than 30
11 percent slides?

12 MS. GOSMAN: I am, yes.

13 MR. NANNEY: You're asking how much
14 mileage is less than 30?

15 MS. GOSMAN: Yes. And older than '70.

16 PARTICIPANT: Grandfathered; right?

17 MS. GOSMAN: Right.

18 MR. DANNER: Can you turn your mic on,
19 Steve.

20 MR. NANNEY: I said we'll have to look
21 and get back to you on that, Sara. We put it
22 together in previous slides but --

1 MR. DANNER: Okay. So we are at that
2 point in the afternoon where it might be good for
3 us to stretch our legs for 10 minutes. So why
4 don't we take a break and we will come back here
5 at 3:18.

6 (Whereupon, the above-entitled matter
7 went off the record at 3:08 p.m. and resumed at
8 3:41 p.m.)

9 MR. DANNER: Okay. We are back on the
10 record here, folks. Alan, do you want to kick us
11 off for this part of the discussion?

12 MR. MAYBERRY: Yes, so I'll get things
13 started. Thank you, Chairman Danner. Before the
14 break there was discussion, I know, and concern
15 over the modification we made to what we have
16 presented today that we had taken out Class III
17 and IV non-HCA pipe less than 30 percent.

18 There was a concern that while that
19 could potentially be high-risk pipe I know our
20 focus on this, certainly we are addressing pipe
21 of the stress level that probably instigated this
22 area from the very beginning, the way San Bruno

1 and the incident involved pipe that was operating
2 above 30 percent. It's kind of tricky, too, and
3 you can see the fun of making policy on a
4 national level.

5 We're also dealing with an issue that
6 was not addressed back when the code was first
7 implemented in 1970 because of the impact on
8 commerce to having operators go back and test
9 pre-code pipe, but nonetheless I think we have a
10 possible solution here that's up on screen to the
11 left, the last bullet to what we have modified
12 the language, you can see as we discussed or
13 addressed pipe above or equal to 30 percent SMYS
14 that we would look at the cost and benefits of
15 including Class III and IV non-HCA pipe that is
16 less than 30 percent SMYS.

17 It looks like this is a good
18 compromise that would have us look at that, and
19 we can decide whether or not it gets included
20 based on the results of that cost/benefit. So
21 we'll just kick it off with that for the
22 discussion.

1 MR. DANNER: Okay. Sara?

2 MS. GOSMAN: As an instigator here, I
3 guess I will explain a little bit about what I am
4 thinking, which is in terms of trying to get at
5 this risk-based regulatory approach, it seems to
6 me that the pipe that we could be most concerned
7 about is the pipe that's outside of HCA's but
8 where we still have exposure to, say, residences.
9 Right? Class III, for example.

10 And so what I'd like to do is, but you
11 know, the issue is we're talking about not that
12 much mileage here, and there's a set of data that
13 PHYSA could gather and go back to on this
14 question of costs and benefits. I think that we
15 should ask them to review that because again,
16 this is a narrow set of pipe here where we'd see
17 more of the risk.

18 But it's not a proposal to included
19 it, right, it's a proposal for PHMSA to go back
20 and look at the costs and benefits of including
21 it.

22 MR. DANNER: Okay, the language,

1 though, does not say that if the costs and
2 benefits, if it shows benefits it should be
3 included. The language doesn't say that. It only
4 says review it. Is that still acceptable, Sara?

5 MS. GOSMAN: I guess my thinking is if
6 benefits are greater than costs, by definition
7 we'd want to see an agency adopt that kind of
8 rule, for social good. That would be my
9 assumption but it's not put into the language,
10 it's true.

11 MR. DANNER: Yeah.

12 MS. GOSMAN: We could.

13 MR. DANNER: So we should think about
14 whether it needs to be in there. Anyone else have
15 any comments on the language up there? Andy.

16 MR. DRAKE: This is Andy Drake with
17 Enbridge. I think just to try to capture the
18 conversation we had about sub-part (j), I think
19 it will help if under the fourth bullet, the sub-
20 piece where it says "Records necessary to
21 establish MAOP in accordance with 196.19(a) or
22 (c), it should say 192.619(a)(2). That is the

1 hydra test requirement.

2 That's what I think part of this is,
3 when you reference 619(a), there's a whole fleet
4 of criteria that you're exposed to. And I think
5 that's what's sort of got people anxious about
6 this. If you're talking about the hydro test,
7 that's 619(a)(2). So you put that in there, I
8 think that locks together.

9 And then you've got in there, "at the
10 time of construction," which I think the code at
11 the time of, I think you've addressed that but I
12 just want to be, I'm not a regulatory
13 constructionist but I do know that 619(a) has a
14 lot of criteria so you really should just talk
15 about the test. I think that's just a point of
16 clarification.

17 MR. DANNER: All right, thank you. Are
18 folks okay with that clarification? Okay, I see
19 nods. All right, any other discussion on the
20 language that we have up there?

21 MR. MCLAREN: Should (c) still be
22 included in that clause?

1 MR. DANNER: All right, so the way it
2 reads now is (a)(2) or (c) at the time of
3 construction. Hearing no objections. All right,
4 if there's no further comments on this language,
5 are we ready, is there, I think we're ready to
6 entertain a motion. Does anybody have a motion
7 with regard to this language?

8 MR. NORMAN: And just to be clear,
9 Chairman Danner, we have two separate motions
10 here. One for paragraph -- is that right, two?

11 MR. DANNER: All right. If we're going
12 to do it as a single motion then let's ask if
13 there's any discussion on the right side there.
14 Give folks a moment to read it. Sara?

15 MS. GOSMAN: I can make the motion if
16 you'd like.

17 MR. DANNER: Okay. I'm not seeing any
18 discussion, so let's entertain a motion.

19 MS. GOSMAN: Okay. The proposed rule is
20 published in the Federal Register and the Draft
21 Regulatory Evaluation with regard to the
22 provisions of the scope and completion date of

1 MAOP confirmation are technically feasible,
2 reasonable, cost effective and practicable if the
3 following changes are made:

4 Four MAOP reconfirmation scope. Revise
5 Section 192.624(a) to strike paragraph (a)(1)
6 which was the proposed criterion related to lines
7 with previous reportable incidents due to crack
8 defects;

9 Create Section 192.917(e)(6) to
10 address segments with crack incident history in
11 IM;

12 Withdraw the new definitions of modern
13 pipe, legacy pipe and legacy construction
14 techniques;

15 Renumber Section 192.624(a)(2) for
16 line segments without records as Paragraph
17 (a)(1);

18 Revise to refer to records required by
19 Section 192.619(a) and (c) instead of pressure
20 test records required by sub-part (j), as
21 discussed by the committee, as shown below.
22 Records necessary to establish maximum allowable

1 operating pressure in accordance with Section
2 192.619(a)(2) or (c) at the time of construction
3 for the pipeline segment;

4 Renumber Section 192.624(a)(3) for
5 grand fathered lines as Paragraph (a)(2);

6 Revise to apply only to lines only
7 with MAOP greater than or equal to 30 percent
8 SMYS.

9 PHMSA should review the cost and
10 benefits of including Class III and IV non-HCA
11 pipe with less than 30 percent SMYS.

12 MR. NORMAN: Do you need to read the
13 second part, the right side?

14 MS. GOSMAN: For MAOP reconfirmation
15 completion dates:

16 Revise Section 192.624(b) to address
17 how the completion plan and completion dates
18 required by Section 192.624(b) would apply to
19 pipelines that are not currently applicable under
20 Section 192.624(a) but may become applicable in
21 the future, e.g. located in a future HCA or Class
22 III or IV location as follows:

1 Section III. The operator must
2 complete all access required by the Section on
3 100 percent of the pipeline mileage that meet the
4 conditions of Section 192.624(a) by -- insert
5 date that is 15 years after the effective date of
6 rule or two years after the segment first meets
7 the conditions of Section 192.624A, whichever is
8 later.

9 MR. HILL: Robert Hill would second
10 that motion.

11 MR. DANNER: All right. We have a
12 motion and it has been seconded. So is there any
13 further discussion on the motion before us?
14 Cheryl.

15 MS. CAMPBELL: I just have one question
16 or comment on the right side there, right, and
17 I'm not trying to create another problem, maybe
18 I'm going to be the instigator this time, Sara,
19 but "the operator must complete all actions
20 required by this section," "that is 15 years
21 after the effective date or two years after the
22 segment first meets the conditions."

1 I think that two years is sometimes
2 okay, I think that for some pipelines that this
3 applies to, I think that two years might be a bit
4 of a challenge. So is there, do we want to think
5 about a different number there? I'm just throwing
6 that out to the committee that I think that two
7 years might be kind of a challenge.

8 MR. DANNER: Any thoughts? So it's
9 basically 15 years after the effective date of
10 the rule or two years after the segment first
11 meets the conditions of 192.624A, whichever is
12 later.

13 MS. CAMPBELL: Yes, so, Chair, I'm
14 thinking about we're 15 years down the road,
15 right, and you discover a pipeline that meets the
16 criteria and now you got two years, right, and
17 for certain parts of the country or certain
18 systems that might be a real challenge to get
19 through that. That's all I'm suggesting.

20 MR. DANNER: So if I may, what kind of
21 time period would you be suggesting?

22 MS. CAMPBELL: How about five?

1 MR. DANNER: Yes, Sara.

2 DR. LONGAN: Sara Longan, DOI. I'm
3 wondering if there have been any public comments
4 on this specific part, and I also believe that in
5 various places, including rural and perhaps
6 Arctic in Alaska, the two years and other
7 regulatory efforts is usually a challenge to meet
8 just because of the shorter operation and
9 seasonal challenges that we face. So I would
10 support the committee having a discussion of
11 lengthening two years to five.

12 MR. DANNER: All right, so, we did not
13 receive public comments on that issue. But let's
14 have some conversation. Ron?

15 MR. BRADLEY: Yes, Ron Bradley, PECO.
16 I do recall, I think it was someone from National
17 Grid, going off of memory, that had a suggestion
18 of how it was maybe two years for planning but
19 didn't sort of have an outside window. I think
20 Cheryl's recommendation around five is a good
21 one, because there is some planning required in
22 some of these trickier areas. That may just work.

1 But I do think someone put a thought on the
2 record earlier, and I'm glad that Cheryl brought
3 this up for discussion.

4 MR. DANNER: Okay. Other thoughts?
5 Yeah, John?

6 MR. AIREY: I'll move to amend the
7 motion to insert five years where we have
8 discussed.

9 MR. DANNER: Okay. We have a proposal
10 to amend the motion. Andy? Oh, you are? Okay. So
11 while the issue is always in some instances two
12 years is doable and in some instances two years
13 is not doable and you want them to do it in two
14 years when it's doable, and yet you understand if
15 the ground is frozen for 11 months of the year
16 that two years can be a struggle. So that's what
17 we have to deal with here. Sara?

18 MS. GOSMAN: So I'm not sure what the
19 appropriate thing to do is with an amended motion
20 on the table, but I'll just say one other
21 possibility is to do the kind of notice provision
22 that we've been doing where we want an exception

1 to a rule, so we keep it at two years but
2 somebody can go to PHMSA and then argue for a
3 longer time period if the ground is frozen or if
4 there are other particular issues that affect
5 that operator.

6 MR. DANNER: Okay, so, John, I'm going
7 to take your proposal as part of the discussion
8 as opposed to a formal proposal at this time so
9 that we can have a discussion without getting
10 swallowed by Robert's Rules of Order.

11 So we have a proposal to move it to
12 five years and a counter-proposal to say why
13 don't we leave it at two with a waiver process
14 for extending it to five. Any discussion on those
15 proposals? Sara?

16 DR. LONGAN: Thank you. Sara Longan,
17 DOI. I think that that's a good counter-offer. I
18 would just add that in some places then, the
19 operator or applicant would have to go to PHMSA
20 all the time. In the Arctic, 11 months the ground
21 is frozen regardless. So I think the five-year
22 option allows for more flexibility both for the

1 operator and for PHMSA.

2 MR. DANNER: Would it be required that
3 you get a waiver every time, or could there be
4 some kind of a blanket waiver that would apply to
5 for example, a geographic area with challenging
6 weather? So that in other words it would be a
7 one-shot saying, I'm north of the Arctic Circle,
8 please --

9 DR. LONGAN: Mr. Chair, follow up?

10 MR. DANNER: Sure.

11 DR. LONGAN: I think that's also a good
12 suggestion, but I think that we've all been in
13 this type of situation before where there are
14 acquisitions and maybe the ownership of the field
15 or the pipeline might change. I think that just
16 going in, flexibility is smart to think of on
17 various levels, both on the regulator and the
18 regulated.

19 MR. DANNER: Okay. Thank you for that.
20 Steve, and then Andy?

21 MR. ALLEN: Yes, Steve Allen, IURC.
22 Perhaps language, I'm not a wordsmith but, five

1 years but as soon as practical. So basically
2 you're saying get it done as quickly as you can,
3 not to exceed five years.

4 MR. DANNER: Okay. Andy?

5 MR. DRAKE: This is Andy Drake with
6 Enbridge. I appreciate the conversation that's
7 going on. I was just sitting here trying to
8 imagine, we have five lines in Boston and New
9 York City and trying to get something inside our
10 budget cycle and permitted within two years is
11 actually not really practicable.

12 I think that's not to your point,
13 that's just going to become matter of course, and
14 I hate to do waivers for matter of course kind of
15 stuff. I'm kind of with Steve. I know you should
16 be moving as quickly as possible, but there needs
17 to be some target that's a practicable target.
18 It's not just a small tail end of the pipeline
19 that you're talking about, actually.

20 So I think there's some guidance here
21 that we would be shooting more for a four-year
22 number or something like that, you know, moving

1 as quickly as possible. I think Steve's point is
2 well taken. We should be moving quickly but I
3 think you're going to need more than two. That's
4 my best thought right at this moment, so I'm just
5 kind of throwing it out there for conversation
6 around the table.

7 MR. DANNER: Okay. Alan?

8 MR. MAYBERRY: Just from a standpoint
9 of having to implement this, I would prefer
10 something probably definitive, such as five or
11 two or just a number. I know we have flexibility
12 in other areas but in this one, I could see a lot
13 of these coming in if it were a concern in, say,
14 some areas where it's difficult to permit or
15 where there are construction fees and issues like
16 in Alaska.

17 So I think we can live with five and
18 maybe even add the language, even though it's not
19 enforceable, as soon as practicable. We don't
20 enforce that but it probably would end up being
21 five years.

22 MR. DANNER: All right. Ron?

1 MR. BRADLEY: Ron Bradley, PECO. I
2 agree. I was just going to sort of reinforce
3 that. I like the language of five years or as
4 soon as practical. Especially, you don't want an
5 operator to be penalized to move quicker and have
6 challenges if it's recoverable in some states,
7 where some states may challenge you on doing more
8 than the minimum. I like that language.

9 MR. DANNER: All right. I would just
10 counter that by saying I don't want anyone to be
11 dilatory when they actually have the resources
12 and time to do it, and they say well, we need
13 another, we have another three years so we're not
14 going to do it this year. That's what I think
15 we're trying to balance here. Okay. Steve Nanney?

16 MR. NANNEY: Yes. Just one thing.
17 Whether we keep it at two or five, you realize
18 the operator should be identifying these
19 facilities in the first couple of years of the 15
20 years, not waiting till the last two or three
21 years to get more time.

22 When I hear that we're not having

1 enough permitting time, I'm thinking that
2 permitting should have been done in the first
3 five years, not the last two years. So that's
4 just a comment to make. That the intent of this
5 is to identify this early on and then you have 15
6 years to implement everything. Just a comment.

7 MR. DANNER: All right. Thank you.

8 Sara?

9 MS. GOSMAN: My concern about "or as
10 soon as practicable" is that it could actually
11 lengthen out the time period and because it's not
12 particularly enforceable, I think it would be
13 hard to engage in a discussion about what was
14 practicable. And if we're talking about, you
15 know, seven or longer years, I think I'd prefer
16 to either have a hard line if we're not going to
17 do a waiver process or to make clear that the "or
18 as soon as practicable" makes it earlier.

19 MR. DANNER: Well, but it would say "so
20 as soon as practicable but not to exceed five."
21 So five would be the ceiling. And "as soon as
22 practicable" would be --

1 MS. GOSMAN: I would want that.

2 MR. DANNER: Okay. So, right now -- Oh,
3 Cameron?

4 MR. SATTERTHWAITE: Yes, Diane has a
5 question. She wants to weigh in on this. Diane,
6 are you there?

7 MS. BURMAN: Yes, thank you. I just
8 wanted to say I like this language "as soon as
9 practicable but not to exceed five years," but I
10 think it's right to find the appropriate balance
11 and I do understand Sara's concern but I think it
12 is covered by the "not to exceed five years," so
13 I think it really tries to take into
14 consideration the reasonableness.

15 I'm comfortable with the language,
16 understanding that "as soon as practicable"
17 really does try to focus on the need to do it
18 with due diligence, as quickly as possible, but
19 understanding limitations. So I think it sets the
20 right tone and is reasonable.

21 MR. DANNER: All right, thank you,
22 Commissioner. When Cheryl said five, I don't know

1 how much thought went behind the five, so now let
2 me just pause it. Would anybody have an objection
3 if it were to say, "as soon as practicable, but
4 not to exceed four." Cheryl?

5 MS. CAMPBELL: So, I'll -- I would
6 state, Mr. Chair, that the five is based on my
7 experience with dealing with large urban and
8 suburban communities and the amount of time it
9 takes to do permitting and things of that nature.
10 The bigger and older the city is, the more
11 complicated it can be at times. So I hear what
12 you're saying, I think as soon as practicable, I
13 mean the reality is if you say not to exceed
14 five, and I find one of these lines, and Steve,
15 just to, you know, it could change, right?

16 I mean, I agree with you. We should
17 be identifying this stuff early on but that
18 doesn't mean that growth and stuff isn't going to
19 push a pipeline into this category. So that's why
20 I was thinking about it, but the reality is in my
21 operating areas in everything except for the more
22 smaller communities, not to exceed five, I better

1 be working on it today or I might exceed five.

2 MR. DANNER: So -- Thank you for that,
3 just let me ask. We're starting out here with 15
4 years and then to now five, how big a category is
5 this of needing that full five years?

6 MS. CAMPBELL: My belief, that I would
7 welcome input from other operators around the
8 table, but again I agree with Steve that I have a
9 population that's in this 15 year bucket that I
10 should be working on and I should be working
11 diligently on starting the day after the rule
12 goes into effect. The group of pipelines we are
13 talking about here are I think relatively small
14 because something's changed on the system.
15 There's been growth or something else has changed
16 on the system and I went from a Class I location
17 that was not an ACA into an ACA. So I would think
18 that it's a relatively small group of pipelines,
19 but I welcome other thoughts.

20 MR. DANNER: Okay. And so, Andy, I'll
21 call on you, just again my concern is by making
22 it five everything becomes four and a half

1 whether it's needed or not. Andy?

2 MR. DRAKE: This is Andy Drake with
3 Enbridge. I agree with Cheryl. I think this is a
4 very small population, I think is what you're,
5 when you really look at it, because the 15 years
6 is designed to take care of the stuff that we've
7 currently identified. And we will chew through
8 that pretty quickly.

9 It becomes about the Delta, the new
10 stuff, the changes, and how quickly you can adopt
11 them. I mean, if I had to look at this on the fly
12 -- I do have to look at this on the fly, I think
13 even for growth areas even if you're only talking
14 a couple of days a year, just the basic
15 permitting issues are more than two years to get
16 them into our budget cycle to get them permitted
17 and ready to go. I would say somewhere in that
18 three or four range.

19 I think five is going to deal with the
20 vast majority of these. If we came out with four,
21 I can work with that. I think if you go over four
22 you're probably going to end up with a waiver

1 which we can create some waiver category for
2 that. I'm fine with that.

3 I don't mean to sound like we just
4 keep kicking the can down the road, but two is
5 going to, two is going to be a problem. I can
6 tell you that right now. And the other part of
7 that is we do have, a lot of these pipes are
8 probably going to end up affecting customers
9 which is not trivial either.

10 So there's a lot of coordination has
11 to go on here. I don't think two is practicable.
12 I think five is your high 95, 90-some percent
13 confidence that you're going to get everybody in.
14 If we wanted to go with something like four, I
15 can deal with four but I think then you'd need to
16 have some sort of waiver criteria for special
17 considerations. Whatever the committee wants, I
18 mean I'm good either way.

19 MR. DANNER: Okay. I, speaking for
20 myself only, I would be comfortable with that and
21 I would be more comfortable with that than five
22 because I do feel that there's a lot of time and

1 the more time you give folks the more they wait
2 until they take the action. So if it were four
3 plus a waiver, I think I personally would be okay
4 with that. Any other thoughts?

5 MR. DRAKE: I would second that.

6 MR. DANNER: John, you had the original
7 five. Okay. So I'm hearing a begrudging
8 consensus around four plus a waiver. Excuse me?

9 MR. GALE: Just real quick, Chairman,
10 do we want to plan, there is a waiver for one
11 year already built into the RFP, though, so that
12 will get us back to the five years if we need
13 them.

14 (Simultaneous speaking.)

15 MR. GALE: So does that mean we have
16 to go three plus a waiver?

17 MR. HILL: Mr. Chairman, as long as
18 PHMSA's got the capability with the waiver, let's
19 just do the four and vote. That would be my
20 recommendation. Robert Hill from Brookings
21 County.

22 MR. DANNER: Thank you, Mr. Hill. I

1 think I am hearing no further comments, so it
2 looks like it's, well, I'm seeing now four years
3 with opportunity for a waiver application, which
4 is going away. Steve, go ahead.

5 MR. NANNEY: All right. Could we put
6 either a waiver or no objection from PHMSA so we
7 can take a look, if you want to recommend, so we
8 can look at which one we put in any wording? A no
9 objection letter is a lot easier than a waiver.

10 MR. DANNER: So, yes, I don't have --
11 any thoughts on what Steve is proposing? Stephen?

12 MR. ALLEN: I didn't hear him. I
13 honestly didn't hear him.

14 MR. DANNER: Yeah, okay. Steve, can you
15 restate, can you restate that? Some folks didn't
16 hear you.

17 MR. NANNEY: All I ask is that I
18 recommend that you put either a waiver or a no
19 objection from PHMSA. A no objection, and then we
20 can look at it and see which one we put in the
21 rule-making. A no objection is a lot easier than
22 a waiver. A waiver becomes a special permit and

1 it's a process all in its own.

2 MR. DANNER: Okay, Sara and then Sara.

3 MS. GOSMAN: Sara Gosman. So, Steve,
4 I'm just wondering, the language that's currently
5 in the proposed rule, the notification language
6 of one year, is that, sorry, the language that's
7 currently in the rule, is that --

8 MR. NANNEY: That is not a waiver.

9 MS. GOSMAN: Acceptable? Right. That is
10 not a waiver.

11 MR. NANNEY: That is a notification for
12 a no objection letter from PHMSA.

13 MS. GOSMAN: How I read the current
14 proposed language is that we are not referencing
15 a waiver at all but we are relying on the
16 proposed year extension based on a notification.
17 So that's okay?

18 MR. NANNEY: Yes.

19 MR. DANNER: All right. Sara?

20 DR. LONGAN: Sara Longan. I just always
21 question when there is a waiver or no objection,
22 and Steve, I take that as very devise from the

1 agency who would have to be participating in the
2 action. I don't know though, is there a term on a
3 no objection from the agency or would the
4 operator need to wait an indefinite amount of
5 time to understand if it was allowed or the
6 objection would be off.

7 MR. NANNEY: Well, throughout this is
8 on the notifications. It's been a 90-day reply
9 back from PHMSA ,

10 MR. DANNER: So if -- Diane Burman.

11 MR. SATTERTHWAITTE: Okay, go ahead,
12 Commissioner.

13 MS. BURMAN: I was just confused also
14 about a waiver versus the no objection and if it
15 was understood after this four years. I am just
16 trying to make sure that I understood exactly
17 what we were doing. If it's four years -- but if
18 it takes longer than that I just don't want to
19 somehow be penalizing folks if they're in good
20 faith trying to fix it.

21 I'm just concerned. We went from five
22 years to four years and we're trying to establish

1 what the right amount of time is, so, to me it's
2 more important that the language "or as soon as
3 practicable" and I think that's what we had hoped
4 to achieve but also allow that flexibility that's
5 necessary without penalizing folks. So I'm just
6 looking for making sure that we're all careful
7 about what we're doing without causing ambiguous,
8 ambiguity, in the regulations.

9
10 MR. DANNER: All right. Thank you.

11 Steve?

12 MR. ALLEN: Yes, thank you. Steve
13 Allen, IURC. Just to point out, in previous
14 meetings we have some language already in place
15 regarding no objection within 90 days or
16 something like that. It just feels like we could
17 reuse that language in this situation.

18 MR. DANNER: Andy?

19 MR. DRAKE: This is Andy Drake with
20 Enbridge. I know we have a lot of record here
21 about the years and I'm actually good with the
22 last proposal, I think, we had on the table there

1 but I want to come back to the 30 percent SMYS
2 discussion.

3 I think certainly this is significant
4 change, and I appreciate the comments and concern
5 around it. What I would ask is that if we're
6 going to vote on this, I want to know what it is
7 the outcome was, also. I would like to see PHMSA
8 bring this back to the committee, what was the
9 resolve of your assessment before the final rule.
10 I think we all, this is significant change and I
11 think we've talked about this eclectically over
12 the last year, but the four ruptures that were
13 cited I don't think have anything to do with
14 material flaws.

15 And I think that's really germane
16 here. It's not relevant, the size of the
17 population, because I don't know that we have
18 exactly defined the population. I'm not sure that
19 that slide that we showed at the break, that's
20 what we were in the hall huddling, what's our
21 confidence in that number? Is that the right
22 number? And the general consensus was, that's not

1 the right number.

2 So that's what pauses me here. I don't
3 think we have a good sense of what exactly is the
4 cost of doing this. We're not sure that there's -
5 - well. We're pretty confident there's not a
6 significant threat here, but we see an uncertain
7 cost, and yours is getaway. I'm not sure what the
8 concern is.

9 So I'd like to see us revisit this, at
10 least, before the final rule. That's, I can vote
11 on this but I think we vote in good faith, both
12 sides, that we would see it again before the
13 final rule.

14 MR. DANNER: All right. Steve, and then
15 Cheryl. Okay, Cheryl?

16 MS. CAMPBELL: I don't disagree. I
17 think what will be challenging is I don't think
18 this is like straight linear miles, right, so if
19 the miles, what did we say it was? Maybe 400,
20 maybe 400 miles, I don't think that's a straight-
21 up million dollars a mile for a hydro test. I
22 think that's very disparate pieces here and there

1 and could be a lot more challenging to do.

2 So I think some careful thought about
3 the cost side of it to go with that benefit side,
4 I think is required for this one. But otherwise I
5 would agree with Andy. I am fine with voting on
6 this but would like to see the result of that
7 analysis before the final rule.

8 MR. DANNER: Okay. Is that an analysis
9 that could be done before our June meeting?

10 MR. MAYBERRY: Ideally I'd rather just
11 have the direction of the committee and then we
12 go off and do our thing, and ideally not have to
13 report back. I'm not sure it can be done by June.
14 My preference is to get the will of the committee
15 and we'll take that under advisement for the
16 administration and we'll go from there.

17 Honestly, I'd rather avoid having to
18 come back to committee. Just trying to get to the
19 finish line I'd rather avoid that.

20 MR. DANNER: Okay. Thank you. Sara, and
21 then Steve?

22 MS. GOSMAN: I don't want to slow down

1 the process at all here. I think the intent of
2 this is, well, I need to step back for a moment.
3 The NTSB, of course, recommended that we remove
4 all grand fathered pipe, so that's sort of where
5 we're starting and then we have a statute that
6 includes the threshold of 30 percent SMYS.

7 What I'm looking for is some middle
8 ground here that acknowledges the potential risk
9 that isn't being addressed through the IM
10 program. That seems to me this class III and IV
11 non-HCA.

12 As I understand it, there is a concern
13 about the benefit versus the cost side. If PHMSA
14 reviews the cost/benefit analysis and finds that
15 the benefits of requiring reconfirmation are
16 greater than the cost as a regulatory person I
17 think that tells us that we should be regulating
18 them.

19 So that would be my instinct, to not
20 necessarily need to review that, because that
21 would be the, well, if you're concerned about the
22 input, I guess, it sounds like maybe the question

1 of costs or what the real incident data that
2 needs to be looked at on the benefit side is, and
3 you're nodding, then I think maybe that could be
4 given to PHMSA as part of their review and
5 consideration.

6 MR. DANNER: Andy?

7 MR. MAYBERRY: I think you had a direct
8 response to Sara, is that correct?

9 MR. DRAKE: Yes. I appreciate that.
10 This is Andy Drake with Enbridge. I'm actually
11 good with that. That's exactly what the core of
12 my concern is. I just want to make sure we're
13 making decisions on facts and data. And that
14 would, we're making a big decision so let's make
15 sure we have the right data and right facts.

16 And I think that was the drift of what
17 was the energy at the break, was we don't have
18 this data or we're not in agreement with the
19 data, so we need to get a line on the data and
20 then I'm good. If the cost/benefit comes out and
21 we were all stacked hands that the data's the
22 data, I totally agree with Sara. That's exactly

1 the right decision. I'm just not sure we're all
2 synchronized on what the inputs are at this
3 point.

4 MR. DANNER: Okay. Steve?

5 MR. ALLEN: Steve Allen, IURC. I think
6 I agree with both Andy and Sara on this, but the
7 statute calls for what, exactly? The
8 reverification on everything greater than 30
9 percent? Then I think that's really our orders.

10 If at a later date you do the
11 assessment, the analysis, and it looks like
12 "Class III and Class IV pipe less than 30
13 percent" needs to be added back in, perhaps it
14 could be.

15 The discussions we've been having this
16 week and previous regarding the different between
17 a leak and a rupture, that was a little blurred
18 for me this morning when we saw the four out of
19 14 ruptures on pipeline less than 30 percent, but
20 from what I'm hearing from our industry members
21 that perhaps that is a little bit misleading.

22 So I guess I go back to what the task

1 was from the statute, being greater than 30
2 percent, and I would almost suggest we leave that
3 in the red text like that or take it out.

4 MR. DANNER: All right. Alan?

5 MR. MAYBERRY: Just thinking out loud
6 here, I mean one other option would be okay. We
7 go do this analysis, we come back but then get a
8 consensus of the group at a later date, whether
9 it's June or whenever, to on a pass forward to
10 actually address it at a future date.

11 Initially we'd go with, I guess,
12 what's more in line with the mandate and move
13 that forward but then just come back at a later
14 date when we do have the report or the
15 information that we're talking about there
16 related to the cost/benefit of III and IV non-HCA
17 less than 30 percent, that we come back and
18 report back to this committee and then make a
19 decision then to attach it to another policy that
20 we might be moving through the process. That's
21 just another thought there.

22 MR. DANNER: All right. Sara.

1 MS. GOSMAN: So I'm concerned if we
2 move it later that it will be number four in line
3 of possible rules. And I think it's directly in
4 front of us and you've done the cost/benefit
5 analysis for the rule already through the IRA,
6 it's just -- So to me what I'm trying to get at
7 there is there was a proposal to include all
8 pipelines here, right, in the proposal. NTSB says
9 we should do that. Statute says threshold
10 mandatory is 30 percent SMYS.

11 So what I'm trying to do is look at
12 that risk, identify a particular area of risk and
13 ask for more data analysis but I think PHMSA
14 already has because they had to do it through the
15 IRA.

16 And maybe it does mean coming back in
17 June to reconsider it, but again, my feeling on
18 it is if the concern here is that the costs
19 outweigh the benefits, if that's the ultimate
20 concern about why we're not doing regulation of
21 less than 30 percent SMYS. I don't feel like I
22 have enough information in front of me to be

1 confident that that's the case.

2 MR. DANNER: Yes. And I think that's
3 where I come at this as well. I think that
4 basically if we find out that the costs exceed
5 the benefits, then they don't go forward. It's
6 not included. If the benefits outweigh the costs,
7 then it is included. That's how I see this.

8 So again, speaking for myself, I'm
9 comfortable with that language. Andy?

10 MR. DRAKE: This is Andy Drake with
11 Enbridge. I appreciate your position, Sara, and I
12 think I like that, where's the mandate, those are
13 always good words. What is it that we went into
14 the woods looking for when we started the?

15 But I do think we can get the
16 information and so this is a challenge to the
17 trade associations and anybody else who has the
18 information, to file that to PHMSA and try to
19 make sure we have the facts to discuss this.

20 I don't know if there's any way for us
21 to get a line of sight to this before making, I
22 appreciate where Alan does want to move forward

1 with this, but I'm kind of stuck here because I
2 think if we give you clear direction we won't see
3 it again which means we won't get a chance to
4 even see the facts as they were digested by
5 PHUSA.

6 I do know that the four ruptures, I've
7 got them sitting right here, and one was
8 selective seam well corrosion, that's not a
9 manufacturing flaw. One was a hydro test that was
10 tested to significantly above a hundred and,
11 well, significantly tested well above 30 percent
12 SMYS. It wasn't a material failure.

13 The third was mechanical vibration,
14 and the fourth was an off-shore overload, so
15 that's not a material flaw. So those are some
16 facts that go into this. I think getting some
17 more facts from other parts of the industry that
18 have how is the miles and that sort of thing, and
19 what's the cost/benefit.

20 I would be fine actually making a
21 proposal to get the facts into PHMSA and have
22 that discussion off-line and then let this go

1 where it may go on cost/benefit. I'm good with
2 that.

3 MR. DANNER: Just so I understand, so
4 you're saying go ahead and use this language
5 today, approve it, but let's ask for them to
6 report back as soon as they know something and
7 then if we need to revisit it we can do so.

8 MR. DRAKE: I think it would be nice if
9 in June you could give us an update but you're
10 not actually asking our vote at that point. I
11 would ask for PHMSA to have an outreach between
12 now and June and get the facts, because this has
13 sort of changed on the fly. So let's make a
14 really well-informed decision.

15 I mean, we're already straightening
16 out some of the facts around the table right now.
17 That's good to know. So let's just be explicit
18 about getting facts. I'm kind of looking back
19 here at the trade associations, because they're
20 going to be all over me if I don't.

21 I just want to be clear about that. I
22 think that's where a good source of data for some

1 of the facts on scale are, and if there are other
2 facts that people have, let's try to get those.
3 So if you can define a time frame that you want
4 to take facts in to make this decision, I think
5 that would be very helpful.

6 MR. DANNER: Alan.

7 MR. MAYBERRY: I can commit that we're
8 going to take it back and review it if, you know,
9 whether that would be June or a later date, it's,
10 it could be later. But we could report back,
11 yeah.

12 MR. DANNER: Okay. I think that leave
13 us, we've got the motion in front of us, amended
14 with the language in front of us, so not to
15 exceed four years, we don't need to put in
16 language in regard to -- Oh.

17 MR. GALE: Mr. Chairman, we're about to
18 pull up some language to correctly modify the
19 motion.

20 MR. DANNER: Okay. So if someone could
21 make a quick motion for us. Sara? And if
22 possible, Sara, since it's the issue is slide

1 two, if that could be, can you move that to the
2 first screen, this way on the left? If that's
3 possible. I need two on one side and the motion
4 on the other so they can see the context.

5 MR. GALE: Yes, Chair, if we could have
6 a motion, read this language and have them vote
7 on that, we could amend the motion after we vote
8 on the full motion.

9 MR. HILL: Mr. Chairman?

10 MR. DANNER: Yes.

11 MR. HILL: I'd like to make a motion
12 as, I move to amend the motion by deleting the
13 phrase "two years" and replacing that phrase with
14 "or as soon as practicable, but not to exceed
15 four years," and adding directions for PHYSA to
16 consider a waiver or no objection procedure for
17 extending the time line past four years. \ /d All
18 right.

19 Do we need a second for the motion, to
20 amend the motion? Okay. So the rule's been
21 seconded. So we now have a motion to amend the
22 motion. Do we need any discussion or shall we

1 just go to a vote? Alan, your card is up? Okay.
2 We have a motion, we're ready for a vote. Do we
3 need to take a role call or can we just have an
4 aye or nay? All right, roll call.

5 MS. WHETSEL: Because we had so much
6 fun doing it.

7 MR. DANNER: Yes.

8 MS. WHETSEL: Okay. Steve Allen?

9 MR. ALLEN: Aye.

10 MS. WHETSEL: Dave Danner?

11 MR. DANNER: Aye.

12 MS. WHETSEL: Diane Burman?

13 MS. BURMAN: Aye.

14 MS. WHETSEL: Thank you. Sara Longan?

15 DR. LONGAN: Aye.

16 MS. WHETSEL: Terry Turpin?

17 MR. TURPIN: Aye.

18 MS. WHETSEL: Cheryl Campbell?

19 MS. CAMPBELL: Aye.

20 MS. WHETSEL: Andy Drake?

21 MR. DRAKE: Aye.

22 MS. WHETSEL: Ron Bradley?

1 MR. BRADLEY: Aye.

2 MS. WHETSEL: Rich Worsinger?

3 MR. WORSINGER: Aye.

4 MS. WHETSEL: Chad Zamarin?

5 MR. ZAMARIN: Aye.

6 MS. WHETSEL: John Airey?

7 MR. AIREY: Aye.

8 MS. WHETSEL: Robert Hill?

9 MR. HILL: Aye.

10 MS. WHETSEL: Sara Gosman?

11 MS. GOSMAN: Aye.

12 MR. DANNER: All right, the motion
13 passes. We now have before us an amended motion.
14 I think that means we don't need any more
15 discussion, I think we're ready to take a vote on
16 the amended motion.

17 MS. WHETSEL: Okay, so on the amended
18 motion, Steve Allen?

19 MR. ALLEN: Steve Allen, aye.

20 MS. WHETSEL: Dave Danner?

21 MR. DANNER: Aye.

22 MS. WHETSEL: Diane Burman?

1 MS. BURMAN: Aye.
2 MS. WHETSEL: Sara Longan?
3 DR. LONGAN: Aye.
4 MS. WHETSEL: Terry Turpin?
5 MR. TURPIN: Aye.
6 MS. WHETSEL: Cheryl Campbell?
7 MS. CAMPBELL: Aye.
8 MS. WHETSEL: Andy Drake?
9 MR. DRAKE: Aye.
10 MS. WHETSEL: Ron Bradley?
11 MR. BRADLEY: Aye.
12 MS. WHETSEL: Rich Worsinger?
13 MR. WORSINGER: Aye.
14 MS. WHETSEL: Chad Zamarin?
15 MR. ZAMARIN: Aye.
16 MS. WHETSEL: John Airey?
17 MR. AIREY: Aye.
18 MS. WHETSEL: Robert Hill?
19 MR. HILL: Aye.
20 MS. WHETSEL: Sara Gosman?
21 MS. GOSMAN: Aye.
22 MR. DANNER: All right, thank you. The

1 amendment passes. It's 4:30. Should we keep
2 chugging away? All right, so I will turn it Alan
3 or staff.

4 MR. MAYBERRY: I will turn it over to
5 Steve. Or Chris, Chris McLaren with PHMSA is
6 going to lead us through the next session which
7 is Methods 1 and 2 of 624(c).

8 MR. MCLAREN: The first one is 624.192
9 624(c)(1) Method 1. So we'll start out, we have
10 about a dozen slides and these will cover both
11 Methods 1 and 2 before our next discussion break.

12 At the December 2017 meeting in
13 response to public NPRM comments, PHMSA suggested
14 the committee consider the following:

15 Suggest revising 192.624 as indicated
16 in the PHMSA response to PHMSA comments by
17 revising 624(c)(1) to refer to sub-part (j)
18 rather than 192.505(c) for the pressure test.

19 Public comments on Method 1 pressure
20 text included did not require spike testing for
21 any segments for purpose of MAOP reconfirmation.
22 A statement that the spike test is for crack

1 mitigation. One comment emphasized the importance
2 of spike tests and noted that there were too many
3 failures following an in-line inspection and
4 remediation program.

5 PHMSA's response is that if the
6 committee recommends the deletion of
7 192.624(a)(1) then the spike test requirement in
8 Method 1 is not needed. PHMSA suggests that the
9 624(c)(1)(ii) legacy pipe and (iii) pipes
10 susceptible to cracks be deleted also.

11 Committee comments on Method 1
12 pressure testing in the December meeting, the
13 industry representatives expressed opinion that
14 spike test is for crack integrity assessment and
15 is not appropriate for MAOP setting of
16 reconfirmation. PHMSA suggests that if the
17 committee votes to support deletion of 624(a)(1)
18 lines with crack line defects, from the scope of
19 192.624 then the spike test requirement in
20 192.624(c)(1)(ii) and (iii) would not be needed
21 would not be needed and could be deleted. Spike
22 test requirement in 192.506 would still be

1 utilized where appropriate in other rule
2 sections.

3 Committee also commented, suggesting
4 adding language to address material documentation
5 in 192.607 with respect to information needed for
6 a pressure test. PHMSA suggests that the
7 committee consider explicitly requiring that
8 information needed to perform a successful
9 pressure test in accordance with sub-part (j) not
10 documented in TVC records must be verified in
11 accordance with 192.607.

12 On Method 2, there were no committee
13 comments in the December 2017 meeting. In
14 response to the public comments to the NPRM,
15 PHMSA suggests that the committee consider the
16 following:

17 Revising 192.624 as indicated in the
18 PHMSA response to public comments by changing the
19 look-back period for Method 2, pressure
20 reduction, and Method 5, pressure reduction based
21 on PIR, from 18 months to five years before the
22 effective date of the final rule.

1 So that concluded the PHMSA responses
2 to the comments on Methods 1 and 2, and the
3 following slides summarize a number of revisions
4 that PHMSA suggests that the committee consider
5 to address comments received from the NPRM as
6 well as in the March 2 committee meeting.

7 PHMSA suggests revising proposed
8 192.624(c)(1) pressure test as follows:

9 Delete paragraphs (ii) and (iii) to
10 remove spike testing for lines with suspected
11 crack defects. These requirements are not needed
12 if the committee votes to eliminate
13 192.624(a)(1), lines with previous failures due
14 to cracking or manufacturing defects from the
15 scope of 192.624.

16 Number two, refer to sub-part (j)
17 instead of 192.505(c) for the pressure test
18 requirements.

19 Number three, add requirement to
20 verify material properties in accordance with
21 192.607, material verification. If information
22 required for a pressure test is not documented in

1 TVC records, as discussed in the December 2017
2 committee meeting.

3 PHMSA also suggests revising
4 192.624(c)(2), pressure reduction methodology, as
5 follows:

6 Increase the look-back period from 18
7 months to five years from the effective date of
8 the final rule. To strike the requirement from
9 192.624(c)(2)(ii) to perform fracture mechanics
10 analysis on segments that confirm MAOP, via
11 Method 2.

12 And with respect to TVC records, the
13 NPRM already included a requirement for verifying
14 missing material properties per 192.607 if needed
15 to support a notification for an alternate
16 pressure reduction approach using Method 2.

17 Thank you.

18 MR. DANNER: All right.

19 MR. ALLEN: Mr. Chairman?

20 MR. DANNER: Yes, Stephen.

21 MR. ALLEN: If I may, Steve Allen,
22 IURC. Could you go back to slide 38 for me? Thank

1 you very much. All right.

2 MR. DANNER: So at this time we're
3 going to take public comments on 192.624(c). Is
4 there any public comment? Go ahead, sir.

5 MR. KERN: Good afternoon. Mike Kern,
6 National Grid. My comment is on Method 2. So
7 National Grid requests that PHMSA consider
8 allowing a look-back period to be extended to the
9 beginning of the TIMP program. There can be many
10 reasons for pressure reduction.

11 For example, class location changes
12 and other operational issues. The intended
13 purpose of the rule that's meant by these
14 reductions, pressure reductions, and with the
15 provision that they can be documented. In most
16 cases further reductions in pressure cannot be
17 made with consideration to the existing customer
18 loads.

19 So the real pragmatic approach to this
20 is, what are we trying to do? We're trying to do
21 a strength test, right, or verify that the
22 pipeline had a strength test. So any operating

1 history that the operator has, as well as the
2 pressure reduction below a certain point, really
3 is a kind of a de facto strength test, right?

4 A strength test is a strength test,
5 whether you intentionally do it with a hydro or
6 you do it by lowering the operating pressure, it
7 performs the same function. So we ask that
8 consideration be given to that time period.

9 Right now it's a five-year look-back,
10 we're saying that is, we think the operator needs
11 a little more flexibility and operators have done
12 pressure reductions, but come up with a practical
13 time period beyond the five years.

14 MR. DANNER: All right. Thank you.
15 Other comments? Okay, hearing no other comments,
16 are there any comments by committee members with
17 regard to Methods 1 or 2. Andy.

18 MR. DRAKE: I just have one comment
19 here. It really goes back to a comment we made in
20 the previous section about TVC records. I think
21 that TVC is a very high hurdle and it comes with
22 some luggage that we just need to make sure we

1 understand what you're talking about here.

2 When you say a TVC record must be
3 verified when we're doing the hydro test, I
4 don't, I think, is the record you're talking
5 about the hydro test record itself has to be TVC
6 or are you talking about the materials needed to
7 make the determination about the hydrostatic
8 test?

9 The reason I ask is if we're not
10 careful, you can kind of create a vicious circle
11 you can't get out of. The reason you're doing the
12 hydro test may be because you don't have TVC
13 records. Some of you want to do the TVC test,
14 that's the gold standard to validate fitness for
15 service of MAOP, you may not have TVC records
16 because the whole reason you're doing that test,
17 you know, is we don't have a TVC hydro test.

18 That's a different thing. I'm just
19 trying to figure out when you say TVC records are
20 needed to do the hydro test, that seems kind of
21 contradictory.

22 MR. DANNER: Steve, you want to respond

1 to that?

2 MR. NANNEY: Steve Nanny with PHMSA.

3 Let me answer it this way. If you were going to
4 do a hydro test, would you hydro test the
5 pipeline not knowing the wall thickness and the
6 yield strength and the class location of the
7 pipeline?

8 And by that I mean, if you go out to
9 do a pressure test for MAOP, you got to know some
10 attributes to know what the pressure test is
11 going to be. You also have to know some
12 attributes to know if you meet the standards for
13 the class location you're located in.

14 So the point here is if you go do a
15 pressure test, we would expect you to have
16 records to know what you're pressure testing
17 whether that's diameter, wall thickness, yield
18 strengths or all those type things. But if you do
19 not have adequate ones, what we've said is when
20 you go do digs for 607 we would expect you to
21 document those material properties.

22 MR. DANNER: Andy, do you have a

1 follow-up?

2 MR. DRAKE: Yeah, that makes sense,
3 Steve. It's just the tripwire of the word TVC
4 because what you're saying is I need to know
5 something about the pipe.

6 MR. NANNEY: Yeah.

7 MR. DRAKE: TVC is a different
8 standard. And I think this goes to the heart of
9 the PG&E failure in San Bruno. You'd like us to
10 fill it with water and have the problem happen
11 with it full of water. You know. If I don't know
12 everything about it, I would like to err on the
13 side of over testing it and having it fail with
14 water than assuming it was okay based on
15 paperwork.

16 And I think that's the really
17 important message here. We can go in, gather the
18 best information you have but don't exhaustively
19 study this trying to get the TVC standards. Put
20 it on test. And that's the validation you're
21 trying to look for. I think that's what I hear
22 you say, is do the best you can with the

1 information, make a good choice about the test
2 and get on test.

3 MR. DANNER: Steve, you have --

4 MR. NANNEY: I would say yes, but
5 again, if you do not have adequate material with
6 records we would expect you to do the validation
7 when you do the digs. And if you find that what
8 you assumed is incorrect for the class location,
9 etc., you would have to make changes based upon
10 those findings.

11 I mean in other words, you may assume
12 that you've got one wall thickness grade pipe,
13 and if you find that that's incorrect and it
14 doesn't meet the class location, you might have
15 to change the pipe out.

16 MR. DRAKE: Before you do the hydro
17 test. I mean, I think we've had this conversation
18 a couple times. We're trying to differentiate
19 between establishing MAOP and doing integrity
20 management. I think we're trying to make sure of
21 a practicable standard to start doing the
22 testing.

1 If we have to start sampling all over
2 the place to figure out how to put a pipe on
3 hydro test, I think you're going to delay the
4 hydro testing a lot. I don't know that's really
5 what you're saying. It's try to make a good
6 choice here and go forward.

7 MR. NANNEY: Well, and making a good
8 choice, what we would expect and we've stated
9 this before, is when you go do a pressure test
10 and you're putting your manifolds in, we would
11 expect you to do samples there to check to see
12 what the wall thickness, the grade, that
13 information is, and if you find that's different
14 than what you think it is you would not be
15 permitted pressure testing.

16 So we expect, what we've stated
17 before, we expect you to do practical things to
18 justify what you've assumed. And then as you
19 forward with additional digouts, our 607 states
20 to do those other confirmations as you do those
21 digouts.

22 MR. DANNER: Okay. Cheryl?

1 MS. CAMPBELL: Thank you. Cheryl
2 Campbell, Xcel Energy. I'm struggling with this
3 part of it, to be honest. I mean I do not believe
4 I'm operating any pipelines that I don't
5 understand the MAOP on. However, as a practical
6 matter, and I have examples, real life examples,
7 where we thought we understood the MAOP, we
8 looked at the records and were concerned and when
9 through a hydro.

10 We based that hydro on what we thought
11 the MAOP was. The pipe was something very
12 different, to put it bluntly, and we ended up in
13 sort of an emergency renewal mode.

14 My concern with your statement, Steve,
15 and I don't disagree fundamentally what you're
16 saying, I should know what I'm dealing with
17 before I start doing something like a hydro. The
18 concern that I have is there's a lot of pipe
19 there. The only way for me to do all the sampling
20 and get to where I think I can do what you want,
21 is to dig up the whole pipe.

22 I'm going to go back to what Andy said

1 and what I've said before, the hydro is what
2 tells me whether or not I've got the pipe that
3 meets my needs. So I'm struggling with doing all
4 that material verification before I do the hydro
5 because the reality is I'm never going to be sure
6 that I understand that piece of pipe unless I dig
7 it all up. And that's not practicable to me at
8 all.

9 MR. DANNER: Okay, Steve?

10 MR. NANNEY: Well, first of all 192.607
11 does not say that you got to dig up all the pipe.
12 It was set up to where when you go do
13 excavations, again to repeat, on a mile basis if
14 you do not know what the material is, is you go
15 and do an excavation to check the pipe
16 properties. That's what we would expect you to
17 do.

18 If you go and you're testing a mile of
19 it and you dig your bell holes for your
20 manifolds, we would expect you to check that and
21 to have some hopefully records like alignment
22 sheets, things like that, that verify it.

1 So if you go and you do a pressure
2 test and you don't have any of that, then yes you
3 may have a problem with meeting 607 but I would
4 not expect you to go do a pressure test not
5 knowing anything about the segment.

6 MR. DANNER: All right. Any other
7 comments? Ron.

8 MR. BRADLEY: Yes, Ron Bradley, PECO,
9 and I'm struggling to try to find the right words
10 too, so I'm challenged with the notion that
11 there's an operator that does not know enough
12 about the pipe to evacuate the gas from it and to
13 hydrostatically start the pressure test.

14 Sometimes the traceable, verifiable,
15 complete records are just lost in moves or office
16 reallocations, I think there are lots of reasons
17 for it. But our maps would have enough
18 information to say what the pipe is rated for, we
19 have personally in my company hydrostatically
20 pressure tested a few lines that did not have
21 traceable, verifiable complete records.

22 We did have nondestructive test

1 samples of 2 ECDA, things like that. We knew wall
2 thickness, we knew material, we just did not have
3 traceable, verifiable complete. We hydro-
4 statically pressure tested up to where we thought
5 the MAOP was and we stopped. And that was enough
6 to figure out how to operate that line. We didn't
7 take it to a place where we had a failure on it,
8 we just took it to where we needed to verify it
9 had traceable, verifiable, complete records after
10 that. And that did get us to reestablish our
11 MAOP. We feel pretty good about that.

12 So I struggle with the nuance between
13 knowing exactly what material you have, and I
14 hear you, Steve, and on the other hand that's
15 that integrity management piece to make sure we
16 nail, but then on the other hand to use water to
17 bring the pressure up gradually to a place where
18 I thought it was 800 pounds, oh, yeah, it's 800
19 pounds. And it's holding, and everything's good
20 and now let's get that water out, let's dry it
21 out and let's get it back to service. Just a
22 story for consideration.

1 MR. DANNER: Andy?

2 MR. DRAKE: Thanks. This is Andy Drake
3 with Enbridge. I think, I'm hoping there's not
4 this huge chasm between us here. It's not all or
5 none, I'm hoping is kind of where we're at.

6 An operator, obviously, would use the
7 information that they have in setting a
8 hydrostatic test. If you dig down and install the
9 manifolds, you're going to measure and if it's
10 not what you thought it was you're going to stop
11 and rethink.

12 The concern, I think, that's flagging
13 here, I think it says here that PHMSA suggests
14 that the committee consider requiring the
15 information needed to perform a successful
16 pressure test in accordance with sub-part (j),
17 not documented TVC records must be verified to
18 192.607.

19 That is, I think, where the hangup is,
20 because the sampling frequency in 192.607 is like
21 one a mile. So you have to do one a mile to
22 figure out how to do a hydro test? That seems

1 like all it's going to do is delay the hydro
2 test, a lot. Which is not the point.

3 The point is let's make a good choice,
4 use the data that we have, get the thing on hydro
5 test, make sure it's safe, collect the data we
6 need to make a tailored management over time.
7 That seems to congrue with the conversation we've
8 been having for a year, and I think that's, maybe
9 it's just how we're talking about what we need to
10 do.

11 Obviously we would use the information
12 we have to pattern and design the test, but we
13 may not have enough information in accordance
14 with 192.607 then to proceed with the test, which
15 I think is counter-productive. I can't believe
16 that's where we would want to get to. I think
17 that's the only issue that's at stake here.

18 MR. DANNER: Sara?

19 MS. GOSMAN: Sara Gosman. Just so I
20 understand the proposal by PHMSA, I'm going to
21 read this. It says "information needed to perform
22 a successful pressure test." That strikes me as

1 cabining the amount of information needed here
2 under Section 192.607, because it's related to
3 that, is the information needed for this
4 successful pressure test.

5 MR. DANNER: All right. Steve.

6 MR. NANNEY: Again, it's what we would
7 expect is if that the operator did not have the
8 records again as you do excavations on the
9 pipeline, we would expect you to verify that.

10 If you did the pressure test and you
11 dug the ends out, we would expect you to verify
12 it there. If you thought you needed to do more,
13 that would be up to you.

14 But in the future as you do digs, we
15 would expect you to check it. That's what we
16 would expect.

17 MR. DRAKE: That's congruent with the
18 conversation we've had for the last year.

19 MR. NANNEY: I think that's all, we're
20 just trying to interpret how you want us to apply
21 192.607 to do the test. What you just said, that
22 makes sense. We would use the information we have

1 to make the decision about the test. It may not
2 be all of 192.607 for every mile of that hydro
3 test, but we would gather that data over time.

4 MR. DANNER: Right. Alan?

5 MR. MAYBERRY: I think you pretty much
6 summarized what it's going to say. I think it's
7 not all or none. You have time. The 607, the
8 opportunistic is, I think Steve pointed out, it's
9 not, okay, you have to do it before you do the
10 hydro, you're going to be digging up manifolds at
11 each end and you're going to have an idea of what
12 you have and use judgement to determine what will
13 be pressure tested. But then over time through
14 607 you would gather the information.

15 MR. DANNER: Steve.

16 MR. ALLEN: Steve Allen, IURC. So
17 Steve, what you are saying is that when you go
18 out to do a hydro test, you actually, if there's
19 information that you don't have, peg into that.
20 As you expose that line, you try to identify or
21 determine that information at that point in time
22 to help you interpret the results of the hydro

1 test.

2 MR. NANNEY: That's correct.

3 MR. ALLEN: So I guess, I don't
4 understand, so I guess what industry is saying if
5 you already have a valid pressure test or hydro
6 test without the information, why do you have to
7 go back and do it again? Or, I'm missing the
8 disconnect here.

9 MR. DRAKE: Just for clarity, can you
10 restate that double negative again?

11 (Laughter.)

12 MR. ALLEN: I'm not sure that I can. If
13 what Steve was saying, if you go out to do a
14 hydro test. You gather the information that you
15 don't know about, as much information as you
16 don't know about the pipeline at that point in
17 time, that helps you to interpret the results of
18 the hydro test at that point. Correct?

19 MR. NANNEY: Correct.

20 MR. ALLEN: So, but then is industry
21 saying okay, if we have a valid pressure test, if
22 we have results from a pressure test but we don't

1 have records to go along with that. Are you
2 saying that all bets are off? Or I think what I
3 heard Steve say that then you need to develop a
4 plan that over time you opportunistically try to
5 gather that information as you go out on
6 integrity digs or whatever else.

7 It's not saying that hey, you don't
8 have the records, you absolutely have to go out
9 and do a hydro test right this day. You need to
10 go out and develop a plan to help support what
11 you've got. Is that not right?

12 MR. NANNEY: That's correct. This is
13 Steve Nanny, just one other thing. If the only
14 place that this, when I hear what Andy has said,
15 if it was a two-mile pipeline test segment that
16 they were doing and they dug, or say a mile and a
17 half, and they dug both ends of it out and they
18 did not have, they weren't sure about the wall
19 thickness and the grade, they didn't have those
20 records, they could make those tests when they
21 dug it out and check the wall thickness,
22 diameter, grade, seam type.

1 If it's three miles, they might, or
2 what he's asking is do I have to go make the
3 third one. And what I said was if you've got
4 alignment sheets, other things, you're
5 technically sure it's the same, you can do the
6 rest under 607 later. That's what I hear the
7 question being and that's how I've answered it.

8 And that's how 607 said is, if you
9 tested three miles of pipe and you did it on the
10 two ends and you had a mile in between that you
11 didn't have that information, the next time you
12 dug that you would need to get that information.

13 MR. DANNER: Okay. Andy?

14 MR. DRAKE: Thanks, Steve. This is Andy
15 Drake with Enbridge. That's exactly the scenarios
16 I think that we're trying to clarify. The words
17 that we're looking for, in 607 was opportunistic.
18 As you're out there, you gather this information.
19 It could be a lot of information. We want to try
20 to get onto hydro testing as quickly as possible.
21 Obviously we're going to use the information we
22 have. If you're digging up the pipe to put

1 barrels on it or put manifolds on it, you're
2 going to know that information.

3 But I just would not want us to send
4 a signal where now it's, I got to go get all this
5 information before I can put on hydro tests. I
6 think that's going to throw everybody into a
7 different pattern than we've been talking about
8 which as Alan said, opportunistic.

9 And it's a little curiosity of why 607
10 is referenced here, other than you should use the
11 information you have to make the best choice you
12 can about the hydro test, and gather the
13 information opportunistically about the material
14 properties over time. But I think this record
15 shorted it out. I just wanted to make sure we
16 were clear how it plays.

17 MR. DANNER: So there's voting language
18 in front of us, so it might be if you need
19 clarification you might want to see how you would
20 wordsmith that gently. Any further comments?
21 Alan?

22 MR. ALLEN: That last bullet on the

1 screen on the left, like we just discussed at
2 length, 607 is opportunistic so the procedure's
3 listed in there.

4 MR. DANNER: Okay. Steve.

5 MR. ALLEN: Steve Allen, IURC. Should
6 the word opportunistic find its way into this?
7 Oh. Never mind.

8 MR. DANNER: So, there it is. It's in
9 red. Okay. It is 5:03 and I think if we press
10 ahead we can vote on this. So the word
11 opportunistically is there, so, Steve, do you
12 want to opportunistically make a motion?

13 MR. ALLEN: Sure. I move, this is Steve
14 Allen, IURC. I move the proposed rule as
15 published in the Federal Register and the draft
16 regulatory evaluation with regard to the
17 provisions for Method 1 and Method 2 of MAOP
18 reconfirmation are technically feasible,
19 reasonable, cost effective and practicable if the
20 following changes are made:

21 For Method 1, Pressure Test. Bullet
22 point 1. The lead paragraphs (ii) and (iii) to

1 remove "spike testing for lines with suspected
2 crack defects."

3 Second bullet point. In Section
4 192.624(c)(1) refer to sub-part (j) instead of
5 Section 192.505(c).

6 Third bullet point, add "requirement
7 to opportunistically verify material properties
8 in accordance with Section 192.607 if information
9 required for a pressure test is not documented in
10 TVC records as discussed in the December, 2017,
11 committee meeting."

12
13 For Method 2, Pressure Reduction.
14 Bullet point 1. Increase the look-back period
15 from 18 months to five years.

16 Bullet Point 2. Strike the requirement
17 in Section 192.624(c)(2)(I) to perform fracture
18 mechanics analysis on segments that perform MAOP
19 via Method 2, pressure reduction.

20 MR. DANNER: All right, thank you. And
21 I think you meant to say, "strike the
22 requirements of 192.624(c)(2)(ii)." You had a

1 single i. So, okay, there is a motion. Is there a
2 second. Oh, okay, I thought we took the comment,
3 second first and then comments, but we'll take
4 comments. What did you say? Yes, I'm looking for
5 a second. Are you seconding?

6 MS. CAMPBELL: No, I'd like to make a
7 comment.

8 MR. DANNER: All right, well,
9 regardless. Why don't you go ahead and make your
10 comment.

11 MS. CAMPBELL: I'm sorry, Chair.
12 Robert's Rules of Order are not my specialty. Two
13 concerns that I want to put out on the table for
14 the committee.

15 I'm not sure that the third bullet
16 really captures the conversation that we were
17 just having around using the best information
18 that you have at the time to do the pressure
19 test, right? I mean, I think it talks about
20 opportunistically going and getting it if you
21 don't have it, but it feels like we need to add
22 something there about consistent with the

1 conversation at this meeting about the pressure
2 test. Because I think you still have in there
3 that you have to have all those TVC records
4 before you design the pressure test. So that's
5 one comment.

6 The second comment relates to Method
7 2 and the pressure reduction. I'm not remembering
8 why we increased the look-back period from 18
9 months to five years but here's my concern around
10 this.

11 I agree that pressure reduction is a
12 valid way to do MAOP reconfirmation. My concern
13 here I think is consistent with what the
14 gentleman from National Grid brought up in that
15 we've been doing integrity management now for
16 however long we've been doing it, and I think a
17 number of companies have used pressure reduction
18 as a method to do MAOP reconfirmation and I'm
19 pretty sure that I have reduced the pressure in
20 that time period beyond five years and this kind
21 of feels like I'd have to go back and do it
22 again.

1 I do not believe that that is your
2 intention, but I'm asking that question. That's
3 not clear to me, and that's why I'm asking the
4 question.

5 MR. DANNER: Okay. Ron, you had your
6 tent up. Are you --

7 MR. BRADLEY: Yes, thanks, Mr. Chair.
8 I'm Ron Bradley, PECO. I put it down primarily
9 because I think Cheryl went at the second one,
10 which is, I'm reacting to the public, just so
11 happy when the public comes in and shares their
12 information, I think we want to recognize it.

13 Mike from National Grid, I didn't
14 catch his last name, but he talked about this
15 five-year period and it drew my attention back to
16 the factor segments or Alan, the question you had
17 about I'm at 1.1, if I'm in a Class I level and
18 now we go to a 1.25, well, the only way I can
19 work there is if I reduce my pressure.

20 Now I can sort of work okay, but if
21 this is in fact implying that the five years is
22 okay, but I did this maybe seven or eight years

1 ago and I'll have to reduce again, and if I do
2 that I may lose customers. I think that's an area
3 we want to pay attention to. I think that's what
4 I heard from the gentleman from National Grid.

5 MS. DAVISON-LEWIS: Thank you. Sara?

6 MS. GOSMAN: I just have a question
7 about the look-back period as well, but maybe
8 from a different perspective. I'm wondering, if
9 the concern is about flexibility here, there's
10 also a provision at the end of that section about
11 using a less conservative pressure reduction
12 factor, and I'm wondering if there's any
13 relationship between that, which seems like a
14 kind of exception, waiver, process and the
15 concern about the look-back period.

16 MR. DANNER: Does anybody want to
17 respond to that? Yeah, Rich.

18 MR. WORSINGER: Yeah, Rich Worsinger,
19 Rocky Mount, North Carolina. Mr. Chair, I have a
20 problem with that third bullet. It just seems
21 like it's a what comes first, the chicken or the
22 egg? If we don't have all the records we need to

1 verify the pressure test or how we establish MAOP
2 we want to do another pressure test. But we can't
3 do that if we don't have all the records we need.
4 And it just -- I just kind of feel like we don't
5 know where to start here.

6 Industry, as I'm listening to this,
7 wants to go pressure test those pipes where our
8 records are not what they need to be. But if we
9 don't have those records, it just seems this is
10 preventing industry from going and pressure
11 testing the pipes, and it's going to delay it.

12 I'm really struggling with that third
13 bullet, and I don't know if it would be best to
14 sleep on this, let PHMSA chew on it overnight, or
15 are we going to continue just to grind through
16 this?

17 MR. DANNER: All right, well, hold
18 tight. We'll consult with our friends at PHYSA.
19 In the meantime, Andy?

20 MR. DRAKE: Andy Drake with Enbridge.
21 I agree with Rich. I think the third bullet, I
22 think we just need to revise it to reflect the

1 conversation that we had, which is we don't need
2 TVC and we don't need 192.607. We need to use the
3 information that we have available to us to make
4 the best decision we can about the hydro test.
5 Period. And that's what we want people to do. And
6 then, the other things kick in over time as we
7 need that information but to tie this here, I
8 think it's -- I don't just think so, I know so,
9 because I'm getting texts like crazy saying that
10 this creates more confusion than it solves. And
11 what I would like to do is just reflect the
12 conversation we had, which is use all the
13 information you have to make the best decision
14 you can about the hydrostatic test parameters.
15 Period. 607 cues up on its own, TVC cues up on
16 its own, it's not germane to this section. It's
17 not that we're trying to get rid of TVC or 607,
18 it's just that they don't belong here.

19 MR. DANNER: So I think that PHMSA is
20 trying to get there. The reference to the March
21 26 committee meeting obviously shows they're
22 going in that direction. It sounds like we're not

1 going to be able to come to closure on this
2 tonight, Alan. I'm wondering if we should break
3 now and pick this up in the morning and you might
4 have some new language by then.

5 MR. MAYBERRY: I'm good with that. We
6 can take a look at it. I think we know where
7 we're trying to head on this one, on the third
8 bullet, it's just at this late hour --

9 MR. DANNER: Yes, wordsmithing under
10 pressure is hard. So let's do that, let's adjourn
11 for the day and we'll come back and they will
12 present us with language, new and shiny, that
13 will work.

14 So thanks, everybody, have a good
15 evening, I'll see you at 8:30 in the morning.

16 (Whereupon, the above-entitled matter
17 went off the record at 5:13 p.m.)
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19
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21
22

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This is to certify that the foregoing transcript


In the matter of: Gas Pipeline Advisory Committee

Before: US DOT

Date: 03-26-18

Place: Arlington, VA

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Court Reporter

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