U.S. DEPARTMENT OF TRANSPORTATION

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PIPELINE AND HAZARDOUS MATERIALS
SAFETY ADMINISTRATION

+ + + + +

VOLUNTARY INFORMATION-SHARING SYSTEM
WORKING GROUP

+ + + + +

VIRTUAL MEETING

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WEDNESDAY
OCTOBER 3, 2018

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The Working Group met in the
Department of Transportation HQ Media Center,
1200 New Jersey Avenue SE, Washington, D.C. at
8:30 a.m., Diane Burman, Chair, presiding.

MEMBERS PRESENT:

HON. DIANE BURMAN, New York State Public Service
     Commission, Chair
ERIC AMUNDSEN, Vice President, Panhandle
     Energy/Energy Transfer Partners*
MICHAEL BELLAMY, General Manager, PII Pipeline
     Solutions (GE)*
KATE BLYSTONE, Outreach Manager, Pipeline Safety
     Trust*
BRYCE BROWN, Vice President, Group Strategy
     Management, The ROSEN Group*
ROBERT BUCHANAN, General Manager, Seal for Life
     Industries*

JASON CRADIT, Senior Director of Technology, TRC
        Oil and Gas*
ALICIA FARAG, President & CEO, LocusView
        Solutions*
MARK HERETH, Principal, Process Performance
        Improvement Consultants
LEIF JENSEN, Senior Director of Asset Integrity,
        Sunoco Logistics*
MIKE LAMONT, Vice President, Integrity Plus*
JOHN MACNEILL, National Safety Director, Utility
        Workers Union of America*

ALAN MAYBERRY, Associate Administrator for

        Pipeline Safety, PHMSA

RANDY PARKER, Vice President of Regulatory

        Affairs, Kinder Morgan*

SIMONA PERRY, Research Director and Founder,

        Pipeline Safety Coalition*

JOE SUBSITS, Chief Pipeline Safety Engineer,

        Washington Utilities and Transportation

        Commission*

CHRISTOPHER WARNER, Senior Vice President, Mears

        Group, Inc.*

MARK ZUNIGA, Vice President of Information

        Technology, UniversalPegasus

        International, Inc.*

ALSO PRESENT:

CHRISTIE MURRAY, Director, Outreach and

     Engagement, PHMSA; Designated Federal

     Official

SHERRY BORENER, PHMSA

BILL CROCHET, Plains All American Pipeline

MICHELLE FREEMAN, PHMSA

CLIFF JOHNSON, Pipeline Research Council

     International*

MAX KIEBA, PHMSA

ERIN KURILLA, American Public Gas Association

KAREN LYNCH, PHMSA

C.J. OSMAN, INGAA

SONAL PATNI, American Gas Association

PAUL ROBERTI, PHMSA

JOHN STOODY, Association of Oil Pipe Lines

MASSOUD TAHAMTANI, PHMSA

NANCY WHITE, PHMSA

*Present via telephone

CONTENTS

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

 2                                           (8:30 a.m.)

 3              DR. MURRAY:  Good morning, everyone.

 4    Thank you and welcome for joining us today for

 5    our Voluntary Information Sharing Working Group

 6    Federal Advisory Committee Meeting.  I am

 7    Christie Murray and I will be serving as the

 8    designated Federal official for this meeting

 9    today.

10              And I will be joined by Commissioner

11    Diane Burman, who will be serving as the Chair of

12    the Working Group.  I want to thank those who are

13    able to join us.  This is actually a virtual

14    meeting, where we have members of the parent

15    committee and members of the public joining us by

16    phone and in person.

17              So, this is a little bit of a

18    different structure than what we've had

19    previously.  So, we appreciate your patience and

20    thank you for joining us both ways.  The purpose

21    of our meeting is to ultimately fulfill Section

22    10 of the protecting our infrastructure and
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1   pipelines and enhancing safety, which is the

2   Pipes Act of 2016.

3   This requirement asks the Voluntary

4   Information Sharing Working Committee to consider

5   the development of a voluntary information

6   sharing system that encourages collaborative

7   efforts to improve inspection information,

8   feedback, and information sharing with the

9   purpose of improving gas transmission and

10   hazardous liquid pipeline facility integrity risk

11   analysis.

12   Ultimately, this working group is to

13   provide recommendations to the Secretary of

14   Transportation. And the recommendations to the

15   Secretary must address the items listed here on

16   the screen. And let me just pause and say that,

17   for those who are -- have joined us by phone, you

18   should've received an email with the documents

19   that we will reference in today's meeting.

20   And also, there is a Skype link in

21   that email. If you'd like to join us and actually

22   dial into the presentation that we're displaying,

1 you have that option as well. And we are

2 referencing the PowerPoint presentation that you

3 were emailed on slide five.

4   The Voluntary Information Sharing

5 Group has been operating for almost two years

6 now. And earlier in 2017, one of the key

7 objectives of the working group was to develop a

8 strategic mission statement to really advise and

9 inform the work of the parent committee. At that

10 time, the working group developed the strategic

11 mission statement you see depicted here.

12   And there are some key elements that

13 are noteworthy to introduce again, as we start to

14 look at specific recommendations today.

15 Ultimately, the working group has reached

16 agreement to provide the Secretary of

17 Transportation with their independent advice and

18 recommendations on how to develop a secure,

19 voluntary information sharing system.

20   And I'm just going to highlight key

21 aspects of it that really encourages the

22 collection and analysis of information and other

1 appropriate data to improve pipeline safety, for

2 not just gas transmission, gas -- not just gas

3 transmission and hazardous liquid.

4   But also, you'll see an inclusion

5 which was not listed in the mandate itself for

6 gas distributions systems as well. So, I do want

7 to make that distinction in the mission

8 statement.

9   And the intent of the system will be

10 to provide a collaborative environment that is

11 proactive in nature and that can help facilitate

12 technological advancements and lead industry to

13 actionable outcomes. So, as we get started this

14 morning, I do want to cover a few housekeeping

15 items and safety messages.

16   One, for those who are here

17 physically, in the building, we're located in the

18 media center. And if you go back out of the exit

19 doors, immediately behind me to my right, you

20 will go out those doors, make a right, go to the

21 end of the hallway and make a left, and you will

22 find the restrooms at the end of the hallway.

1   Also, if you are a visitor to the

2   building, I just want to remind you that you will

3   need an escort if you want to move about

4   throughout the building or at lunchtime or when

5   we take a break, if you're out of this general

6   vicinity.

7   So, a PHMSA representative staff

8   member will be happy to help you in that regard.

9   Also, if you have not done so, please silence

10   your mobile devices, for those who are here in

11   the room. And for those who are on the phone, if

12   you have multiple things going on, or if you're

13   multi-tasking, we encourage you to mute your

14   phone lines individually until you are interested

15   in speaking or if you have comments. That will

16   help us to make sure that we can hear everyone

17   clearly.

18   And for those who desire to do so,

19   please feel free to raise your tent cards if

20   you're here, if you have a question, and I will

21   have the Chair, as she provides opening remarks,

22   give a little bit more information as to how she

1 would like to handle getting input from the

2 parent committee versus the public, as we engage

3 in discussion today.

4   For audience participation, please

5 hold your comments if you're on the phone and

6 you're a member of the audience or in person,

7 until the Chair actually reaches out and asks for

8 comments and questions from the public or from

9 the audience.

10   And try to keep your remarks brief,

11 less than five minutes, so that we can get as

12 much dialogue covered as possible with today's

13 meeting. And, of course, there is an

14 opportunity, if you'd like to submit written

15 comments, on the docket. The docket number is

16 PHMSA-2016-0128. And we're happy to have

17 comments placed on the docket.

18   In terms of safety, I do want to read

19 my safety disclaimer. We are located here, those

20 that are physically here, in the Department of

21 Transportation's conference center, media center,

22 located at 1200 New Jersey Avenue Southeast,

1   Washington, D.C. This building is alarm-

2   equipped.

3   And in an emergency, an alarm will

4   sound and provide information on actions we

5   should take. If we need to shelter in place,

6   such as a tornado, we will move to the interior

7   part of the building until otherwise directed.

8   If the emergency requires an evacuation from the

9   building, the exits from this room are located

10 behind me.

11   Go out these doors and immediately to

12 the set of clear doors on the left, outside of

13 this room. We will take -- go out of those doors

14 and make a right and follow that hallway down

15 until you get to the security area. And then,

16 you can exit out of the building and make a

17 right. And we'll walk all the back, across the

18 street, until we approach the waterfront. Our

19 rallying point is near the waterfront at the

20 fountain area. In both instances, we need to

21 account for everyone. So, please look to your

22 right and make sure that person is accounted for

1   in that event.

2   In the event that we have a medical

3   emergency, who is capable of providing emergency

4   aid or CPR? Is anybody CPR certified? If not, I

5   am. I'm a little rusty, but better than nothing.

6   So, I'm happy to assist. An AED is located --

7   MS. WHITE: Across the hall.

8   DR. MURRAY: Okay. Across the hall --

9   and it sounds like Nancy would voluntarily

10   retrieve in the even that we need it. Is that a

11   fair assessment?

12   MS. WHITE: I will get it.

13   DR. MURRAY: All right. Thank you.

14   MS. WHITE: You're welcome.

15   DR. MURRAY: And Alan has graciously

16   agreed to call 911 for medical services and then

17   call the headquarter security at 2-0-2-3-6-6-0-3-

18   3-3, to ensure the responders have access to the

19   location. If an earthquake occurs, remember to

20   drop, cover, and hold on. Additionally, if an

21   active shooter event is reported, the first

22   option is to run, hide, and then fight. And that

1   strategy is to evacuate and get somewhere safe.

2   Please look around you.

3   There are some tripping hazards. I

4   know directly behind me there is a power cable.

5   And there are some in the middle here, where --

6   the middle of the U table section. So, please

7   make sure that you pay -- have caution when it

8   comes to those items.

9   MR. HERETH: Dr. Murray?

10   DR. MURRAY: Yes.

11   MR. HERETH: As was the case last

12   month, I'll offer to sweep the room at the -- as

13   we all proceed outward, in the case of any event.

14   DR. MURRAY: Okay. And can you state

15   your name?

16   MR. HERETH: It's Mark Hereth.

17   DR. MURRAY: Thank you, Mark.

18   MR. HERETH: Thank you.

19   DR. MURRAY: Okay. So with that being

20   said, I will introduce our illustrious Chair,

21   Commissioner Diane Burman, and turn it over to

22   her for committee introductions, calling the

1   MS. WHITE: Nancy White, PHMSA rep.

2   MR. TAHAMTANI: Massoud Tahamtani with

3   PHMSA.

4   MR. MAYBERRY: Alan Mayberry,

5   representing PHMSA on the committee.

6   HON. BURMAN: And Diane Burman,

7   Commissioner with the New York State Public

8   Service Commission, representing state public

9   utility commission. Okay.

10   And then, because it is a small group,

11   I'm going to have those -- and because there are

12   people, virtually, on the phone, we're going to

13   have those in the audience come and state their

14   name and who they represent, so folk on the phone

15   can know who's in the room. Yeah. I think they

16   can just kind of pass it. Thank you. And --

17   MR. OSMAN: C.J. Osman, with INGAA.

18   MR. STOODY: John Stoody, Association

19   of Oil Pipelines.

20   MS. PATNI: Sonal Patni, American Gas

21   Association.

22   MS. KURILLA: Erin Kurilla, American

1   Public Gas Association.

2   MS. BORENER: Sherry Borener, also

3   representing PHMSA.

4   HON. BURMAN: Okay. And also, for

5   those folks who are here in the audience, you can

6   also feel free to come to the table and sit if

7   you want. We don't -- you know, I think it's

8   cozy enough that we can do that, okay?

9   So, you can stay there too. You know,

10   don't hesitate if you decide you want to move to

11   the table. I'm also going to go down -- and some

12   folks are on the phone. Just say aye if you're

13   here. Eric Amundsen?

14   MR. AMUNDSEN: Aye.

15   HON. BURMAN: Michael Bellamy?

16   MR. BELLAMY: Aye.

17   HON. BURMAN: Kate Blystone?

18   MS. BLYSTONE: Aye.

19   HON. BURMAN: Bryce Brown?

20   MR. BROWN: Aye.

21   HON. BURMAN: Robert Buchanan?

22   MR. BUCHANAN: Aye.

1   HON. BURMAN: Dan Cote? Jason Cradit?

2   Dr. Ding? Alicia Farag?

3   MS. FARAG: Aye.

4   HON. BURMAN: Mark is here. Leif

5   Jensen?

6   MR. JENSEN: Aye.

7   HON. BURMAN: Walter Jones? Michael

8   Keller? Mike Lamont?

9   MR. LAMONT: Aye.

10   HON. BURMAN: John MacNeill?

11   MR. MacNEILL: Aye.

12   HON. BURMAN: Alan Mayberry is here.

13   MR. MAYBERRY: Here.

14   HON. BURMAN: Randy Parker? Holly

15   Pearen? Dr. Perry?

16   DR. PERRY: Aye.

17   HON. BURMAN: Eric Sherman? Joe

18   Subsits?

19   MR. SUBSITS: Aye.

20   HON. BURMAN: Michelle Thebert? Oh,

21   thank you, Joe. Michelle Thebert? Christopher

22   Warner? Mark Zuniga?

1   MR. ZUNIGA: Aye.

2   HON. BURMAN: Thank you. There is an

3   established quorum. And I call this meeting of

4   the Voluntary Information Sharing System Working

5   Group Committee to order. Just so we know, the

6   meeting will be captured in meeting notes. The

7   meeting notes and presentations will be available

8   on the PHMSA website and on the egov docket at

9   www.regulations.gov. The docket number for this

10 meeting PHMSA-2106-0136. I will ask folks in the

11 room to introduce yourself each time you speak so

12 your comments can be acknowledged in the meeting

13 transcript, as well as those folks on the phone.

14   For those folks in the room, set your

15 tent card on its side if you care to make a

16 comment, and we'll acknowledge phone participants

17 for comments as well. I just really want to

18 state that I do recognize that this will be a

19 little clunky because we have a lot of folks on

20 the phone.

21   And we do have some experience, having

22 done a virtual meeting with GPAC. And we will

1 get through, making sure that those folks on the

2 phone who want to weigh in, especially to the

3 extent that it's interactive, are able to do so.

4 We have a number of different folks who will be

5 helping facilitate that.

6 I am recognizing that this meeting is

7 an additional one from our original schedule to

8 try to get through some of the information that

9 we need to, while we are preparing and drafting

10 for the more hardcore, substantive, November

11 meeting. So, to the extent that, while it is

12 clunky and while we may not get through as much

13 as we do in normal meetings, because we also have

14 the pre-subcommittee meetings the day before, I

15 think we will be able to get through quite a bit

16 to help in facilitating the drafting of the

17 report.

18 I also am cognizant of the fact that

19 we don't want to rush forward on anything that is

20 controversial in our recommendations that needs

21 more of a fuller discussion at a larger, in-

22 person, more people in-person meeting.

1   So, I will also be focusing on that

2   and getting a read from comments of the things

3   that we hear, to make sure that we are

4   collaboratively moving forward. There is great

5   potential in a core functioning VIS.

6   And if done right, structured right,

7   with the proper funding, a VIS can lead to

8   significant improvements and achievements in

9   pipeline safety. We have taken a considerable

10   amount of focus on looking at other industries,

11   in particular, the aviation industry and FAA and

12   their achievements in their voluntary information

13   sharing practices, as well as others. This has

14   helped shape us and our thoughts and I think that

15   we are in a good position to help look at how to

16   move forward with the vision and issue

17   recommendations in a timely fashion that can

18   really help with the potential for a very good

19   VIS.

20   And we need to focus on the fact that

21   in the next few months, couple of months, there

22   will be a lot of hard work and collaborative

1 discussion to help make sound, appropriate, and

2 viable recommendations to the DOT Secretary,

3 which we'll then be able to utilize that for the

4 next steps, which may include what that may mean

5 in pipeline reauthorization or other things for

6 that focus.

7 So, we are really sort of laser-

8 focused on the viable and appropriate

9 recommendations and looking forward to that.

10 With that, I'm now going to turn it back over to

11 Christie to review the agenda and also make the

12 other proper introductions.

13 DR. MURRAY: Okay. Thank you very

14 much, Diane. I do want to introduce -- he's no

15 stranger to you guys -- but, Alan Mayberry, to

16 share any opening remarks he has. And then,

17 followed by our new Deputy Associate

18 Administrator for Policy and Programs, Massoud

19 Tahamtani, if I'm pronouncing your name

20 correctly, to do the same. So, we'll pass the

21 mike for opening remarks.

22 MR. MAYBERRY: Thank you, Christie and

1   Madam Chair. I just want to say, you know, on

2   behalf of the Secretary and Administrator, Skip

3   Elliott, thank you for your participation, for

4   you members and those present today.

5   I tell you, not a, you know, a speech

6   goes by, a meeting goes by -- it's a rare

7   occasion if we don't mention this group's

8   efforts. And just want you to know, we're

9   excited at the prospects. We have a lot of

10   anticipation.

11   You know, and being a member of the

12   group, I'm excited about the, you know, the

13   discussion, the ideas, that are being floated

14   about. And, you know, we're getting down to

15   crunch time here.

16   I think the Secretary will be pleased

17   with the array of options that, you know, we will

18   have. You know, we're excited about this for a

19   number of reasons. I -- you know, obviously, you

20   know, we'll continue to have and improve our

21   regulatory approach, you know, with the

22   foundation and regulation.

1   But, we do see a key aspect of

2   pipeline safety being what can go beyond, you

3   know, mere compliance or following of

4   regulations. So, you know, that's where the

5   system's approach to safety comes in right now,

6   where we're promoting, you know, the adoption of

7   safety management systems.

8   A key piece of that, obviously, is the

9   ability -- you know, part of that is the ability

10   to share information across organizations. So,

11   your efforts, you know, to guide us to find a

12   possible solution, you know, really very

13   important to us and to the pipeline safety.

14   So, I just wanted to say, keep the

15   faith. It's hard to believe we've been here

16   going on two years. I know, at times, with

17   groups, committees, you can have fatigue. I've

18   not seen that with this group. I think it's very

19   eager still.

20   So, I just commend you to that, with

21   that, and also to encourage you to, you know,

22   keep going. We're close to the end. We have a

1   very aggressive schedule, I know, to conclude by

2   December. I think we can meet it. But we do

3   also want to ensure that we have quality.

4   So, you know, I appreciate your

5   efforts there. As Christie had noted, we do have

6   a new member of our leadership team. I'm pleased

7   that Massoud Tahamtani joined us going on, I

8   guess, about three weeks ago.

9   And pleased to have filled out our

10 leadership team in the Office of Pipeline Safety.

11 I think, with that, I'll turn it back over to

12 Madam Chair or -- unless Massoud, I think, you

13 just wanted to say hello?

14   MR. TAHAMTANI: Yes. Hello,

15 everybody. Although I have not attended any of

16 the meetings formally, I have kept track of the

17 work, the fine work, that this group has done.

18   I'm happy to be here and look forward

19 to working with you and helping in any way I can,

20 to hopefully meet the deadlines to make a

21 recommendation to the Secretary, hopefully, far

22 before the reauthorization process starts. Thank

1 you.

2   HON. BURMAN: Thank you very much.

3   DR. MURRAY: Okay. So, next what we

4 will do is introduce the agenda that we will

5 cover today. For the most part, the focus of

6 today's meeting will be to hear from each of the

7 subcommittees and to give report-outs.

8   And, specifically, talk through the

9 recommendations that have been developed and

10 those that are being proposed for parent

11 committee vote. Recognizing that there are seven

12 subcommittees and we want to make sure we use the

13 time effectively, I'll give a little bit more

14 guidance.

15   Diane and I will both show more

16 guidance in terms of how we will handle report-

17 outs. We'll take a break for lunch and lunch is

18 on your own. There are a lot of restaurants

19 outside of the building, if you're interested and

20 headed out of the building and you need an escort

21 out or you need help getting back in, we can

22 certainly help you with that.

1   We also have a cafeteria over in our

2   east building, that if you are also a guest here,

3   we can help escort you over for lunch. Let us

4   know at a break or at lunchtime, and we're happy

5   to assist. And then, coming back from lunch, I

6   suspect there will still be good dialogue going

7   on about some of the recommendations, so we will

8   continue where we left off, maybe make some

9   adjustments if we need to, based on how the

10   morning has gone.

11   And then, we'll leave a little time in

12   the afternoon to prepare for the November 8th and

13   9th meeting, which is really right around the

14   corner in about a month from now.

15   So, it's going to come upon us pretty

16   quickly. And then, we'll recap with any action

17   items and closing remarks we might have. Any

18   questions or comments about the agenda? Any

19   comments or questions on the phone? Any

20   audience?

21   MR. STOODY: John Stoody with ALPI.

22   Let's just -- looking at the agenda, how you

1   envisioned it playing out, you have report-outs

2   and voting on subcommittee report-outs both in

3   the morning and afternoon.

4   Do you see that as a continuation of

5   the same or are those different types of

6   activities, or how does the morning differ from

7   the afternoon in terms of your agenda items?

8   DR. MURRAY: Good question and thank

9   you. That is a continuation of the same. So, we

10 will start out and Diane will describe a little

11 bit more of the order in which she'd like to hear

12 from the subcommittees. And those that we don't

13 get to this morning, we will work to get through

14 their recommendations in the afternoon.

15   HON. BURMAN: If it's okay, I think at

16 this point, I'd like to turn to the subcommittee

17 report-out process slide. Could that be --

18   DR. MURRAY: Okay.

19   HON. BURMAN: Most helpful. This may

20 answer your question.

21   DR. MURRAY: All right. Just press

22 forward.

1   HON. BURMAN: Hi, Randy. Did you just

2   join us?

3   MR. PARKER: Yes. I had called in on

4   the number and I've been on since 8:45.

5   HON. BURMAN: Okay. So, you didn't

6   miss much, except you have a ten working tasks

7   that were assigned to you.

8   MR. MAYBERRY: I thought it was 11.

9   HON. BURMAN: Right now, we're just

10   getting started on the subcommittee report-out

11   process. I think this may be helpful to sort of

12   set the stage on how we're going to handle sort

13   of going through.

14   We're going to be going through the

15   subcommittee report-outs. We have seven

16   subcommittees to report-out. All except for the

17   reporting subcommittee, I believe, has submitted

18   written reports and we're going to kind of go

19   through it.

20   One of the things for me is, as we

21   look at it, which is the next -- right -- is that

22   when you summarize your recommendations, I'm

1 going to turn it over to Christie now to walk

2 through this.

3 But, we're focused on, again, looking

4 at what we can do to move forward rapidly, except

5 to the extent that we have issues that we need to

6 develop. It will be helpful in terms of being

7 open to different approaches.

8 And I'll get a read from the

9 discussion what we've done from other meetings,

10 understanding it's a little clunkier this time.

11 DR. MURRAY: Okay. Thank you.

12 Everyone should have in their email, a copy of

13 the VIS Working Group Consolidated

14 Recommendations. It is a PDF document. It has

15 multiple pages to it.

16 And what we tried to do is end that

17 out in advance for the committee to have at least

18 six days, to try to get it out in enough time for

19 you to have an opportunity to just peruse and to

20 see if there are any initial comments and

21 thoughts you have on the recommendations.

22 So, that will be the primary documents

1   that we'll be referencing for the report-outs

2   today. We will like to hear from subcommittee

3   chairs or their designee. And I recognize that

4   some chairs have other commitments and may not be

5   able to be here on the phone or in person.

6   So, I know there are some

7   conversations about who will cover their

8   recommendations. So, we will hear them, share

9   those recommendations and summarize them

10   concisely. And we will give the parent committee

11   members an opportunity to provide feedback and to

12   ask questions to help clarify what it is that

13   they're digesting and to see if there are

14   recommendations or other concerns that need to be

15   addressed.

16   I think the key aspect is that there

17   are four, really important areas to focus on when

18   you're looking at the recommendations. Consider

19   the context and the actions that are being

20   proposed in each recommendation.

21   Look at the recommendations with the

22   lens of making sure that you understand what's in

1   the recommendation. If it's practical and if

2   it's achievable, making sure that, you know, the

3   recommendations that are being proposed are

4   things that can actually be executed.

5   Also, ensure that the recommendations

6   are clear. And if it's not clear to the parent

7   committee, I guarantee you it won't be clear

8   outside of the working group. So, you need to be

9   thinking about that too.

10   If you're just looking at it for the

11   first time and you haven't spent two years

12   talking about some of these matters, would it

13   still make sense? And then, does it use plain

14   language? Are there grammatical issues? My

15   recommendation is that we don't spend time here

16   word smithing for plain language or grammatical,

17   but we simply say, this recommendation could use

18   some refinement in terms of plain language or

19   there are grammatical issues that need to be

20   addressed outside of the meeting.

21   Since we have quite a few

22   recommendations, it may not be prudent to spend

1   the valuable brainpower we have word smithing it

2   in this forum today. There could be several

3   different approached to voting.

4   And I think Diane touched on it. One

5   of which is to bring forward items that the

6   subcommittees and the chairs, A, are ready to

7   vote on. That's obvious. There may be some

8   recommendations that you're ready to vote on and

9   you have buy-in from your subcommittee.

10   And there may be other recommendations

11   that still need to be flushed out. Please

12   specify them as you discuss each recommendation.

13   Also, I -- if there are recommendations that are

14   more controversial, as Diane mentioned, then I'm

15   sure there will be recommendations or Diane may

16   actually pause and say this one needs further

17   refinement, and it won't be brought forth for a

18   vote.

19   And then, there may be some items that

20   make sense to be voted on as you hear other

21   subcommittee recommendations. For example, I

22   know the Mission and Objective Subcommittee has a

1 governance component with an option A and an

2 option B.

3   And the Legal Regulatory -- Legal

4 Funding and Regulatory has an option A and an

5 option B. If there is a situation where it makes

6 sense to say, we should probably vote on those at

7 the same time, then please bring that

8 recommendation forward too.

9   And that can come from anybody on the

10 parent committee, if you are sensing that that

11 may be appropriate. Also, I will leave it up to

12 our Chair to determine if the vote should happen

13 on all rules recommendations that have been

14 introduced by a subcommittee, if she would like

15 to hold the vote for all the appropriate ones

16 that are ready for a vote at one time, if she

17 would like to vote per recommendation, vote on a

18 whole group of recommendations, or as I

19 mentioned, along with other subcommittee

20 recommendations.

21   So, I think that is left flexible,

22 because we'll need to see the nature of how the

1   discussion goes before we can really decide

2   what's going to be the best approach. But, those

3   are the different options that we'll all need to

4   think about as we move forward.

5   HON. BURMAN: And, I'm also -- are you

6   setting off the hand?

7   MR. MAYBERRY: I'm trying.

8   HON. BURMAN: Okay. So, they're

9   trying to set up for the -- on the WebEx, so that

10   you could raise your hand virtually so that we

11   can easily call upon you if you have a question.

12   So, I believe that will work like it did with the

13   GPAC meeting.

14   I am also -- I do want to, before we

15   go into the next focus which is the subcommittee

16   report-outs, I do want to address -- at the last

17   meeting there was a question from the audience

18   about opportunities for public comment.

19   And, as we said, we would take it back

20   to PHMSA to look at and work with us so that we

21   can have public comment opportunities. Working

22   with their legal team, we were able to get

1   authorization that PHMSA will post the draft

2   recommendation report on the docket for public

3   comment and that members of the public can then

4   be submitting comments on the working group's

5   recommendation report.

6   We were told by legal that the report

7   cannot be edited based on those comments. But,

8   it's important for us that those public comments

9   do accompany, in some fashion, the recommendation

10   report.

11   And so, I think the way we're going to

12   do it is there will be a memo to the DOT

13   Secretary that has attached, not only the report,

14   but the public comments. Depending on the amount

15   of public comments and the necessity, we will try

16   to also encourage a public comment summary to go

17   with that in some fashion.

18   And so, to the extent that we can do

19   that and it's appropriate. The committee itself,

20   again, is not allowed to make edits based on

21   those comments. So, we're going to be cognizant

22   of that. And that's why the separate memo

1   attached, I think, is helpful.

2   So, I think that will clarify. And

3   also, we've had, during the meetings,

4   opportunities for, you know, raising issues when

5   we go to the audience participation part. Okay?

6   With that, I'm now going to turn,

7   unless there's anyone that has any questions in

8   the room, on the phone, while we're still setting

9   up the hand-raising, you're all able to speak

10   right now if you need to. So, if I hear nothing,

11   we're going to go now to the first report-out

12   from the Subcommittee on Missions and Objectives.

13   DR. MURRAY: And if we understand

14   correctly, Randy, you will be speaking on behalf

15   of Dan, since he's unable to join us?

16   MR. PARKER: That's correct. Dan

17   can't be here. So, I'm just going to take you

18   through missions and objective.

19   DR. MURRAY: Okay. Thank you. And

20   Paul, if you could pull up the document with the

21   recommendation, consolidated recommendations, we

22   will follow along. And I don't believe Skype has

1   the ability to raise your hand. But what it does

2   have, Diane, is the ability to instant message.

3   HON. BURMAN: Okay. Good.

4   DR. MURRAY: So, if you have a

5   question, I'm actually following that. And just

6   say, Christie, I have a question or just say I

7   have a question and we will use that in the same

8   regard to make sure that we are paying attention

9   to those who wish to comment.

10   HON. BURMAN: Perfect. Okay.

11   MR. JENSEN: Christie, this is Leif

12 Jensen. Unfortunately, I'm not able to upload

13 the Skype application. So, I'll just chime in,

14 short of sending an instant message on Skype.

15   DR. MURRAY: Okay. And we will

16 periodically remind you of which page we're on,

17 as you reference -- you do have the hard copy

18 document to reference along with us, Leif?

19   MR. JENSEN: Yes. I do.

20   DR. MURRAY: Okay. So we will

21 periodically try to remind him. Just flag us if

22 we -- if you get lost and you're trying to figure

1   out where we are and we'll be happy to make sure

2   that you're able to follow us.

3   MR. PARKER: Christie, this is Randy

4   Parker. I have the same problem. I can't get

5   Skype to work. So, I will refer to pages and

6   interrupt if I have questions.

7   DR. MURRAY: Okay. Thank you, Randy.

8   HON. BURMAN: So, Randy, if you're

9   ready, you can start Commission on Objectives.

10   MR. PARKER: Okay. Thank you, Diane.

11   As you recall on August 23rd -- the parent

12   committee has directed us on our subcommittee to

13   look at some alternatives to the model that we

14   had presented, which is essentially option A.

15   So, we had numerous meetings in our

16   subcommittee and formulated option B and further

17   refined option A. So, option A begins on page 2.

18   And the primary difference is that in option A --

19   is primarily led by PHMSA, their program office,

20   but also equal representation on the board with

21   industry.

22   And the thing with option B is more of

1 a stand-alone industry organization with PHMSA

2 invited to participate at various levels. But,

3 it's essentially run by institutions. So, those

4 are the two main differences. Without going

5 through line-by-line, I'll just point out some of

6 the recommendations on each. Option A, as I

7 said, on recommendation one, we talk about the

8 four parts, the federal leadership, the executive

9 board run by PHMSA and industry and then, and

10 issue analysis team and a third-party paid

11 provider.

12   And each of those four parts would

13 have particular tasks to undertake. So, the

14 executive board, under recommendation give

15 through the executive board, would be co-chaired

16 by industry and PHMSA.

17   And then, the issue analysis teams

18 would put together recommendations to the board

19 regarding certain areas of research that are

20 needed and what should be studied and what should

21 be published.

22   And the third-party data provider in

1   recommendation five is a stand-alone, contracted

2   agency that is a third-party who will make sure

3   that all of our confidentiality protections are

4   implemented correctly.

5   And those confidentiality provisions

6   are supported in recommendation six through

7   various policies, contracts, non-disclosure

8   agreements, et cetera. And then, the information

9   dissemination would be covered through the board.

10   And there would be various tiers which is quite

11   interesting -- tiers of data that certain

12   participants may see or not see.

13   And if you look through the five tiers

14   on page 4, you'll see how that is fenced off on

15   those different levels. Also on page 4, you can

16   see that the organization, under option A, is

17   outlined in the org chart.

18   And you can see that PHMSA has a

19   direct role in the executive board and a direct

20   role in the data analysis team. So for -- and

21   stop me any time if you have questions. But I'm

22   going to go ahead and talk now about how option B

1   is different.

2   HON. BURMAN: Randy, hi. This is

3   Diane Burman. I just want to give food for

4   thought as we discuss this. One of the things

5   that would be helpful is sort of a side-by-side

6   chart, in terms of the differences.

7   I kept flipping back and forth and a

8   lot of the -- between option A and option B. And

9   there were a lot of similarities. So, it wasn't

10   that we were having a whole different option A

11   versus option B.

12   MR. PARKER: Um-hmm.

13   HON. BURMAN: So, to the extent that

14   we highlight, in some fashion, the differences

15   and then, do you envision that -- obviously not

16   today, but do you envision that folks would be

17   deciding whether they want the report to have

18   option A or option B or put it out there and talk

19   about considerations or challenges or -- for

20   doing one over the other?

21   MR. PARKER: Yes. I had the same

22   problem that you did in terms of highlighting the

1   differences. And I was thinking the same thing

2   last night, that we really need a chart that

3   shows that.

4   So, we will put that together. But,

5   I think that we're down to the point where the --

6   both the parent committee needs to really wrestle

7   with whether you want to go with option A or

8   option B, because they're very -- the differences

9   are mainly that option A is at least co-run, if

10   not primarily led by PHMSA, DOT.

11   And option B is funded and run by

12   industry. So, that's a major difference. We're

13   not making a recommendation one way or the other

14   for the parent committee. But, we think that we

15   should have a good discussion about it and vote

16   on which option we want to pursue.

17   HON. BURMAN: Okay. Thank you.

18   That's helpful. You can continue. Thanks.

19   MR. PARKER: Okay. So, if you look at

20   option B on page 7 -- look at the organization

21   chart there. You can see that PHMSA's role in

22   option B would be as an invitee to the executive

1   board.

2   And they would interact and recommend

3   policies. But, they -- PHMSA would not really

4   have any power with respect to the organization.

5   A lot of the other functions would be very

6   similar.

7   MR. MAYBERRY: Hey, Randy, this is

8   Alan Mayberry. Quick question. On option A with

9   PHMSA, would that include an option that would --

10   say, you know, as we saw the FAA had with NASA

11   and we've seen contract -- contractors, you know,

12   running these systems. But, is that -- would

13   that be covered by option A, somewhat?

14   MR. PARKER: Yes.

15   MR. MAYBERRY: Okay.

16   MR. PARKER: Yeah. The third-party

17   data provider, for instance, could be NASA or any

18   other organization.

19   MR. MAYBERRY: Right. I guess that's

20   in the details of option A I didn't fully read.

21   HON. BURMAN: It's in that chart.

22   MR. MAYBERRY: Okay.

1   MR. PARKER: Yes. If you look at page

2   6, Alan, recommendation five?

3   MR. MAYBERRY: Okay. There you go.

4   Okay.

5   MR. PARKER: It talks about how the

6   third-party data provider would interact with not

7   only PHMSA's office, but -- program office, but

8   also with the entire organization.

9   MR. MAYBERRY: Okay. I'm good.

10   MR. PARKER: And again, this would be

11   something that would be funded by DOT. So, you

12   know, you'd have a contract between PHMSA and a

13   third-party data provider.

14   Whereas, in option B, it would be

15   funded solely by industry. So, the executive

16   board and the CEO of option B would contract with

17   a third-party data provider.

18   HON. BURMAN: Just before you

19   continue, I'm just going to see if anybody here -

20   - or Mark, I'm sorry.

21   MR. HERETH: It's okay. Mark Hereth,

22   from the Blacksmith Group. Randy, is there any

1   reason that, in option B, that there couldn't be

2   a provision that would allow for PHMSA providing

3   some level of funding, similar to what's done in

4   research and development efforts?

5   MR. PARKER: No. I don't think that

6   there's anything that would prevent that. I

7   would have to be developed and described.

8   Because, you know, you would need to go Congress

9   and get the funds.

10   But, you can still -- the Secretary

11 could still use discretionary R&D money, like we

12 recommended in the regulatory legal and funding

13 report. That could be used as a way to start the

14 project. But, you would still, I guess, have to

15 go back and get regular funding to continue it.

16   MR. HERETH: So, could we ask that

17 legal staff look at whether or not we could

18 include a provision at least recognizing in this

19 option B that PHMSA could provide funding or

20 identify if there's any obstacles to that?

21   MR. PARKER: Yeah. I think that is --

22 that's worth looking at and we can take that on.

1   MR. HERETH: And then, I have one

2   other comment. At a high level, would it be --

3   could we say that the difference between option A

4   and option B is that option A is administered by

5   PHMSA and option B, the system is administered by

6   the private sector, by industry, an industry

7   organization, potentially?

8   And that in both cases, there's an

9   executive board that has representation of

10   essentially the same stakeholder groups. Is that

11   a way to summarize this at a very high level?

12   MR. PARKER: That's a good way to

13   summarize it, Mark, with the exception of PHMSA

14   would have really no authority under the

15   executive board in option B, unless the executive

16   board chose to delegate some authority to PHMSA.

17   MR. HERETH: Okay.

18   MR. PARKER: Otherwise, all of the

19   stakeholder groups are still represented. Yes.

20   MR. HERETH: Yeah. So, I think the

21   distinction I'm trying to make sure that I

22   understand is it seems that in each case, in the

1   executive committee or the executive board, all

2   stakeholder groups are represented. And that the

3   significant difference between A and B is really

4   who is administering the program. Is that not

5   the case?

6   MR. PARKER: I would say, no

7   administering the program, but who has the

8   authority, the legal power to run the program.

9   MR. HERETH: Okay. That's helpful.

10   That's helpful.

11   MR. PARKER: And, yeah, under option

12   A, the legal authority to run it would be

13   whatever legal authority DoT and PHMSA exert

14   under their usual authorities or, if we get what

15   we requested for option A from Congress, they

16   would have specific authority.

17   Whereas, in option B, PHMSA's normal

18   authority would not change. It's just that the

19   industry would have to put together an

20   organization, run it, you know, be responsible

21   for it, and raise all the money for it.

22   So, it's a different animal, you know?

1   But it can be done either way because we've seen

2   in the aviation industry that some of the

3   programs are completely industry, voluntary

4   programs.

5   But that they interact with the FAA

6   for purposes of their responsibilities and

7   sharing of information. Other programs are run

8   and funded by FAA. So, you can do it either way.

9   I think it's a choice that the committee needs to

10   think about.

11   The other difference that I think

12   stands out to me is that PHMSA is an existing

13   organization, of course. And they go for the

14   reauthorization and funding, regularly before

15   Congress.

16   Whereas, in option B, industry would

17   have to stand up with an organization that

18   doesn't exist right now. And also, we'd have to

19   figure out how to fund it.

20   MR. HERETH: No. That's a fair point.

21   And I think, to go back to our discussion last

22   month, I think that one of the things that we

1   also asked was that the subcommittee -- and maybe

2   it's the subcommittees, because it's maybe

3   regulatory, legal, and funding as well, to find

4   some sort of a table that shows the pros and cons

5   of each of these alternatives or options.

6   Because that's arising in the course

7   of this discussion and I don't know that it needs

8   to be in that same table that Commissioner Burman

9   is talking about. By the way, I think that's a

10   great idea. But -- and then, it also begs the

11   question of should we consider -- and I just

12   offer this for consideration.

13   The table that Commissioner Burman's

14   talking about, should it also weave in the

15   regulatory and legal and funding aspects into one

16   table? So, that in one place, you see it all,

17   even though it cuts across two subcommittees.

18   MR. PARKER: No. I think that -- I

19   think that's an excellent recommendation, Mark.

20   And we will roll up our sleeves and prepare that

21   table promptly. I think it won't take that much

22   work because we've discussed --

1   MR. HERETH: Right.

2   MR. PARKER: The differences and

3   similarities all along the way. So, it's just a

4   matter of sitting down and producing that

5   document. I think that will be very helpful when

6   people get to the point where they're ready to

7   vote on one or the other.

8   HON. BURMAN: This is Diane Burman.

9   I also think in that same chart, having a section

10   on sort of, you know, the comment section really

11   in terms of why this one may be better than

12   another or different challenges.

13   Especially because, as we are looking

14   at option A and option B, I think a lot of them,

15   one, kind of fuse together. But, there may be

16   sort of an out-of-the-box opportunity to combine

17   some aspects of A and B and get to the same, sort

18   of, core goal and objective, where we can kind of

19   work through by looking at that chart and see how

20   similar they are and what some of the striking

21   differences are and why one particular aspect of

22   it is a must or can fold away.

1   So that, I think, will be helpful.

2 So, I kind of look at this as us needing to work

3 through this, listening more to people's

4 comments, especially about what is really a core

5 need or concern. And focusing not only just on

6 how we see it, but how others are looking at it.

7 And also, they may be seeing it and they have a

8 difference of opinion.

9   To the extent that we're also looking

10 at it from a funding perspective, some of that

11 can be done outside of the core framework of what

12 the leadership looks like to them, what that

13 means, and fold into that.

14   The other comment I have, just in

15 terms of looking at both of them, is taking some

16 of the core issues like the data provider piece

17 of it, and also seeing how that gets dovetailed

18 into Michael Bellamy's group that may have some

19 more substantive issues.

20   So, to the extent that we identify

21 today which groups also need to look at it and

22 they weigh in more holistically, so that our

1   November meeting -- really, we have a -- kind of

2   frame out a lot of these different issues for

3   consensus. With that, does anyone else have a

4   comment on the phone?

5   MR. JOHNSON: This is Cliff Johnson

6   with PRCI.

7   HON. BURMAN: Okay. And then, after

8   you, we're going to talk to Simona Perry. And

9   then, we're going to take comments over here in

10   the room too. So --

11   MR. JOHNSON: All right. Great.

12   Thanks so much. Well, good morning. One thing

13   to think about, and this is kind of a second

14   point of view a little bit, but you see two very

15   diametrically opposed options to one that's

16   government led and one that's industry led.

17   I think both of them have some

18   perception and some reality challenges we need to

19   be careful with. And I've given you a highworking

20   look for a model a little bit for an option C.

21   And if you look a PHMSA-led project, sometimes

22   that means that industry's going to be hesitant

1   to engage and to fully participate.

2   When it's purely industry-led, the

3   public then has lower confidence that we're

4   trying to achieve goodness. So, I think we need

5   to really consider if there is a way to, for lack

6   of a better term, blend these two options

7   together in a third option that allows for an

8   engagement both on the PHMSA side and industry

9   side.

10   I kind of think we're partners for the

11   process. I think it's important that we leverage

12   the efforts from both sides to really capitalize

13   what we're trying to do. Because the public

14   perception's going to be very important to the

15   success or failure of this option.

16   And industry engagement is going to be

17   a critical discussion as well. I think that one

18   of the options that we've discussed before is

19   with the coalition of the willing and will people

20   be willing to participate if they see themselves

21   as part of the decision-making process and the

22   way to engage, both on the PHMSA side and on the

1 industry side.

2 So, if you go to the purely industry

3 option, PHMSA's going to feel a little bit

4 relegated to a second class citizen. And again,

5 the perception of the public is, maybe they're

6 not doing their best for the greater good and

7 it's more self-serving for the industry.

8 Just a few ideas, just to think about

9 as you look at this from kind of a third party

10 point of view and how the public's going to

11 receive some of the comments and where we need to

12 go, exactly.

13 HON. BURMAN: Thank you. Right now,

14 we're going to -- Simona Perry. And then, we're

15 going to go in the room. Simona?

16 DR. PERRY: I think, yeah, thank you.

17 Yes. To what the person just said, I actually as

18 a public safety advocate, would be highly opposed

19 to option B. However, I believe there might be

20 option C that might be worth considering.

21 I just wanted to propose that for

22 maybe later discussion in November. What about

1　if, you know, we had that -- we had the option A,

2　as it is now, read, for a period of time? And if

3　there was a time period in which there was a

4　transition to maybe having things more industry-

5　led in the future.

6　　　　　But, that time period would have to be

7　understood and very clear. And it would have to

8　be this trust-building -- it would have to be

9　done between not only the industry and the

10　regulators, but also with the public, which I --

11　because I believe that this all hinges on trust

12　and how we communicate risk.

13　　　　　And there needs to be goodwill shown

14　by the industry in the sense that they are trying

15　to be open and transparent about what's

16　happening. That's not because they're going to

17　share data openly about their industry

18　operations, but because they want to do the right

19　thing and protect public safety and prevent

20　deaths and injuries and environmental damage. So

21　that was all I needed to say. Thank you.

22　　　　　HON. BURMAN: Thank you, Simona.

1 Right now, we're going to go in the room. And

2 then, we're going to go back to the phone. Kate

3 Blystone has a comment.

4   DR. BORENER: Thank you very much.

5 This is Sherry Borener. I'm with the PHMSA

6 staff. I wanted to ask a couple of questions of

7 the options. The first question has to do with

8 confidentiality and how that's guaranteed in the

9 -- in option B, because I think that's one of the

10 questions that comes up.

11   I mean, that's probably a primary

12 requirement from science experience. And

13 guaranteeing confidentiality in both cases is

14 something that has to be addressed. And, of

15 course, that's a question that the legal group

16 has to look at.

17   But, the second one I think is more

18 imperative, which is equity. So, we heard from a

19 private firm that provides a confidential

20 reporting system during one of our deliberative

21 meetings. I think it was the one at the federal

22 highway. And the thing is that the buy-in cost

1   is quite high.

2   So, where risk resides might be with

3   smaller operators with less resources. And they

4   also might not have the -- the resources to join

5   or to fully participate. So, we really need to

6   creatively finance.

7   If we choose option B, there has to be

8   a creative financing solution. And one might be

9   to grant -- you talked about the research and

10 development capability. You can also provide a

11 grant structure that would allow people to

12 participate and the grant be commensurate to the

13 level of their participation.

14   So, there's a lot of different ways

15 that the financing could be addressed for option

16 B. But, I do want to put on the table that

17 equity is important.

18   The other reason I'm not sitting at

19 the table is because I have the flu and I have a

20 big Q over my head. So, I'll be at the back of

21 the room from this point on. But, there we are.

22 Thank you.

1   HON. BURMAN: Okay. Thank you very

2   much. We're going to go to Alan Mayberry in the

3   room and then Kate, I haven't forgotten about

4   you.

5   MR. MAYBERRY: Yeah. Thanks. You

6   know, as I look to the statute, you know, it's

7   like going back to the source document. You

8   know? I see, you know, it does say -- talk about

9   creating options for a secure system.

10   So, to that end, I say, well, you

11   know, perhaps we're really looking at, you know,

12   showing options to the Secretary that would

13   include, you know, A and B or a hybrid. I must

14   say, I do have concerns wholly with the option B,

15   just because I think -- you know, I think Cliff

16   characterized some of the concerns that would

17   obviously be there.

18   I think, you know, we've traditionally

19   been considered sort of the honest broker of, you

20   know, developing the national, uniform standard.

21   I realize, in this case, we're talking about a

22   system that kind of takes the regulatory hat out

1 or that creates apprehension to create an

2 environment where, you know, information is

3 shared freely. But, I think there are solutions

4 to do that in option A. But, you know, I like

5 the hybrid idea too. And, yeah, I think that

6 about covers it for now. I might have some other

7 comments too.

8   HON. BURMAN: Okay. Kate, and then

9 we're going to go to folks in the room, audience

10 members. So, Kate?

11   MS. BLYSTONE: Good morning, everyone.

12 So, I don't think it should come as a surprise

13 that I am more in support of option A than I am

14 of option B.

15   We had a pretty extensive discussion

16 at the Pipeline Safety Trust about this before

17 this meeting, simply because I read option B and

18 thought, oh, this is not where we want to go for

19 all the reasons that have been discussed already.

20   I want to echo what Dr. Perry said.

21 I think that we have an opportunity here to get

22 this ball rolling. I don't know if that's an

1   option C. But, I think if went with option A or

2   some version of option A, it's going to be

3   decided by this group.

4   We always have the opportunity to

5   review, revise, grow, and change. And if it's

6   not working, if we're not getting industry

7   involvement -- and I call on the people in the

8   industry in this room and on the phone, so the

9   virtual room, to make your statements known.

10   If option B is the only one you're

11   willing to go with, we need to know that now. I

12   think we've built a lot of trust in this group.

13   And enough trust that the industry folks at this

14   table should be willing to go with option A and

15   give it a shot.

16   And I think that you guys are going to

17   be ambassadors to other pipeline organizations,

18   pipeline companies, to get them involved. And

19   say, you know, this has been a bad period.

20   This is really just a way to make our

21   industry better and possibly improve our opinion

22   amongst the members of the public, I mean, people

1   that have been watching what we're doing. And it

2   makes just our industry safer, which is why we're

3   all here.

4   I think relegating PHMSA to a minor

5   role on the executive committee is not enough for

6   the public. I think it's going to be

7   problematic. So, I do -- I support option A,

8   obviously. And then, I think that, if -- when

9   other people speak from pipeline companies, if

10   they could address their concern, whether or not

11   they'd be willing to participate in an option A,

12   because I thought that's what we were talking

13   about.

14   And I was a little frightened at the

15   option B, to be honest. So, that's my ramblings

16   at 3:39 in the morning. Thank you for bearing

17   with me.

18   HON. BURMAN: Thank you. We're not

19   going to -- we appreciate everyone's comments

20   because this is helpful. Now, we're going to go

21   to those folks in the room.

22   MS. KURILLA: Thanks, Diane. This is

1 Erin Kurilla with APGA. I just wanted to circle

2 back on something that Chairman Burman just

3 brought up earlier and make sure that -- not that

4 I can give the task groups any, you know,

5 homework or anything.

6 But, I thought the idea of really

7 walking through and being candid from kind of all

8 angles about what the core concerns are for each

9 group is, it's going to be important in order for

10 us to find a solution or, you know, option

11 infinity, if you will, that actually works for

12 all groups. And then, you know, what are the

13 non-negotiables?

14 And I think that we've heard a lot,

15 you know, from the public's stakeholders on the

16 phone about their concerns with option B. And I

17 think that industry would welcome, you know, I

18 think we can all somewhat try to read between the

19 lines as to what is non-negotiable about Option B

20 for the public.

21 But, I think it's important to really

22 articulate those concerns in a concrete manner so

1 that an Option C or whatever can be developed

2 that addresses those concerns. And likewise, you

3 know, the members of the working group that are

4 from the industry, really have to be candid about

5 why Option B was created in the first place.

6   What -- you know, we have to kind of

7 come forward and explain why Option A was not

8 quite seen as the solution that was, you know,

9 fully embraced by industry. And so, I think if

10 we can come up with, it's going to be, you know,

11 right.

12   Everything is in the name of getting

13 this done. So, no hard feelings about either

14 side of the table, right? About why each option

15 is viewed more favorably by different groups --

16 will be important.

17   And I liked the idea of the core

18 concerns. And then, how does each option either

19 address or miss the mark on what those core

20 concerns are. Thanks.

21   MR. STOODY: Hello. Good morning.

22 John Stoody with the Association of Oil

1   Pipelines. And we appreciated both in all of the

2   previous meetings and now, the group's

3   examination of the existing, successful models

4   like the FAA.

5   And indeed, the basic structure there

6   and we see here, is sound. Having a leadership

7   group, a day-to-day group, an issue analysis

8   group, and a data management group.

9   And plus, to have a working model, you

10   have to have things ironed out on who has

11   ultimate authority for each of these various

12   functions. And this is important to ensure

13   participation over time for the provisions and

14   protections and policies that are developed, the

15   confidentiality policies, the like, and their

16   ability to change over time or the participants

17   to have confidence in the structure.

18   For the current language, we find that

19   there's language in Option A that is unclear and,

20   in some cases, internally in conflict, and would

21   need to be ironed out to make that a working

22   model. I'll give you a couple of examples.

1   One, at a high level, is on this

2   ultimate authority issue is leadership versus

3   executive board. Traditionally, executive boards

4   have overall, leadership, strategic decision-

5   making, in different worlds.

6   And yet, in this Option A, you have

7   both a leadership and an executive board, making

8   it unclear which has ultimate authority.

9   Recommendation two in Option A gives PHMSA

10   responsibility for strategic and tactical

11   decision-making.

12   Recommendation three gives the

13   executive board oversight of VIS activities. So,

14   what would be the difference between oversight

15   and strategic and tactical decision-making? Are

16   you overseeing without the ability to make

17   decisions? On day-to-day, recommendation one

18   gives the executive board -- facilitate day-to-

19   day organization functions. And recommendation

20   two gives PHMSA responsibility for day-to-day

21   leadership.

22   So, there's two different groups with

1	day-to-day responsibilities. What's the

2	difference between the two? And then, relating

3	day-to-day to ultimate, would PHMSA both have

4	day-to-day and strategic decision-making from the

5	earlier one.

6	So then, is PHMSA really both the

7	leader and the day-to-day implementer? And then,

8	this comes into bearing, lastly, in a practical

9	sense in terms of policies. Recommendation

10	three, the executive board is responsible for

11	developing governing documents.

12	You could imagine confidentiality or

13	other types of documents. And indeed,

14	recommendation six gives, for example, the non-

15	disclosure agreements are in accordance with

16	policies established by the executive board.

17	But if recommendation two provides

18	PHMSA responsibility for strategic and tactical

19	decision-making, does that mean something that

20	the -- a policy that the executive board develops

21	could be overruled by PHMSA with ultimate,

22	strategic decision-making.

1   So, these type of internal conflicts

2   in the plain language of group, we think would

3   benefit from official, additional work to iron

4   them out.

5   HON. BURMAN: Thank you. Does anyone

6   else have any questions or comments?

7   MR. OSMAN: Good morning, Diane, and

8   the rest of the Gas Committee here in the room

9   and on the phone. This is C.J. Osman from INGAA.

10   I just wanted to add our thoughts to the

11   conversation.

12   You know, our members at this point,

13   have no firm position on really much of the EIS

14   work so far, which should make a lot of sense

15   because it's been an ongoing process. We've been

16   following it closely, very interested and excited

17   about the opportunities that it presents.

18   But, of course, until some more of the

19   details and information are flushed out, we

20   won't, you know, weigh in specifically one way or

21   the other. What I will say is that we certainly

22   have no, you know, strong objection to a PHMSA-

1   administrated option, what we're calling the

2   Option A. We certainly also see the value or at

3   least the potential value of an option that's

4   administrated by a private entity, whether it's

5   an existing group out there or a new group.

6   I think what's important, as several

7   folks on the committee and several commenters

8   have said this morning, is that the report fully

9   considers the pros and cons of different ways of

10 going about this.

11   And, I think while there's a lot of

12 advantages in having an option that administrated

13 by PHMSA, we've seen similar programs

14 administrated by PHMSA and other agencies before

15 be very successful.

16   We also know, like everything else in

17 the world, that there's drawbacks to that as

18 well. One question we have is, you know, is this

19 something that fits within PHMSA's overall,

20 strategic plan, with all of the other things that

21 PHMSA has on the table.

22   And, of course, that's a question for

1   PHMSA to discuss and answer internally, not a

2   question for us to answer, but something worth

3   considering, right? Is there challenges with a

4   PHMSA-administrated option, with soliciting

5   funding and participation from a diverse group?

6   Right now, the funding for PHMSA

7   programs comes from a specific group of sources,

8   in the form of user fees. Perhaps a different

9   entity could collect funding from a lighter group

10 or perhaps not?

11   Things to consider with the different

12 alternatives. You know, we've seen successes in

13 the past with organizations like the Common

14 Ground Alliance that are able to bring together a

15 diverse group of stakeholders to promote pipeline

16 safety and solicit both private and public input,

17 engagement in funding.

18   So again, I think the most important

19 thing to us at this stage is seeing that the

20 draft reports and the final reports consider

21 different strategies of going without and

22 achieving the objective that we all have and

1   weighing those different options.

2   And if the committee does decide to

3   make a recommendation to go with one option or

4   another option, I still think it's important that

5   the final report, to use a term from my

6   engineering classes back in college, show the

7   work of the committee.

8   Why did the committee choose one

9   option over the other and what are the pros and

10   cons of each, so that, you know, the Secretary

11   can ultimately decide what makes sense going

12   forward.

13   HON. BURMAN: Okay. Thank you very

14   much. Is anyone else in the -- Alan?

15   MR. MAYBERRY: I guess really a

16   question for Randy. This is Alan. Did the

17   committee or the subcommittee have much debate

18   over the two options or, you know, was -- do you

19   have a feel for that?

20   MR. PARKER: Yeah. There was quite a

21   bit of debate over the two options in terms of

22   really what PHMSA's role would be and how

1   important that would be to the various

2   stakeholders.

3   HON. BURMAN: We do --

4   MR. PARKER: And also, most of the

5   funding, you know? How do you fund something

6   that doesn't exist yet? I don't know. We

7   haven't really gone through possible funding

8   models. But, at least with PHMSA you know that

9   whether it's -- the best way to do it or not is a

10   question. But, you know you have the annual fees

11   that the pipelines pay that funds the programs.

12   So, you can see what that model looks

13   like. Some like it and some don't. But, with

14   Option B, we're really not sure how the funding

15   would be put together.

16   MR. MAYBERRY: Yeah. I'm not sure if

17   others have -- you know, certainly we haven't

18   heard from everyone. But, I'm hearing a sense of

19   a preference for Option A. Just, you know -- but

20   I don't want to get -- step on the toes of the

21   Chairman.

22   HON. BURMAN: No. You're not. I'll

1   let you know if you do. We do have two more

2   people on the phone. And then, I'm going to give

3   my perspective after that. Joe and then Alicia.

4   MR. SUBSITS: Thank you. I'm trying

5   to recollect what the judgment of this was. And,

6   if I remember right from previous meetings, that

7   industry in general, just in the concept of

8   PHMSA, imagined a VIS system. As a matter of

9   fact, they thought it was such a great idea, that

10   they felt it was important to have, whether it

11   was supported by the legislature or not.

12   So, if I remember right, I thought

13   that the Option B was set up in case the

14   legislature wouldn't fund the project in the long

15   run because it ended up a project whether it was

16   supported by a legislature or not.

17   I may have read -- just got it wrong,

18   but I think it might be worth our while to figure

19   out if that's the right assumption.

20   MR. PARKER: Joe, this is Randy

21   Parker. I think that was the initial thought

22   that some people had was, wait a minute. What if

1 Congress doesn't go along with the Secretary's

2 recommendations?

3 We should at least have an alternative

4 so that all this hard work doesn't just

5 disappear. So, that was one of the elements of

6 considering an Option B. But, the more the

7 subcommittee got into it, the more -- there were

8 a lot of other issues in addition to that one

9 that needed to be addressed. So --

10 MR. JENSEN: Yes. This is Leif, if I

11 could chime in, Madam Chair?

12 HON. BURMAN: Yes. And then we're

13 going to go to Alicia.

14 MR. JENSEN: Okay. Thank you. The

15 subcommittee did banter this about a bit and came

16 to the conclusion that Option A would be best to

17 recommend to the VIS as a subcommittee proposal.

18 Last meeting, we did that.

19 And we spent a considerable amount of

20 time discussing Option A. While the subcommittee

21 had matured over the course of time and become

22 comfortable with Option A, we did get a sense

1   from other VIS members and representatives from

2   the public and trade associations that not all

3   operators have evolved like those of us who sit

4   on the committee.

5   So, my recollection from the meeting

6   was, you know, not just the funding issue, if

7   indeed Option A did not make it through, but then

8   an Option B that would allow the coalition of the

9   willing, per se, to charter forward.

10   And some of this already is actually

11   occurring between ILI vendor and operators

12   through some of the programs already at least in

13   PRCI. So, there was an evolution on the

14   subcommittee's part to go with Option A.

15   We heard differently from the last VIS

16   meeting. That's why Option B is on the table.

17   When I look at the two organization graphics, one

18   on page 4 and one on page 7, side-by-side, the

19   fundamental difference in my mind is, in Option

20   B, there's an operations program office in the

21   center of the graphic.

22   And when you compare that with Option

1   A, those responsibilities would ultimately reside

2   within PHMSA. And so, part of the apprehension

3   to get to Dr. Perry and Ms. Blystone's earlier

4   question, when you look at the bi-directional

5   arrows on page 4, I mean, PHMSA, IAP and the

6   third back party data provider, you know, and to

7   echo what John Stoody said, where is the

8   structure?

9   Where is the delineation between roles

10   and responsibilities and the confidence that data

11   is going to truly be de-identified? And the way

12   the document is structured today, at least in

13   mind, it just needs some clarity.

14   So, to wrap up my banter here and get

15   off my soapbox, you know, we heard the notion of

16   well, let's try Option A for a while then convert

17   to that, to B. Well, let's try Option B for a

18   while. I don't sense that there's a lot of

19   engagement on behalf of the VIS to try that. But

20   I would be in support of a morphed Option C,

21   allowing the table that's been suggested to help

22   us veer towards that goal.

1   HON. BURMAN: Thank you. So, this is

2   Diane Burman. When I look at it -- and part of

3   my focus has been listening to what folks here

4   are saying. And one of the -- a couple of core

5   issues is confidentiality, the trust that goes

6   along with that, and the ability to also be open

7   and transparent.

8   But really, the core need to get to a

9   program that is structured right, that the core

10   objectives and goals for helping to improve

11   pipeline safety by the information sharing is

12   essential.

13   While we look at it, initially, Option

14   A and Option B seem dramatically different. When

15   you start peeling the layer, after you get -- I

16   think the thing that would stop most people cold

17   from Option B isn't the recommendations one

18   through seven.

19   It's really the first sentence that

20   says the VIS should be created as an industry-

21   funded and managed VIS. So that, I think that

22   you don't get to the other aspects and actually

1   have a lot of similarities and cross-overs that

2   are in Option A because you're focused on, at

3   least in my mind, I'm focused on that first

4   sentence, seeming to say, it's outside of, you

5   know, any regulatory structure or PHMSA.

6   So, taking that off the table and

7   looking just at the recommendations, and then

8   seeing which ones are different, then it gets --

9   that matches -- which ones match up with A?

10   Probably 85 to 95 percent match up with A.

11   So then, it just really becomes an

12   aspect of looking at how do we figure out a way

13   that works from a blending perspective that still

14   takes into account the, I think, very good points

15   that both Simona Perry and Kate Blystone raise in

16   their concerns with Option B.

17   How do we blend Option A to actually

18   get folks in support of many of the core issues?

19   Now, from my perspective, it gets really into the

20   funding aspect, which I don't necessarily see as

21   a problem from a layout, organizationally.

22   The funding is, where's the money

1   going to come and how we're going to deal with

2   that from the legislative perspective. So -- and

3   is there, just like with the FAA, is there an

4   opportunity for not only funding from PHMSA, but

5   also from industry to make this more robust.

6   Taking that outside of it, to the

7   extent that there needs to be some trust on the

8   part of folks in industry who will be voluntarily

9   participating in this, in the structure, if it's

10 housed in any way in PHMSA.

11   One, the legislation has to be very

12 tight and very clear so that it doesn't then spin

13 off into, well, this is what the legislation

14 said, but look what they did outside of that

15 legislation.

16   And to the extent that we address in

17 the legislation the confidentiality and the data

18 disclosure issues, I think are very key, so that

19 there is no, sort of, wiggle room to, you know,

20 upend all of the buy-in, after folks participate

21 in the program, in the voluntary information

22 sharing.

1   To the extent that also we look to

2   what has worked or not, depending on where folks

3   may sit, in operations in PHMSA that have been

4   successful, like some ability for advisory

5   committees to weigh in and how can we factor in

6   other aspects of that, so that it's not just sort

7   of left to PHMSA or regulators to decide what

8   fits within, I think may be helpful and allow,

9   also, that feedback, not just from industry, but

10   from many of the folks, entities who have been

11   participating in this advisory committee, so

12   that, together, we can collaborate and offer

13   support for different aspects.

14   I think it will be helpful, but it

15   would have to also be blended in. I do think

16   that we also need to keep in mind that these

17   recommendations will facilitate recommendations

18   to the DoT Secretary, who will then utilize them

19   with the public comments to determine what is the

20   next step, so that we should also keep in mind

21   that this is our blueprint to make sure that

22   we're capturing all of the different concerns and

1 weighing the options and not sort of picking in a

2 silo.

3   Well, this is what we want, so this is

4 what's going to be. But, understanding that we

5 have to kind of look at all the different

6 aspects. And now, I'll get to my comment on a

7 comment that was made in the audience by INGAA.

8 You started out saying that you -- INGAA was not

9 necessarily -- and I know I'm going to say it

10 wrong, that you weren't necessarily taking a

11 position one way or the other.

12   You were looking to what the draft

13 report would say. I think it's really important,

14 at all of our meetings, that -- the same way I

15 expect the members to be very engaged and open, I

16 would like to see, in the next meetings, much

17 more sort of openness and engagement from the

18 audience to say, this is what we would like,

19 weighing all of the different things we've heard.

20   And give us stuff, rather than just

21 waiting until after we do our draft report to

22 then have comments, whether positive or negative,

1   that then may not have helped still facilitate.

2   Because we have a short window. When

3   this goes the next steps, if we really truly want

4   something, and maybe not everyone does, but if we

5   really truly want something, it's got to be

6   really fine-tuned in the way that helps bridge

7   folks together collaboratively, to tee it up for

8   the pipeline reauthorization. Now, it may not go

9   anywhere. I would like to see that if we all put

10   our heads together, we can really collaborate in

11   a way that makes sure we do and we have something

12   at the end that gets to the next level in a way

13   that is helpful so that the disconnect between

14   the report and the public comments may be very --

15   may be less because we've had buy-in from your

16   members and others who are really trying to help

17   facilitate a robust report.

18   So, that's my comment on that. So,

19   with that, I think that I'm going to bring it

20   back to Randy. I do think that we have a couple

21   of different scenarios. We did, probably, give

22   you about 15 homework assignments. So, in

1   addition, to the 11 when you were out of the

2   room.

3   MR. PARKER: Yes.

4   HON. BURMAN: But, I think it's

5   important that we look to fine-tuning, talking

6   among subcommittees on the Option A and Option B,

7   seeing how we can dovetail some of that.

8   I'm also thinking that, between Simona

9   Perry and Kate Blystone working with others, we

10   might be able to come up with some scenarios

11   where -- at actually we're not as far apart as we

12   think. And I did -- I'm sorry. I did forget

13   that Alicia had wanted to comment. So, I

14   apologize, Alicia, I'm going to open it up to you

15   now. And then, we'll go back to Randy. Thanks.

16   MS. FARAG: Okay. Thank you. My

17   comment was really similar to INGAA's about the

18   value and looking at the Common Ground Alliance

19   and their models for data sharing, benchmarking,

20   and set practices.

21   And I think it would be a good

22   exercise for us to look at the transition that

1   the CGA went through, starting from a PHMSA-

2   funded study, all the way through to now being a

3   tangible organization administered by an

4   independent not-for-profit, funded by industry,

5   but with strong government involvement.

6   It could turn out to be a good example

7   of a hybrid model that we've been discussing.

8   Thank you.

9   HON. BURMAN: Thank you. That's very

10   helpful. Alan?

11   MR. MAYBERRY: Yeah. I can appreciate

12   that. I mean, I'm on the board of the CGA. And

13   my only comment to that is, I think that is a

14   good model. However, you know, it's the not the

15   only -- we're finding that there are other

16   splinter groups, if you will, that are, you know,

17   really trying to exert, you know, in that area

18   too.

19   So, it hasn't been so clean. It's

20   largely clean. You know, a single, you know,

21   clearinghouse for that effort, for damage

22   prevention. But, there are other groups that

1   have kind of come in.

2   So, I don't know. That -- you know,

3   you can debate about that, about, you know, it's

4   helpful or not helpful. I know, it seems to me

5   that if, you know, in that case, we need to

6   leverage resources in one clearinghouse and not

7   have these multiple groups out there. So, as

8   long as we could avoid that type of environment,

9   I think it would help.

10   HON. BURMAN: Randy, do you have any

11   other comments? If not, I think we might take a

12   five-minute break.

13   MR. PARKER: No. I think that I

14   really appreciate all the comments that people

15   have made. And we need to get to work on this

16   chart so that we can -- everybody can put their

17   eyes on it -- a chart with all the key concerns

18   and how it's addressed.

19   And we've talked before in our

20   subcommittee about we may end up with an Option

21   C, depending on input from the committee members.

22   And I think we're headed towards that blended

1   approach.

2   HON. BURMAN: Okay. With that, the

3   folks on the -- I am going to make some comments

4   after we go off the record in a second on a

5   personal issue. Okay. We're off. Okay.

6   (Whereupon, the above matter went off

7   the record at 10:06 a.m. and resumed at 10:23

8   a.m.)

9   HON. BURMAN: We're back now.

10   I'm referring to Christie to just give

11 a short recap before we move to the next

12 subcommittee.

13   DR. MURRAY: Okay. Thank you.

14   Hopefully, everybody has joined us

15 back from the break.

16   I want to thank you, Randy, for

17 summarizing the mission, objectives,

18 recommendations.

19   Some of the key takeaways that I

20 captured was that there certainly is a need for a

21 chart that describes and highlights the

22 differences between Option A and B with

1   consideration for the accompanying

2   recommendations for the Regulatory, Funding, and

3   Legal Subcommittee. Also, possibly have a chart

4   that outlines the pros and cons, and possibly

5   even implications, of each option.

6   There was also a need to clarify

7   whether or not in Option A, Recommendation 2, the

8   federal leadership will be making the decisions

9   or, Recommendation 3, the Executive Board will be

10   making the decisions, and to clarify the day-to-

11   day leadership decisions and those that are more

12   strategic and tactical.

13   There were also clarifications needed

14   to address funding implications to the different

15   options. There was considerable dialog that

16   probably would warrant fleshing out in terms of a

17   possibly hybrid sort of an option that addresses

18   concerns by many from both the previous options

19   that were discussed and to come back with some

20   additional considerations.

21   And, let's see, overall, it doesn't

22   sound like that any of the recommendations

1   brought forward for the mission and objectives

2   are ready for a Committee vote. Randy, correct

3   me if I am wrong.

4   MR. PARKER: No, I think you are

5   right, absolutely.

6   DR. MURRAY: Okay. Thank you very

7   much.

8   HON. BURMAN: Thank you.

9   Now we're going to move to Regulatory,

10   Funding, and Legal.

11   MR. PARKER: Okay, I'm back on.

12   So, if you turn to page 35, that's

13   where the Regulatory, Legal, and Funding

14   recommendations begin.

15   What we did in this Subcommittee is we

16   revised and in some cases rewrote our

17   recommendations to go in parallel with each of

18   Option A and B and the Government's

19   recommendations.

20   So, to summarize, Option A recommends

21   that the Secretary seek congressional action for

22   every one of these recommendations, all six. So

1   it would be six provisions or pieces of

2   legislation that would start with, requesting

3   during the reauthorization process next year,

4   that those would be given direct authority to go

5   forward with the VIS, as envisioned in the six

6   recommendations.

7   We discussed the connection to real

8   measurable results between the intent of Congress

9   and enhancement of SMS as part of PHMSA's current

10   programs. And we discussed that we're not trying

11   to change any existing pipeline safety programs

12   at PHMSA, but that we're trying to build

13   complementary authority for this particular

14   separate program.

15   So, Recommendation 1 really deals with

16   setting up and giving the overall goals that

17   we've talked about a few times about

18   confidentiality and the need for trust and

19   participation, widespread participation.

20   Recommendation 2 deals with protection

21   of information from being disclosed, again, tying

22   back to increasing industry participation and

1   voluntarily submitting information for the

2   benefit of everyone.

3   Recommendation No. 3 is an exception

4   from FOIA release, which is almost word-for-word

5   what FAA has.

6   Recommendation 4 deals with

7   prohibiting enforcement actions arising out of

8   the data that was submitted voluntarily under

9   confidentiality, but not limiting PHMSA or any

10   other party from engaging in an enforcement

11   action on facts that were developed and

12   established independent of the VIS process.

13   And then, we made four exceptions to

14   that general principle. And those exceptions are

15   where no enforcement actions would be allowed.

16   That is where, on page 38, you can see the four

17   that we carved out.

18   One is where we have ILI or non-

19   destructive evaluation and testing information

20   and date confirmation information that would be

21   shared. Some if already shared, but if it's

22   shared in a wider way, and during that process an

1 operator discovers something that needs to be

2 corrected, only that operator may not share that

3 with anyone, especially PHMSA. But if something

4 is discovered and the operator immediately

5 commences a break to that action program in

6 writing and follows through on that program,

7 then, if PHMSA or some other federal or state

8 agency discovers that through inspections or for

9 another reason, then they would not initiate

10 enforcement.

11 Another area is near-misses. In other

12 words, we've talked about this before. Probably

13 we would get the most return and the fastest in

14 this area if we were able to have a program where

15 companies voluntarily started talking about their

16 near-misses. But they're not going to do that

17 with fear that they're going to be subject to

18 enforcement by federal or state agencies. So,

19 you would carve that out, so that the facts that

20 are related to near-misses that are reported to

21 the VIS would be exempt from enforcement.

22 And then, non-reportable releases are

1 often very revealing of information that could be

2 helpful from a pipeline safety perspective. So,

3 we would encourage industry to report those

4 things to the VIS without fear of enforcement

5 actions or some fact related to that release.

6 And then, unusual events or conditions

7 is really kind of a catch-all. Again, we're

8 trying to change the culture of the industry to

9 encourage reporting of things that, as we heard

10 in the aviation industry, seem like maybe they're

11 a one-off, strange event. But, if other

12 operators know about it, it may be that it's

13 something that we can spot a trend and, again,

14 improve pipeline safety.

15 So, those are the areas that we

16 decided we could safely carve out enforcement

17 actions, so that everyone gets the benefit of the

18 information, so long as the operator does the

19 right thing and establishes and carries out a

20 corrective action program.

21 We also put in a no-retaliation

22 provision, so that operators are prohibited from

1   taking any retaliatory action against their

2   employees or contractors who report violations or

3   any other facts that could be helpful to pipeline

4   safety.

5   Recommendation No. 5 deals with

6   protecting this information that goes into the

7   VIS from discovery and admissibility into

8   evidence.

9   No. 6 talks about Congress authorizing

10   the funding, beginning in 2019. But, if the

11   Congress does not do that, at least the Secretary

12   should consider using discretionary funds within

13   the operation, program, project, and activity

14   sufficient to stand up early stages of the VIS

15   and get it moving.

16   So, we can talk about any of those,

17   but I have to say that, if you go to Option B,

18   starting on page 39, there's only one request for

19   congressional action for Option B, and that's the

20   exemption from FOIA discovery of VIS information.

21   We thought that could be warranted because it's

22   tied in with PHMSA's administration of safety

1	programs, and VIS participants should not worry

2	about parties going through the FOIA process to

3	try to get into the VIS system.

4	We did not include recommendations for

5	congressional action on the other areas. And the

6	reason we did that is that we felt that there

7	wasn't a sufficient, under Option B, there is not

8	a sufficient involvement of PHMSA to make a good

9	case to Congress that they should give these

10	protections to the industry as a furtherance of

11	PHMSA's goal of improving pipeline safety because

12	it wouldn't really apply to PHMSA authority and

13	interstate commerce authority. It would just be

14	trying to establish an incentive for private

15	industry. And none of us thought that that would

16	be a practical approach to the legislation.

17	Instead, in Recommendations 2, 3, 4,

18	and 5, we talk about protections that are created

19	between the participants and the VIS, memorandums

20	of understanding, non-disclosure agreements, et

21	cetera, and that PHMSA would collaborate and

22	assist, or maybe sign of those, similar to what

1   has been done in the Federal Railroad

2   Administration area and the FAA, where there are

3   a lot of agreements to protect confidentiality.

4   We also noted that the funding would

5   need to be provided by industry in some way that

6   is sustainable, at least at the minimum levels

7   that would be contemplated in Option A where

8   PHMSA would fund it.

9   So, that's what we have. Now,

10   clearly, we would need to get all these

11   recommendations into this chart and look at

12   potential hybrid scene where we might be able to

13   seek a lot of these congressional protections to

14   the extent that we could.

15   And it's important to remember that,

16   if we create self-executing, statutory

17   protections, there would be a lot more interest,

18   I think, in operators participating in the

19   program.

20   HON. BURMAN: Thank you.

21   This is Diane Burman.

22   I do think we have some folks who want

1   to comment.

2   Joe, on the phone?

3   MR. SUBSITS: Yes. Thank you.

4   My challenge is Recommendation 4, Item

5   A. We talk about no enforcement action is taken,

6   provided operator prepares written corrective

7   action program within 30 days. So, that is

8   similar to what the state regulatory would be

9   doing if they found a violation. I don't really

10   see that as a big deal, although it's hard to

11   speak up for about 50 other regulatory entities.

12   But I guess my main comment is there

13   are situations where action may be required. And

14   some of these are defined in some CFR sections.

15   So, I think there needs to be something in there

16   talking about stuff, immediate correction

17   possibly, for those situations, emergency

18   situations.

19   MR. PARKER: Yes, that's a good idea,

20   Joe.

21   MR. SUBSITS: Thank you.

22   HON. BURMAN: Anyone else on the

1   phone?

2   (No response.)

3   In the room?

4   (No response.)

5   So, I think just to echo what you

6   said, Randy, about looking here like in the first

7   Subcommittee Option A and Option B, and mirroring

8   a chart that would show what the similarities are

9   and what some of the differences are will be

10   helpful.

11   I do also want to point out, on Option

12   A, Recommendation 1D, where it says, "The VIS is

13   intended to develop its own governance structure

14   and to create as many VIS programs as it deems

15   necessary to address various areas of pipeline

16   safety," I know that's also in Option B. The

17   only sort of concern for me is looking at it,

18   especially as we go forward in terms of exactly

19   what that would mean, it's a very generic thing,

20   and just wanting to make sure that we're very

21   careful in keeping VIS to the objectives, rather

22   than sort of becoming the kitchen sink for

1   everything. Whether it fits in A or B, depending

2   on where you sit, folks may have concerns. For

3   me, it's just about being a little bit more clear

4   about tying it to the direct linkage to whenever

5   the enabling legislation would be, so that it's

6   not an opening for everything to fall within

7   that.

8   And then, the other thing is, when we

9   talk about the MOUs -- and I think this is just

10   in Option B -- an MOU being encouraging it

11   between PHMSA and VIS, again, the MOU, to the

12   extent that it is consistent and in alignment

13   with whatever the enabling legislation may do,

14   but also to ensure that the MOU doesn't also

15   holding it tied, if folks agree to maybe some

16   things that maybe some folks may see as outside

17   of the bounds of what PHMSA should be asking for.

18   So, I'm just wanting to make sure that we clearly

19   define what the MOU might encapsulate.

20   MR. PARKER: Great comments.

21   HON. BURMAN: And that doesn't mean,

22   again, with this report -- this report is really

1   looking at higher-level and to the extent we need

2   to drill down, but not sort of getting in the

3   weeds where we're marking up the draft MOUs, et

4   cetera, but really enabling folks to get a flavor

5   for what is necessary and, also, the key

6   takeaways. So that, when we submit the report to

7   the DOT Secretary and it's open for more formal

8   public comments, people have an ability to

9   understand the rationale behind the

10 recommendations and give comments towards that.

11   Alan?

12   MR. MAYBERRY: Actually, I had a quick

13 question.

14   Hey, Randy, appreciate this.

15   I'm just curious. I think Dan Cote,

16 who is not here, was on the Subcommittee.

17   But I guess you guys were comfortable

18 that, under A, the ILI, NDE, NDT, and dig

19 confirmation covered the array of information

20 that would be shared in this system? Was that

21 broad enough, do you guys think?

22   MR. PARKER: Well, it's really not

1   broad enough for everything that would be shared.

2   But the thought of the Subcommittee is -- yes,

3   Dan is on that Subcommittee as well -- that we

4   wanted to specifically call out what the mandate

5   mentioned, which was the ILI information, and

6   everyone thought that that was a pretty good

7   example of what we, as a Committee, should be

8   looking at. So, it made sense to talk about that

9   specifically and say that, in the event that all

10   these things are being shared and something is

11   discovered or revealed, that none of those

12   parties will have to worry about enforcement

13   action. But it's not limited to that.

14   MR. MAYBERRY: Okay. I know, I guess

15   two meetings ago, I had talked about this one a

16   bit. I think this one covers my concern

17   related --

18   MR. PARKER: We wanted to cover your

19   concern for sure about not changing existing

20   enforcement programs --

21   MR. MAYBERRY: Right.

22   MR. PARKER: -- but give some

1   exceptions where there's a good fit in terms of

2   providing information through the VIS, and it

3   happens to reveal other stuff, but the operator

4   would have a good-faith duty to immediately deal

5   with it, you know.

6   MR. MAYBERRY: Right. Okay. Thanks.

7   HON. BURMAN: Any other comments?

8   (No response.)

9   In the audience?

10   (No response.)

11   No? Okay.

12   One thing on Option A and Option B,

13   Option A I think is Recommendation 6 on adequate

14   and sustainable funding, and Option B is

15   Recommendation 5. To the extent when we looked

16   at this as well, and it aligns with potentially

17   some changes in the mission and the objectives

18   aspect, that the underpinnings of the funding --

19   it may somehow get funded, whether it's initial

20   monies, whether Congress also would allow for

21   some joint funding partnerships, or whether there

22   is an ability to clearly define that industry

1   shall be allowed to establish some funding

2   mechanisms for this. So, it's something that we

3   may need to look at that as well.

4   MR. PARKER: Yes, I think we should

5   look at that. That's a great idea. Because if

6   we end up with blended funding, it should be

7   clear that that's what Congress wants to happen.

8   MR. PARKER: Alan, do you have any --

9   MR. MAYBERRY: Oh, no. No comments.

10   HON. BURMAN: All right. Anyone else?

11   MS. PATNI: Sonal Patni with AGA.

12   HON. BURMAN: Could you use a

13   microphone?

14   MS. PATNI: Sonal Patni with AGA.

15   I just wanted to comment on the

16   funding piece of it. AGA is supportive of not

17   only having it funded through PHMSA and industry,

18   but since the data is being utilized by the

19   industry as well as vendors to further

20   information-sharing, we would be open to having

21   vendors and other parties also contribute towards

22   the funding.

1   HON. BURMAN: Thank you. That's

2   helpful.

3   Does anyone else on the phone have any

4   comments?

5   (No response.)

6   Oh, that was the AGA representative

7   discussing that they are open to aspects of other

8   funding, including from third-party providers, et

9   cetera. So, it's not being locked into one

10   specific sort of siloed funding stream, but

11   looking at it as a whole, at the more flexible we

12   can be while we work through that. Obviously,

13   critical to any VIS system, no matter how well-

14   structured and organized it is, without the

15   appropriate funding, it can't do much. So, I

16   think that's a poor underpinning in everyone

17   understanding what that funding needs for a

18   robust program to work and initial startup, et

19   cetera.

20   MR. PARKER: Thanks for that, Diane,

21   because I couldn't hear. That's a very good

22   point. I think the funding is essential, that it

1   be sustainable and we can see how it would work.

2   Because, if not, then all of our work could just

3   disappear.

4   HON. BURMAN: Okay. Any other

5   comments?

6   (No response.)

7   I don't think we need to vote on

8   anything right now because it's a lot of food for

9   thought.

10   I do just want to remind folks that,

11   between now and this meeting, members, you have

12   these documents, too. To the extent that you

13   look through them and offer up your continued

14   thoughts to the Subcommittee Chairs, you can feel

15   very comfortable doing so. We're not going to

16   have deliberative discussions in between the

17   meeting. But, to the extent that, substantively,

18   you mark up those reports or offer your thoughts

19   to the different Subcommittee Chairs, that will

20   be very helpful.

21   And also, in this one, in particular,

22   with the focus on the different things, I know

1   some things fell off of Option B versus Option A.

2   And when I look at it and some of the things that

3   are in Option A, I don't see why they wouldn't

4   also continue in Option B. It just may be more

5   nuanced. But, like the one with the litigation

6   recommendation, that's something that I believe

7   was brought forward to us by one of the FAA

8   representatives, and how helpful that was. And

9   so, to the extent we also flesh out in the report

10   why the rationale for that recommendation is key,

11   I think it is important.

12   With that, does anyone else have

13   anything else?

14   (No response.)

15   All right. Thank you.

16   Randy, good job on both of those

17   Subcommittee report-outs.

18   Now we're going to the Process Sharing

19   report-out.

20   MR. HERETH: I'm Mark Hereth from the

21   Blacksmith Group, and I'm the Chairman of that

22   Subcommittee.

1   The Process Sharing Subcommittee

2   shared a series of recommendations last month.

3   There was a lot of great feedback provided, both

4   at the Committee level and within our

5   Subcommittee.

6   We've restructured these to some

7   degree, based on that input and feedback. And I

8   just want to start by saying that the

9   recommendations really fit into five categories,

10   the first of which is that there's a

11   recommendation to create a community of practice

12   which really represents all the stakeholders that

13   we've been discussing for some period of time,

14   which is the regulatory bodies, both PHMSA and

15   the state representatives through NAPSR, the

16   public members, operators, service providers,

17   research organizations, organized labor, and,

18   again, public representatives.

19   There's a second group of

20   recommendations that refers to this community of

21   practice. The second set of recommendations is

22   really focused on recognizing and building upon

1   what we already have going with respect to

2   lessons learned. And that really is

3   Recommendations 4, 7, and 10.

4   The third is really the concept that

5   we've talked about of creating a center where the

6   information is managed, which we're referring to

7   as the VIS hub. And that comes up in

8   Recommendation No. 3.

9   There's, then, a set of

10   recommendations in 5, 8, and 9 that set forth how

11   a process would work for sharing information with

12   respect to one being operators; two being

13   assessment, integrity, service providers, and

14   then, three being non-destructive evaluation

15   companies.

16   And we point out all three because, if

17   you recall the diagram that we shared in the last

18   couple of meetings -- I know that we focused on

19   it at the last meeting -- the interaction that's

20   called forth in the API Recommended Practice 1163

21   focuses on the operator and the ILI service

22   provider. These recommendations get at building

1 upon that and taking that to another level, where

2 it's the operator with integrity assessment

3 service providers, broader than ILI, and, also,

4 incorporate or including non-destructive

5 evaluation companies.

6 So, that fourth group is really

7 looking at a common approach for the respective

8 groups of operators, service providers, and NDE

9 companies. And then, there is a fifth category,

10 which is really building upon feedback, not only

11 that we've had here, but I think that some of the

12 trade associations have heard from meeting with

13 the Administrator and others. It is that we have

14 the opportunity here to draw upon improvements in

15 technology and create a compendium on some

16 periodic basis that provides an update on the

17 state of technology and the improvements that

18 have been recognized in technology.

19 If you like, I can walk through each

20 of those, but I wanted to start at a very high

21 level first. And maybe I'll ask if there's

22 questions based on that.

1   HON. BURMAN: Does anyone have any

2   questions before we go walking through? On the

3   phone?

4   (No response.)

5   No one?

6   Okay. In the audience?

7   (No response.)

8   No? Okay. Thank you.

9   MR. HERETH: And I'll just add -- and

10   I'll look at my Designated Facility Officer over

11   there, as we work together through this -- that

12   we'll have a preamble of sort in our section that

13   will address those five categories at a high

14   level to set sort of the context for what we're

15   trying to get to.

16   So, again, the first recommendation

17   really relates to establishing a community of

18   practice. It's a term of art that we elected to

19   use several meetings ago. As you will recall,

20   there's a diagram that really shows or depicts

21   how that group of stakeholders all interacts and

22   interrelates. Probably the most important point

1   is that there's a key part of this which is the

2   interaction, the interrelationship between all of

3   those parties, which is really a core part of

4   this.

5   And, Madam Chairman, I'll just

6   continue to go through, if that makes sense.

7   HON. BURMAN: Yes, and folks should

8   feel comfortable raise their tent card --

9   MR. HERETH: Yes.

10   HON. BURMAN: -- or letting us know on

11   the phone after each, if you have any comment,

12   and in the audience.

13   MR. HERETH: Okay. Thank you.

14   MR. PARKER: This is Randy Parker. I

15   wanted to ask Mark a quick question.

16   MR. HERETH: Go right ahead.

17   MR. PARKER: Mark, do you plan on

18   putting that chart, which I thought was really

19   good, in the report?

20   MR. HERETH: Yes.

21   MR. PARKER: Okay.

22   MR. HERETH: We'll use the chart and

1 we'll also use the chart that includes the VIS

2 hub that builds upon and incorporates the use of

3 the community of practice.

4   MR. PARKER: Yes. Yes, that's what I

5 was talking about.

6   MR. HERETH: Yes.

7   MR. PARKER: That will be great.

8   MR. HERETH: Yes.

9   MR. PARKER: Okay.

10   MR. HERETH: Absolutely. And if

11 people have ideas on how to improve that chart

12 from a visual standpoint, we're certainly open to

13 that.

14   Thank you for that question.

15   The second recommendation is really to

16 define the types and what information --

17   HON. BURMAN: Hold on one moment.

18   MR. HERETH: Oh, I'm sorry.

19   HON. BURMAN: We have one more

20 question.

21   MR. HERETH: Sorry. Sorry. Go ahead.

22   DR. MURRAY: This is Christie Murray.

1   It's just a clarifying question.

2   But that first recommendation, the

3   focus of the community of practice is related to

4   integrity assessment and risk management only?

5   Is it --

6   MR. HERETH: It's meant to cover the

7   broad discussion that we had in the last meeting.

8   Also, that provides all of improving pipeline

9   safety performance. If there's thoughts on how

10   to better state that, we're certainly open to

11   that. But our intent was to meet the terms of

12   the discussion that we had in that last meeting.

13   DR. MURRAY: Okay.

14   MR. HERETH: Yes.

15   DR. MURRAY: And I'm just thinking

16   about it, just a consideration for the

17   overarching, bold, actionable recommendation,

18   that it's not clear; that it could be broader

19   than that.

20   MR. HERETH: Yes, yes.

21   DR. MURRAY: That's my only point.

22   MR. HERETH: Okay. That's fair. And

1   I would certainly welcome yours or others' input

2   on how to better state that. It may be that we

3   really ought to derive language or use language

4   from the charter and the mission statement, since

5   we've embraced that previously. That's a great

6   point. Thank you.

7   Any other comments or questions?

8   (No response.)

9   Okay. I'm going to go to No. 2.

10   Again, this is defining the types and what

11   information is to be shared. We've talked about

12   the types in previous meetings. I'm not going to

13   go into those today.

14   I will point out that there are some

15   pretty extensive details on what the information

16   is that we're trying to think to consider sharing

17   that's really best captured within the work

18   that's been done in the Best Practices Group.

19   There is also some work that was done

20   within the Technology and Research and

21   Development Subcommittee as well. And so, I

22   think as a takeaway, before we come into

1   November, that Eric, as the Chair of the Best

2   Practices, and Bryce, as the Chair of Technology,

3   and myself, we'll get together and try to center

4   around a common set of data there or information.

5   I would caution us, building upon what

6   the Chairman said a few minutes ago, that we

7   shouldn't get caught up in too much detail and

8   get too much into the weeds. These would be

9   simply provided as a means to give people a sense

10   of the kind of information we would be sharing.

11   Is that a fair way to put it?

12   HON. BURMAN: Yes, and the way is

13   important.

14   MR. HERETH: Yes, yes. Thank you.

15   And to recognize a compatriot of mine

16   from 1173, Mr. Tahamtani, that the reason we talk

17   about why is because "why" is essential in

18   building a strong safety culture. So, thank you.

19   Any questions or comments on that one?

20   (No response.)

21   The third recommendation is really

22   centered around the idea of building the hub.

1   And again, we've shown that visually; we've

2   described it in words, but it really is to have a

3   plan, a design, as we refer to it in here, to

4   really create that hub.

5   And this is a case where we're trying

6   to, then, make the connection to other

7   recommendations. So, it's really done using data

8   defined in the Best Practices Subcommittee

9   largely, and then, under governance, defined in

10   all the provisions that we just discussed earlier

11   this morning. So, it's simply to make the tie

12   there.

13   Questions or comments on that one?

14   HON. BURMAN: Any questions on the

15   phone?

16   (No response.)

17   In the audience?

18   (No response.)

19   No, you're good.

20   MR. HERETH: Thank you.

21   HON. BURMAN: Thank you.

22   MR. HERETH: The fourth recommendation

1   is to really build upon or to use API RP 1163 as

2   a starting point, as we've discussed in prior

3   meetings, and we had presentations on API RP

4   1163. It is in use today. Its use can be

5   broadened and strengthened. And so, we think

6   that a way to go at that is for operators to

7   actually adopt and formalize that use through all

8   the work that they do with respect to at least

9   ILI, which is what the standard is written for.

10   And then, to work to find ways to improve and

11   build upon that practice.

12   So, that was an Item A there. There's

13   an Item B that we've moved into this

14   recommendation. It actually used to sit as its

15   own recommendation.

16   And this is, again, going back to one

17   of our favorite documents, API RP 1173. This is

18   to have operators adopt and incorporate an annual

19   or a periodic -- excuse me -- a periodic audit

20   for the conformance of the use of API RP 1163 as

21   a part of their implementation of a pipeline

22   safety management system. And then, as a part of

1 that, to integrate lessons learned from that

2 process into the management review process and

3 into overall continuous improvement of the use of

4 1163.

5   HON. BURMAN: Anyone have any comments

6 on this?

7   MR. JENSEN: Yes. Mark, this is Leif,

8 if I may.

9   As it pertains to auditing and the

10 evaluation, in 1173, the maturity model, it talks

11 about third-party or in-house auditing. Has the

12 Committee had any perspectives on Recommendation

13 4, Part B, whether this should be an internal

14 self-audit?

15   MR. HERETH: No, we haven't, and we're

16 certainly open to that discussion. But my

17 recommendation would be that we leave that to

18 individual operators to be decided in the way

19 that they implement that program under safety

20 assurance within their pipeline safety management

21 system.

22   And as you point out, the recommended

1   practice provides for different alternatives,

2   both internal audit, external audit, and uses the

3   term, actually, or provides for an assessment,

4   which is a little bit different view of an audit.

5   But operators should really have the opportunity

6   to provide all of those, as is envisioned in

7   1173. But we're certainly open to input there.

8   MR. JENSEN: Okay. And the only

9   followup to that is, you know, reflecting on the

10   governance discussion we had earlier this

11   morning, as we think about workflow, A to Z, when

12   the ILI vendors and operators submit data,

13   identify, analyze, process, metrics produced,

14   lessons learned, and shared amongst all people,

15   there may be an opportunity for an auditing

16   function at that level from the whole workflow

17   perspective as well.

18   MR. HERETH: That's a great point. In

19   fact, if PHMSA was administering this, I would

20   expect that to be a part of their implementation

21   of their pipeline safety management system. And

22   I'm sure Alan would embrace that, right?

1   No, not to make light of that, but it

2   really would be consistent with applying the

3   spirit of applying 1173. But that's a great

4   point and we should capture that.

5   Thank you.

6   HON. BURMAN: Are you going to, in

7   this draft, also include sort of a summary

8   analysis of API RP --

9   MR. HERETH: Yes.

10   HON. BURMAN: Okay.

11   MR. HERETH: Yes. In fact, the intent

12   is that we'll draw on the presentation that Drew

13   Hevle made.

14   HON. BURMAN: Okay.

15   MR. HERETH: In fact, it's a really

16   good question because, not only with Drew's

17   presentation, Drew Hevle's presentation on 1163,

18   but the one that we had from Warren Randolph on

19   ASIAS from the FAA, they both talk about

20   essential elements or essential components of

21   what their systems were about, or the systems

22   they were describing. And we want to bring those

1 forward. It gets to your point about core

2 elements or core principles that we want to make

3 sure we're conveying to people.

4   HON. BURMAN: Okay.

5   MR. HERETH: That's a really good

6 question.

7   HON. BURMAN: That will be helpful.

8   MR. HERETH: Again, I'm going to look

9 to Dr. Borener to make sure that we help on that.

10   HON. BURMAN: All right. Thank.

11   MR. HERETH: Thanks. That's a great

12 point.

13   HON. BURMAN: One more question.

14   DR. MURRAY: And this is just, with

15 the inclusion of the distribution systems into

16 the framework from the Strategic Mission

17 Statement, how is that impacted or depicted in

18 the recommendations, particularly for A and B?

19   MR. HERETH: Well, that's a great

20 question. So, A and B really relate to starting

21 with 1163 as it exists today. And then, when we

22 go to Recommendations 5, 8, and 9, we're going to

1   build upon the processes that are set up in 1163

2   and broaden that to other assessment

3   technologies, other things that are done in

4   managing pipeline safety.

5   So, what we wanted to do was to point

6   out that, one, we had something that we already

7   had to build upon that's been used successfully,

8   but its use can be improved and it could be

9   broadened. So, it serves as sort of a foundation

10   piece. And then, the recommendations that

11   followed -- so, you're my straight person for

12   really jumping into No. 5 -- which is to take

13   what we do processwise with API RP 1163 and

14   broaden that to other assessment technology.

15   And then, 5 is really written towards

16   operators, but I'll stop there and see if there's

17   any other questions.

18   HON. BURMAN: Any questions?

19   DR. BORENER: Yes. This is Sherry

20   Borener from PHMSA.

21   My question, Mark, is, is the thought

22   in ISIAS the data in ISIAS can be used to do some

1   of the benchmarking and --

2   HON. BURMAN: Is your mic on?

3   DR. BORENER: I don't know.

4   HON. BURMAN: For the people on the

5   phone, they won't be able to hear you.

6   DR. BORENER: Okay. I think so.

7   So, in ISIAS, data collected for

8   benchmarking can be used in the audit process,

9   right? Is that the thought? It says, "auditing

10   periodically in conformance with their

11   implementation". So, I'm wondering if you're

12   thinking that the data in the VIS supports the

13   audit process by providing some of that

14   information, as the ISIAS configuration is, where

15   benchmarking against that industrywide

16   performance can be done.

17   MR. HERETH: I would say that's not

18   something we've given consideration of here, but

19   I know that in the Technology Subcommittee, and

20   particularly with a subgroup within that, that

21   Michael Bellamy has a group that's addressing

22   that --

1   DR. BORENER: Okay.

2   MR. HERETH: -- that's addressing that

3   concept of continuous improvement.

4   So, I would ask that we hold that

5   question until we have that discussion today.

6   And then, if we haven't addressed it, then we

7   should figure out, between Michael's work and the

8   work of this Subcommittee, how to address that.

9   DR. BORENER: Okay.

10   MR. HERETH: It's a good point. We

11   haven't explicitly at this point, though. Yes.

12   DR. BORENER: Thank you.

13   HON. BURMAN: Anyone on the phone have

14   any comments?

15   (No response.)

16   In the audience?

17   (No response.)

18   Okay. You can continue.

19   Oh, Christie?

20   DR. MURRAY: And just to piggyback off

21   of my previous comment with 4B, in particular,

22   how might that be applicable to 5 as well, in

1   terms of how 1173 may play a role?

2   MR. HERETH: So, I think it can be,

3   and we should probably explicitly provide for

4   that. So, I would say, certainly in 5, which is

5   directed at pipeline operators -- so, just to

6   briefly describe 5, it's really taking and

7   building upon what's done in Recommendation 4,

8   centered around 1163 for ILI, and broadening it

9   to other assessment technologies, such as direct

10   assessment, hydrostatic testing, and then,

11   alternate technologies that are allowed for or

12   allowed by in the PHMSA regulations.

13   And then, we give some examples of

14   what that process could include. I'd say, Dr.

15   Murray, that we could certainly apply that same B

16   under No. 5 to the extent that service providers

17   were applying a pipeline safety management

18   system. And even including NDE service providers

19   were applying a safety management system, they

20   could apply that same Recommendation B.

21   I think in the short term it's more

22   likely that, with service providers, so

1   assessment service providers and NDE service

2   providers, it's more likely that they're going to

3   be using a quality assurance/quality control plan

4   that they could take and, then, evolve towards an

5   SMS. But, within that QA/QC program, they could

6   be, essentially, applying the same principles as

7   in B.

8   It's a great point and we'll make sure

9   we make note of that.

10   HON. BURMAN: Erin?

11   MS. KURILLA: Thanks.

12   This is Erin Kurilla with the American

13   Public Gas Association.

14   I'm kind of going on the fly with this

15   comment, Mark. So, I apologize in advance if

16   it's a little scatterbrained.

17   But when I look at 4A and B, it seems

18   to me -- I understand what you're trying to do,

19   which is get people organized before they begin

20   submitting information to the VIS. And what A

21   and B, at least in my mind, is supposed to do is

22   get everybody on the same page as far as how this

1   data will be submitted eventually to the VIS, and

2   then, what's expected of that data. I mean,

3   that's where I see the continuous improvement in

4   B coming from.

5   I'm a little bit, however -- and I

6   think you'll understand where I'm coming from --

7   uncomfortable with recommendations within this

8   that are directed specifically towards operators.

9   Is there a way to reframe this so that it's more

10 -- maybe perhaps it's just participants in the

11 VIS? Maybe you just bring it to that level

12 versus all operators.

13   MR. HERETH: So, I don't know that we

14 explicitly addressed this towards all operators.

15 I think this is addressed towards operators who

16 would participate in the VIS.

17   MS. KURILLA: I think you and I know

18 that. I just mean, when this gets

19 memorialized --

20   MR. HERETH: Yes.

21   MS. KURILLA: -- I don't want people,

22 if you were to pull this out and say, "Oh, all

1   operators' use of API RP 1163 should be evaluated

2   and audited with 1173."

3   MR. HERETH: Right. Right, right.

4   MS. KURILLA: I think that there's

5   a --

6   MR. HERETH: It's a fair point. It's

7   why you don't see the word "all" used here.

8   MS. KURILLA: I know. I added it.

9   MR. HERETH: I'll never use it.

10   (Laughter.)

11   MS. KURILLA: But you know where I'm

12   headed.

13   MR. HERETH: Yes. No, I know.

14   MS. KURILLA: I just think some

15   nuances to that language is probably --

16   MR. HERETH: That's a fair point.

17   Thank you.

18   HON. BURMAN: We can make sure that,

19   when we go get it, that it's participating

20   operators.

21   MR. HERETH: Yes, yes.

22   MS. KURILLA: Or something.

1   MR. HERETH: Yes. Thank you.

2   I think that, Erin, another key point

3   is that, in tying A and B under Recommendation 4,

4   it's not that we envisioned that B would be done

5   right at the outset when A would be being

6   strengthened. It's to bring the two together,

7   recognizing that they're an operator function for

8   the most part when it comes to safety management

9   systems.

10   So, I would say, from a practical

11   standpoint, B would be something that an operator

12   would look at down the road, remembering that a

13   safety management system is a journey; it's not a

14   project. That something, B would be something

15   most likely that would be done two to three or

16   more years down the road. And that's probably a

17   point we should make. Although others may

18   differ, that's our thinking.

19   HON. BURMAN: That's helpful.

20   The one thing I do want to just note

21   really for our Reporting Subcommittee is that,

22   Erin, in your dialog on making sure it's specific

1   to the participants, I think that goes without

2   saying for the entire report. So, rather than

3   just us focusing here on just being operators, we

4   should have some section that is somewhat

5   boilerplate, but makes the point that all of this

6   is intended to be applying to those in the VIS,

7   and to the extent that we also look at the report

8   language, when we go through it anywhere, that we

9   need to make that clearer. I think we should do

10   that throughout the whole report when we have to

11   draft.

12   MR. HERETH: Yes. Thank you.

13   MR. MAYBERRY: I have one question.

14   I know we're not wordsmithing here,

15   but would you also include other management

16   systems? Because we may have some operators who

17   are using others, and we've been promoting -- as

18   we promote SMS, we're saying, look, others may be

19   using SEMS. But just a minor point.

20   MR. HERETH: No, that's a great point,

21   and I think that's why we actually used the term

22   "implementation or requirements of".

1   MR. MAYBERRY: Yes.

2   MR. HERETH: And if you recall the

3   figure in 1173, there's a footnote under it which

4   has the 10 elements. It actually explicitly

5   recognizes the use of other management systems

6   such as PAS 55 or other asset management systems

7   that people may already have in place, and to

8   make that connection in 1173.

9   MR. MAYBERRY: Okay.

10   MR. HERETH: But fair point. Thank

11   you.

12   MR. MAYBERRY: Yes.

13   MR. HERETH: We need to make sure

14   that's clear, yes. Thank you.

15   HON. BURMAN: Thank you.

16   I think we're good to continue.

17   MR. HERETH: Should we ask, anybody on

18   the phone?

19   HON. BURMAN: Anyone on the phone?

20   (No response.)

21   Okay. Thanks, Mark.

22   MR. HERETH: Okay. Thank you.

1   No. 6 really focuses on defining

2   processes within the VIS hub for sharing discrete

3   integrity assessment data. So, the difference

4   here is that, in Recommendation No. 4, it really

5   focused on the use of 1163, which is that

6   interaction between the service provider, the ILI

7   service provider, and the operator. What 6 is

8   really looking at is what was envisioned by some

9   of the parties that contributed to the

10   development of the legislation, which is really

11   that we have a mechanism to share not just high-

12   level learnings, but the actual discrete data

13   from ILI runs and from the excavations that are

14   done associated with ILI runs, and the NDE work

15   that's done in the excavations.

16   And so, the idea here is this is

17   really that focus on the discrete data. We broke

18   this one out separately because we think, from a

19   timing standpoint, it's easier to achieve success

20   on some of these other recommendations. This is

21   one it's going to take some time to implement.

22   HON. BURMAN: Alan, do you have a

1   question?

2   MR. MAYBERRY: No, I don't.

3   HON. BURMAN: Paul?

4   MR. ROBERTI: So, just looking at

5   this, I guess my question is, this comes under a

6   section of sharing recommendations. Yet, A and B

7   under PS-4 seem to direct actions by operators.

8   And I guess I thought the whole thrust of the

9   initiative was about sharing information, and not

10   so much trying to encourage or regulate actions

11   of operators. So, I ask that at a very high.

12   And I may have missed something. I try to get

13   down here as much as I can.

14   MR. HERETH: That's a great question

15   because, if you're reading it that way, and

16   you're not as close to it as those of us that are

17   doing it, that points out that we need to clarify

18   that. So, it's great question, because the

19   intent is really that this Recommendation 4 is to

20   build upon something that's already being done

21   and to use it as a vehicle to improve the

22   information-sharing. It's not meant to be a

1   regulatory construct or to mandate action. So,

2   that's something we clearly need to clarify, yes.

3   Does that help?

4   MR. ROBERTI: A little bit, yes.

5   (Laughter.)

6   MR. HERETH: Okay.

7   MR. ROBERTI: I'm a trained lawyer.

8   So, I give words their plain and ordinary

9   meaning, and that can be dangerous at times.

10   (Laughter.)

11   MR. HERETH: Yes, yes. And I'm an

12   engineer that works with lawyers every once in a

13   while. I'm learning, slowly sometimes, that

14   that's important. Thank you.

15   Yes, that's a great perspective.

16   Thank you very much for that.

17   Anything else on 6 or others?

18   (No response.)

19   HON. BURMAN: No, we're good.

20   MR. HERETH: Okay. No. 7 is one of

21   the build-upon concepts, which is to look at

22   building upon existing information-sharing

1   systems already in place for use in energy

2   pipelines and select those that appear to have

3   value to accelerate the development and the

4   maturity of this process, of our voluntary

5   information-sharing.

6   One would be an example of the work

7   that was done by PRCI that has been shared with

8   this Committee. And then, certainly one I would

9   add is the work of the Common Ground Alliance

10   that's been referenced here several times this

11   morning.

12   So, the idea, again, is built upon

13   processes for sharing information that are

14   already in place to help accelerate development

15   of other pieces and maturity as well.

16   Any comments or questions on 7?

17   Again, that's building upon processes that are

18   already in place.

19   HON. BURMAN: The only thing I am

20   sensitive to is this PS-7, while it talks about,

21   for example, as a standalone, it seems like we

22   might be pushing a PRCI perspective here. So, to

1   the extent we do talk about PRCI later and other

2   things, we just should be sensitive to that.

3   Unless we're voting to do that --

4   MR. HERETH: No.

5   HON. BURMAN: -- that we don't --

6   MR. HERETH: Yes.

7   HON. BURMAN: -- make it seem like

8   it's --

9   MR. HERETH: Yes.

10   HON. BURMAN: -- you know, that's the

11   approach to take.

12   MR. HERETH: No, that's not the

13   intent, is to have that be considered for voting.

14   In fact, our intent is we've asked the PRCI to

15   develop a short presentation of what they do and

16   how they do it, and how they would do this going

17   forward in a place they would play. And we'll

18   include that as an example. We would include

19   examples of CGA. We've got some use cases that

20   we're getting from ASIAS. And we'll use those as

21   examples. That was not meant to be a part.

22   Thank you for saying that, yes. Great

1   point.

2   HON. BURMAN: Does anyone have any

3   comments or suggestions or questions? At the

4   table?

5   (No response.)

6   On the phone?

7   (No response.)

8   In the audience?

9   (No response.)

10   Okay.

11   MR. HERETH: No. 8 is really taking

12   the version of PS-5 that was applied to operators

13   and applying it to integrity assessment service

14   providers. So, it applies to in-line inspection,

15   direct assessment, pressure testing, and

16   applications of other technology. And again,

17   it's really analogous to that No. 5.

18   HON. BURMAN: Any comments? On the

19   phone?

20   (No response.)

21   In the audience?

22   (No response.)

1   Okay. I think you're good.

2   MR. HERETH: And then, No. 9 is taking

3   that same thinking and applying it to non-

4   destructive evaluation service providers. I

5   think one of the things that we've talked about

6   as an aside here, one of the things we've talked

7   about in our looking at this, is actually

8   combining 5, 8, and 9 into one recommendation and

9   having three subpieces that relate to the

10   specific stakeholder group, because they really

11   all talk about developing a process for sharing,

12   and there's common elements to them. Each plays

13   a little bit different role, but there's a way

14   that we may be able to combine these ultimately.

15   But this is that same kind of thinking about

16   sharing information, ultimately, within a VSI

17   hub, provided by non-destructive evaluation

18   service providers.

19   HON. BURMAN: Anybody have any

20   comments or questions? On the phone?

21   (No response.)

22   In the audience?

1   (No response.)

2   No, Mark, you're good.

3   MR. HERETH: Okay. No. 10 really is

4   defining the process for disseminating lessons

5   learned or for sharing information with respect

6   to lessons learned. If you recall, in one of our

7   first meetings, we discussed the idea of one of

8   the easiest, simple things to achieve at the

9   outset of setting up a VIS is to share lessons

10   learned, those lessons at a very high level. So,

11   lessons from incidents, lessons potentially from

12   near-misses, and that, over time, we could evolve

13   towards using the sharing of more discrete

14   integrity assessment information.

15   And the place to get some early wins

16   is really with this No. 10, which is

17   disseminating lessons learned and using the

18   vehicles that already exist within the trade

19   associations -- and they're all listed there --

20   as well as the research organizations that are

21   also listed. So, it's really to build upon and

22   to make use of, maximize the use of, the trade

1   associations and the systems that they already

2   have. And we will have a compilation of those in

3   a table in the report that reflects that.

4   Two other points that -- go ahead.

5   HON. BURMAN: And Michael Bellamy I

6   think has a comment.

7   MR. HERETH: Okay, good. Good.

8   HON. BURMAN: Michael?

9   MR. BELLAMY: Diane, thank you. Can

10   you hear me okay?

11   HON. BURMAN: Yes.

12   MR. HERETH: Yes.

13   MR. BELLAMY: Good. Okay. Thank you.

14   No objection to the concept of

15   developing an approach that's, of course, out for

16   sharing. You know, I'm all for that ILI data.

17   When you talked about combining and

18   the only difference -- there is a difference

19   between ILI and NDE and some of the other data

20   sources, in that API 1163 already provides an ILI

21   mechanism for the sharing of ILI data back and

22   forth. So, when you come to combine them, I'm

1   not sure that they will combine readily.

2   MR. HERETH: Yes, fair point. I

3   think, Michael, what we were thinking was -- and

4   maybe I'll say it this way -- is, to build upon a

5   comment that the Chairman made this morning when

6   we were talking about comparing Options or

7   Alternatives A and B, is that I think we can show

8   in a table the types of information and the roles

9   that each of these parties, these three parties

10   would play, in a way that simplifies it. But I

11   would agree with you 100 percent, the specific

12   data and the way in which the data is used would

13   be different among those three parties.

14   MR. BELLAMY: Well, not only that, but

15   the stopping point is different. The process,

16   the stopping point for the process is different.

17   So, maybe if that table showed where an existing

18   process could be built upon and where there is no

19   existing process?

20   MR. HERETH: Oh, yes, exactly.

21   MR. BELLAMY: Yes.

22   MR. HERETH: Yes, I agree 100 percent.

1   MR. BELLAMY: Yes.

2   MR. HERETH: And that's really why 4

3   is stated the way that it is, because you do have

4   a good starting point there, yes.

5   MR. BELLAMY: Yes. Thank you.

6   MR. HERETH: Thank you.

7   And I am certainly open to the fact

8   that we may not be able to combine those. I do

9   think, though, that the Chairman made a great

10   point this morning, that we really have to work

11   to simplify the way in which we message some of

12   this.

13   MR. BELLAMY: Yes.

14   MR. HERETH: And I don't know that you

15   said it exactly that way. But I think the

16   messaging here is really important, yes.

17   MR. BELLAMY: I think that's right.

18   I have supported it. And, you know, a table that

19   clarifies it would certainly help.

20   Thank you.

21   HON. BURMAN: I think, for everything,

22   it's also making sure that we are explaining in a

1   way that drives home the importance, and to the

2   extent that we look to being collaborative as

3   well --

4   MR. HERETH: Yes, yes.

5   HON. BURMAN: So, a key takeaway.

6   MR. HERETH: Yes. Yes. Thank you.

7   Dr. Borener?

8   DR. BORENER: It's Dr. Borener. This

9   is Sherry Borener.

10   So, just for my notes and

11   clarification, when we talk about defining this

12   process, we referenced the VIS data hub, which is

13   on page 18 in the document. And we are talking

14   about, essentially, dissemination through this

15   process, right? So, we should make sure that

16   it's clear that we're not launching a separate

17   process in 10, but, rather, using the VIS hub for

18   that communication, right?

19   MR. HERETH: Yes.

20   MR. WARNER: Diane, this is Chris

21   Warner. Can I interject a question?

22   HON. BURMAN: Yes. Thank you.

1   MR. WARNER: Hey, Mark, this may be

2   obvious, but to build on what Dr. Borener just

3   said, when I read this, at least initially, it

4   felt like the full focus of disseminating the

5   lessons learned is around these three locations.

6   I am assuming we are also creating or encouraging

7   the creation of some sort of a dissemination of

8   lessons learned within the VIS itself, or is that

9   not the case?

10   MR. HERETH: Oh, it is. It is. The

11   one thing that the recommendations lack which

12   helped clarify that is, at this point, it's been

13   presented as a table. So, we talk about the

14   different types of information. It's things like

15   lessons learned, near-misses, learnings from ILI

16   as well as discrete data from ILI. And Dr.

17   Borener has actually found us a great pictorial

18   representation of how to present that. We don't

19   have it in here, but, Chris, it points out that

20   we need to have material like that that helps to

21   keep that clear.

22   Because it's really not the intent of

1   the hub to focus just on ILI and DA and the work

2   that comes out of excavations. It's to share

3   more broadly the lessons learned that we have in

4   applying processing within pipeline safety.

5   HON. BURMAN: And this is Diane

6   Burman.

7   I'll just point out, also, that back

8   in the Mission and Objectives Subcommittee

9   report, especially under the issue analysis team

10   section, it does talk about lessons learned and

11   incorporating that from the VIS model itself.

12   So, to the extent that we also look at the

13   Subcommittee reports to help facilitate more

14   broader incorporation, especially in the

15   processes, I think that will be helpful.

16   MR. HERETH: Yes. I think a way that

17   we can help improve the understanding that gets

18   to the questions that are being asked is to

19   really reference back to the charter and specific

20   points that are made within the charter in terms

21   of what the scope of the work is. I think that

22   will help.

1   So, I appreciate those questions.

2   It's good.

3   HON. BURMAN: Okay.

4   MR. HERETH: And then, the last point

5   here -- and not last by level of importance, but

6   it's just as important as the others -- is to

7   have a lessons learned process to be able to

8   share with public stakeholder groups. And we

9   list, certainly, two here that are represented on

10   this Committee, the Pipeline Safety Trust and the

11   Pipeline Safety Coalition, as well as interested,

12   federal, state, and local officials. So, it's

13   really to have the processes in place to share

14   information to those stakeholders as well.

15   Questions or comments on that one?

16   MS. BLYSTONE: This is Kate. Can I

17   just jump in?

18   MR. HERETH: Good morning, Kate.

19   MS. BLYSTONE: Good morning. It's

20   still dark here.

21   (Laughter.)

22   MR. HERETH: That's why I'm saying

1   good morning.

2   MS. BLYSTONE: Yes. So, I support

3   this. The only question I have is whether or not

4   -- I mean, I think it's good language in that it

5   says that "such as" instead of specifically these

6   groups do not obey.

7   MR. HERETH: Yes.

8   MS. BLYSTONE: So, there's some

9   lenience in there. And I also like the addition

10   of interested federal, state, and local

11   officials. I just wanted to offer my support for

12   that.

13   So, thanks.

14   MR. HERETH: Thank you. Thank you.

15   HON. BURMAN: Any comments on this?

16   (No response.)

17   And again, I'm not sure if we need to

18   vote on anything in here. Do you have what you

19   need for the next steps?

20   MR. HERETH: Yes. I don't know that

21   we need to vote. In fact, I think there's value

22   -- we're able to proceed with these, with your

1   comments and input the way they are. I think

2   there's refinement and improvements that could be

3   made to these, and we welcome that. So, I think

4   if we voted on these at our next meeting, we

5   would be fine, unless there is a reason that you

6   all want them voted on.

7   HON. BURMAN: And right now, we also

8   have Simona Perry.

9   DR. PERRY: Hi, guys. I have just one

10   question, I think, and I know it will be

11   clarified by the other Subcommittees.

12   But, as I was reading this or thinking

13   about this in isolation, and not really having

14   been involved in the process, and as the

15   reporting Subcommittee Chair, I want to make sure

16   that I understand and I can give you maybe just a

17   thought about including some text with this that

18   specifies, when we talking about defining and

19   developing anything, making sure that it has been

20   clearly stated who is defining and who is

21   developing, and how that fits in with the

22   governance structurally that we decide to go

1   with.

2   Does that make sense?

3   MR. HERETH: Yes, it does. It does.

4   DR. PERRY: Okay.

5   MR. HERETH: In fact, that's why, in

6   one of the earlier recommendations, we made

7   specific or explicit reference to the governance

8   and how the governance would be defined, because

9   we viewed this as this would be a function that

10   would occur under the direction of the Executive

11   Board.

12   DR. PERRY: Okay.

13   MR. HERETH: But it's a great point.

14   This is a place where figures and diagrams I

15   think are going to be helpful in helping to

16   convey the messages here. It's a great point.

17   DR. PERRY: Okay. Thank you.

18   HON. BURMAN: Anyone else on the

19   phone?

20   (No response.)

21   In the audience?

22   (No response.)

1   No? Okay.

2   MR. HERETH: In fact, it points out

3   that, possibly within our governance discussions

4   and recommendations, we need to have a

5   recommendation that talks about that whoever is

6   administering this or the governing body would

7   assign responsibility, accountability, and

8   authority, or roles and responsibilities, so that

9   people understand that that would be something

10   that would be done under the governance. Just

11   food for thought, but I appreciate your point.

12   HON. BURMAN: I think this was really

13   good. I think what would be helpful is also

14   looking at the difference of committee reports

15   and seeing how the process sharing fits into

16   that; what else needs to get fleshed out --

17   MR. HERETH: Yes.

18   HON. BURMAN: -- whether from your

19   Subcommittee or the other Subcommittees, as well

20   as folks taking a look at this and seeing what

21   process-sharing steps or key takeaways may still

22   be missing that can give you feedback on that.

1   MR. HERETH: Uh-hum. It's good, yes.

2   HON. BURMAN: With that, do you have

3   any comments?

4   MR. ROBERTI: If I could just make one

5   comment? I have two.

6   I can't stay any longer. I would like

7   to. I went through a lot of the documents, and I

8   really believe in what we're doing here. I think

9   this is so synergistic with SMS, which is the

10   next frontier for achieving what the Secretary

11   and the Administrator want, which is zero

12   incidents.

13   I noted here a statement that "This

14   program shall not be converted into a mandatory

15   program." And I understand why that's in there.

16   But, at the same time, and to my question that I

17   just asked, this program should probably not have

18   mandatory elements in it, either, because that's

19   the other piece of it.

20   So, I have to leave now. I had a

21   couple of questions on -- maybe I misinterpreted

22   that language, but I know you're going to be

1   discussing other parts of this. And I would just

2   reference page 22, Tech 1 and Tech 2, where there

3   seemed to be conditions for operators to

4   participate. There seemed to be conditions for

5   what operators need to be, if they participate,

6   with obligations to follow up. And what I don't

7   want to do is chill participation, because this

8   initiative is only going to work if it's open,

9   voluntary; it's a welcoming form; it's a

10   welcoming initiative.

11   And the NTSB, you know what's

12   interesting about the NTSB, it's so well-

13   respected, but it has no real mandatory authority

14   over anyone. All it can do is recommend. And

15   yet, everyone listens to the NTSB, as we will be

16   doing in Massachusetts.

17   So, I would just leave you with those

18   comments. As you're pulling this all together,

19   that's, I think, a theme that is very important

20   for this to be a long-term success.

21   HON. BURMAN: Okay.

22   MR. ROBERTI: Thank you. And thank

1   you, Chairman, for all the work you're doing. I

2   appreciate your coming down from New York, and I

3   know how busy your day is, as a former

4   Commissioner, but this is really important stuff,

5   and we are grateful to have your dedication to

6   this effort, as well as everybody else on this

7   Committee.

8   HON. BURMAN: Thank you.

9   So, with that, Mark, thank you.

10   Paul, thank you for your support.

11   We are going to look at Best Practices

12   now. I think that that will put us at about

13   12:15-12:30 instead of the 12 o'clock lunch. So,

14   I think we'll get started on the Best Practices,

15   and that leaves us, then, coming back for the

16   remainder, which should have us on target,

17   hopefully, leaving a little earlier than 5:00.

18   So, why don't we look to Best Practices now?

19   MR. JENSEN: This is Leif.

20   I'm not sure of Eric Amundsen was able

21   to join the call.

22   Eric, are you out there?

1   (No response.)

2   Max, are you in attendance at the --

3   MR. HERETH: Yes, I just got a text

4   from Eric and he's stuck. He will be back in the

5   afternoon. I'm wondering if there's a way we

6   could shift things around.

7   HON. BURMAN: Yes. If Michael Bellamy

8   doesn't mind on the Technology and R&D, we can do

9   that now, and then, start with Best Practices

10   when we come back.

11   And also, when we come back after

12   lunch, we'll do just a recap or check in on if

13   anyone had any thoughts after our working lunch.

14   Okay. Michael, are you okay with --

15   MR. BELLAMY: Well, I think we should

16   probably ask Bryce because he's the Chairman of

17   that Subcommittee.

18   HON. BURMAN: Oh, I'm sorry.

19   MR. BELLAMY: But thank you for the

20   fact that you remembered me, which is great.

21   (Laughter.)

22   HON. BURMAN: Did I say Michael? I

1 meant Bryce.

2   MR. BELLAMY: Yes, Bryce deserves the

3 credit more than I do.

4   MR. BROWN: Bryce Brown here. Can

5 everybody hear me?

6   HON. BURMAN: Yes.

7   MR. BROWN: Very good. Very good.

8   Bryce Brown with the ROSEN Group. I'm

9 the -- I guess, I think I am -- I'm the Chair of

10 the Technology and R&D Subcommittee. And let me

11 get to that point.

12   I do not have access to the site, but

13 I do have access to the document. I'll go

14 through these one by one.

15   HON. BURMAN: Thank you.

16   MR. BROWN: So, as a Subcommittee, we

17 have come quite a distance since the last in-

18 person meeting August 22nd-23rd. We came to the

19 September 7th delivery of a first draft. We

20 actually delivered our first draft on the 12th of

21 September. And just recently, more recently, on

22 the 25th, we submitted to Dr. Murray a latest

1   revision or current version of the document.

2   So, that said, we are still refining

3   these recommendations over the last 10 days, I

4   would say. And then, in the document that we're

5   looking at here this morning, we've got about 25

6   recommendations now. And as we continue to

7   revise, if you will, or refine, we're still at

8   about the same number, generally speaking. We've

9   had a couple that we would consider to be

10   combined, and we'll talk about that here shortly.

11   And then, we may add a couple of more.

12   So, let me just to that point, looking

13   at the recommendations from Technology and R&D,

14   we had the first recommendation. It basically

15   reverberates with what Mark had mentioned for

16   Process Sharing. It says that, "To participate

17   in the VIS, operators and service providers must

18   formally adopt and implement the current

19   recommended practices/standards for in-line

20   inspection."

21   This includes -- of course, we've been

22   talking about it a lot already on API 1163, which

1   is also referencing the NACE Standard Practice

2   0102 and, then, ASNT ILI Personnel Qualification

3   Standard. So, we feel compelled, where we sit,

4   to ensure that this is something that we're

5   taking full advantage of to enable this main part

6   of the mandate to bring in the ILI information

7   and, of course, the related field verifications.

8   But this is something we feel compelled. It is

9   also something required. And this is our first

10   recommendation.

11   Are there any comments thus far or

12   questions?

13   HON. BURMAN: Does anyone have any

14   comments or questions on the phone?

15   (No response.)

16   In the audience?

17   (No response.)

18   So, the one question or comment that

19   I would focus on here is one to the extent that

20   -- or, actually, two comments. One, to the

21   extent that we talked about API 1163 before, and

22   so to make sure that they're aligned when we talk

1   here.

2   The second is, in light of a comment

3   that Paul Roberti made about having nothing in

4   the report or the VIS program that's mandatory,

5   we do need to explain some of the understandings

6   because there will be some necessity for minimum

7   standards or minimum focus for participation that

8   needs to get somehow aligned and incorporated in

9   the statutory authority, and then, perhaps

10   phrased out in some fashion by VIS. So, I do

11   want to make sure that, while some folks may take

12   a little look at some of this as mandatory, how

13   we address that issue in a way that's helpful, so

14   that there's buy-in from the integrity of the

15   program itself when we use certain minimum

16   standards or feel that there is a need for some

17   minimum standards.

18   Erin, did you have a comment?

19   MS. KURILLA: Yes. Yes, I just wanted

20   to kind of echo what you are saying.

21   Sorry. Erin Kurilla, APGA.

22   Echo what you were saying and ponder

1   if there is a way -- I know this is pretty much

2   asking a big "ask," and perhaps it's a lot of

3   work, but it might be the way to get your intent

4   without creating those barriers for

5   participation, like Paul was talking about. And

6   that's doing a lot of what you did in the third

7   bullet here, which is really explain exactly what

8   it is within the RPs that we're asking

9   participants to do.

10   I'm not super-familiar with all of the

11   elements and recommendations and requirements

12   within the RPs, but, if it's possible that there

13   are certain elements that wouldn't be required to

14   participate in the VIS, then I would hate to

15   inadvertently say that you have to do everything

16   in the RP in order to participate. So, I would

17   encourage, to the extent practical, that we

18   extract those elements out of the RP and

19   specifically cite them, even if it's just a

20   rattling off of them, of the references. That

21   might work, instead of just reiterating them.

22   That way, people do have that comfort level that

1   they're implementing aspects of the RP for a

2   reason, and not just holistically implementing

3   the RP.

4   HON. BURMAN: Thank you.

5   Alan?

6   MR. MAYBERRY: Well, I mean, I heard

7   what Paul said. I also think, I mean, we can't

8   be so limiting to avoid structure and standards.

9   I know all too well some of the data quality

10   issues we deal with. And if you don't have

11   credible data and credible processes that lead to

12   the input of that data, it really creates another

13   issue.

14   So, I think the intent of the system

15   is voluntary. I don't think that means we can't

16   have a structure, a relatively rigid structure, a

17   protocol, if you will, that we drive towards.

18   So, that's why I tend to be okay with that.

19   I don't know, Erin, I think

20   recognizing that this goes beyond, ultimately,

21   ILI, that "where relevant" or something might be

22   appropriate to put in there, yes. But I do think

1 we need the structure, though, just for quality

2 reasons.

3   MS. KURILLA: But, if I might just

4 follow up, I'm totally okay with structure and I

5 think having consistent data is integral to the

6 success of the work of the thing. I just don't

7 want us accidently requiring things that really

8 have nothing to do with the VIS. And again,

9 that's coming from a place of not a lot of

10 knowledge around what's exactly in all of those

11 RPs.

12   HON. BURMAN: I think some of that,

13 also, would come from working through the

14 processes of what makes sense for the most

15 participation with some of the caveats that are

16 key; you know, kind of agility, agreeing, sharing

17 what you're sharing, and then, how to go about it

18 to have quality data or quality analysis, and

19 what the focus is.

20   So, to the extent that we incorporate

21 some of that flexibility, so that we're not

22 afterwards locking people out, I think is

1   important. And so, again, some of this will have

2   to be delving into some of the more technical

3   folks when it gets to that point. But we have to

4   recognize that in this report and give some

5   commonalities that will be important.

6   Okay. I think we're back to Bryce

7   now.

8   MR. BROWN: Okay. So, just -- another

9   question?

10   HON. BURMAN: No, I think we're good.

11   MR. BROWN: Okay. So, just to refresh

12   on exactly what was said there, we do see things

13   a little bit detailed, right? I think we've all

14   been looking at this whole endeavor with a bit of

15   technical emphasis on, and we like to think and

16   consider what this thing is going to look like in

17   the end.

18   So, I do understand where Erin was

19   coming from with her comments, but, at the end of

20   the day, we also need to consider that we're

21   trying to share relevant data that somehow can

22   lead to this continuous improvement and

1   possibilities for additional R&D or nuances.

2   So, the structures that these things

3   present and provide to us, albeit it may seem

4   somewhat detailed when you look at it for the

5   first time, but I do agree that, as we start to

6   use them more, we will start to find our way

7   through that. So, I appreciate that comment.

8   Moving on --

9   HON. BURMAN: Thank you.

10   MR. BROWN: That's No. 2. This goes

11   back to the original discussions. And I think

12   Cote mentioned that the majority of his business

13   at the time was unthinkable and we needed to

14   consider in our efforts the non-ILI-type data.

15   There's another strong recommendation

16   around outreach and the standards used for safe

17   pipeline operations and programs. So, when you

18   see some of those listed there, a lot of us were

19   aware of those, and there is a recommended

20   document to deal with direct assessment and other

21   items.

22   What we feel with these standards of

1   recommended practices is they bind to the terms

2   and definitions. They also help us to understand

3   some of the key details around information being

4   gathered, process flows. And with those

5   approaches and these recommended practices and

6   standards, we can, then, envision how that data

7   would, then, be shared for continuous improvement

8   and, more over, how we in architecture IT can

9   accept that data moving forward, as we go through

10   the rest of these recommendations.

11   So, Tech 2 is taking care of the non-

12   ILI part of the mandate. And I'll offer it up

13   for discussion and comment.

14   HON. BURMAN: Does anyone have any

15   comments? On the phone?

16   (No response.)

17   In the audience?

18   Yes, we have one. John?

19   MR. STOODY: John Stoody with the

20   Association of Oil Pipe Lines.

21   I would just reiterate, since it's a

22   similar issue on 2, it's very tricky business to

1   start requiring and mandating for participation

2   some of these recommended practices and

3   standards. And not only is it intent, but also

4   implement. How do you know they implemented?

5   Are we going to start auditing? If they're not

6   in, are you going to kick people out? You just

7   go down some roads -- for the very reasons the

8   trades themselves don't require participation to

9   RPs.

10   Now that is an issue itself, because

11   you want people to do things and the regulatory

12   code provides mechanisms for requirements. But

13   some of these that are listed are very commonly

14   accepted, so it's easy to think, oh, this should

15   be no problem. Others on the page, and No. 2, RP

16   1183 doesn't even exist yet. So, it's expected

17   in the next year, and we're very hopeful. That's

18   an exciting document. But binding people in

19   advance to things that you don't really know the

20   contours of will be more potential default.

21   HON. BURMAN: Looking at that, I think

22   that -- this is Diane Burman -- I think that

1   there also may be an opportunity for us, when we

2   discuss the technology and R&D aspects, that we

3   carefully look at recommendations that

4   acknowledge that, and that doesn't necessarily

5   lock it in from the statutory perspective,

6   especially as technology and R&D may evolve as

7   well, and keeping it into consideration, but that

8   it also may be part of the objective in the

9   statutory authority that gives to whatever the

10   regulatory framework or non-regulatory framework

11   is set up from a leadership perspective; that

12   they carefully analyze these aspects and how to

13   fit it in. Or, if there are alternatives, what

14   would that mean from a practical perspective in

15   terms of, then, noting that people are doing it

16   or not doing it? So, somehow I think we can

17   craft acceptable, substantive language that

18   addresses this issue.

19   MR. BROWN: Thank you.

20   And I agree, and not to wordsmith

21   here, but there are ways to tweak this so that it

22   isn't from a legal or regulatory perspective a

1   requirement, but you still use the benefits of

2   these documents. You know, this is the

3   framework. If you're going to submit

4   information, it has to be in line with RP 1163,

5   or whatever is the appropriate model.

6   So, you know, these are on the page

7   because they offer good things, and we can

8   harness that without going down some other road

9   that might deter participation or provide a

10   barrier.

11   HON. BURMAN: And again, I think the

12   key questions are, what are the key takeaways and

13   the "why"? And then, are there alternative

14   opportunities here to get to that?

15   MR. BROWN: Just looking at our next

16   recommendation, it is really the heart of the

17   matter is, what are the inputs that shall be

18   uploaded into the VIS that provide the ability to

19   do meaningful analysis? And we agree, I think,

20   in our Subcommittee that we can go back and look

21   at these and reword those in a way that are less

22   onerous per se, not in these standards, but

1   really looking at, how are we looking into that

2   and pull from them the important parts that help

3   us to define what is actually going to be into

4   the VIS to do this analysis. So, I think we can

5   go back and refine those.

6   HON. BURMAN: And this may be -- this

7   is Diane Burman -- this also may be where it also

8   explains that the statutory authority shouldn't

9   be so onerous or locked in; and therefore, sort

10   of tees it up, so that you're not getting away

11   from some of these good recommendations, but

12   you're acknowledging that these recommendations

13   should not, then, be lifted to just as they are

14   being the statutory language.

15   MR. BROWN: Yes, very good. Thank

16   you.

17   So, moving on to the Recommendation

18   No. 3, Tech 3, "Voluntary Information Sharing

19   shall consist of defined qualitative and

20   quantitative inputs that are required for

21   meaningful analysis." It supports Process No. 2,

22   the Recommendation No. 2, for process sharing.

1   Here, we're really talking about all

2   of what we have considered qualitative

3   information and a process flow. It helps us

4   understand our lessons learned and how we can

5   share that. What is it that we share? And then,

6   also, this idea of discrete data or numerical

7   data, ILI result or mixed results, and how do we

8   make sure that we're doing that the right way for

9   many processes? That is what Recommendation No.

10   3 is about.

11   Any comments or questions?

12   HON. BURMAN: No, I think we're good.

13   MR. BROWN: All right.

14   HON. BURMAN: Anyone on the phone?

15   (No response.)

16   Okay. Thanks.

17   MR. BROWN: Okay. Moving forward to

18   Tech 4, Tech 4 says that, "The Voluntary

19   Information Sharing shall consider data

20   specifications for use by all participants." The

21   background here is the specifications shall

22   define the qualitative parameters, e.g., lessons

1 learned; the quantitative parameters, e.g.,

2 numerical data from ILI and NDE.

3 So, the specification will define the

4 available options for categorical data types,

5 attribute names, codes, acronyms, data formats,

6 data types, measurement units, and for

7 measurement process and the resolution of the

8 data captured for profiles and volumetric

9 parameters.

10 This is where we want to make sure

11 that the information we're sharing is understood.

12 We have certain naming that we use in the

13 industry where we're mixing words, like somebody

14 might call something "an anomaly" versus someone

15 might call that same thing "a defect". But we

16 know that those have two separate and clear

17 meanings.

18 That is basically what we're talking

19 about here, is that we need to understand the

20 data that's being shared and the conventions, the

21 terms and definitions that a lot of these

22 standards offered, that we're using those same

1   namings and moving that forward into this sharing

2   process.

3   Any questions on this one?

4   HON. BURMAN: Any questions on the

5   phone?

6   (No response.)

7   In the audience?

8   (No response.)

9   No, we're good.

10   MR. BROWN: Okay. And again, when

11   we're all good, I just want to make sure because

12   sometimes I read these and I don't know that

13   they're clear enough.

14   HON. BURMAN: One thing that I will

15   just mention -- this is Diane Burman -- is that

16   we did talk about the mandatory language and what

17   that means. And we haven't heard from all the

18   folks on that. So, it is a process point for me,

19   just to make sure that we move back in on this

20   mandatory focus. I don't know that "mandatory"

21   is the right word, but that we do move back in

22   for everybody's comfort level.

1   And so, to the extent that folks have

2   comments that they want to share with the

3   Subcommittee Chairs, or me and Christie, outside

4   of this meeting, and give food for thought on

5   that, so that we can identify if there are any

6   concerns, that would be helpful.

7   Okay. Thanks.

8   MR. BROWN: Okay. Tech 4-2, so the

9   recommendation states, "The Voluntary Information

10 Sharing system shall consider the minimum

11 required `essential variables' required for the

12 data delivered". That comes from Recommendation

13 No. Tech 4 and Tech 4-1.

14   So, essential variables also refers to

15 the essential elements. We want to make sure

16 that we understand those items that are needed to

17 be understood in order to interpret that result

18 properly and trust that we will gain in that data

19 when delivered.

20   If we think about it a little bit

21 further, we have had some revising of the

22 language. But, basically, the essential elements

1   and variables for a reported metric minimum

2   dataset, that, of course, variables by metric,

3   and these should be defined for that metric in

4   order to standardize what can be reported from

5   the submitted data.

6   An example would be where we're doing

7   direct comparison between an ILI result and an

8   NDE measurement, but we have not considered the

9   measurement error of one or the other. We

10   should, of course, consider the measurement error

11   of both. The measurement error is the case with

12   the individual variable to understand that

13   assessment, and then, to gain trust in that

14   value. That is what this recommendation

15   endeavors to fulfill, is this idea that we need

16   to make sure we understand the essential

17   variables or elements of any data type that might

18   be submitted to VIS.

19   HON. BURMAN: Does anybody have any

20   comments or questions?

21   (No response.)

22   I think someone may in just a minute.

1   MR. BROWN: Okay.

2   MS. KURILLA: Did you want -- are you

3   ready for a comment?

4   HON. BURMAN: I think so, yes.

5   MS. KURILLA: Oh. I was just going to

6   say I think 4, if it was in isolation, is a great

7   recommendation. I think it gets to the heart of

8   a lot of what Recommendations 1 and 2 were also

9   getting at. They were the process by which we --

10   I'm guessing they were the process by which the

11   intent of 4 was going to be reached.

12   I think laying out things like

13   acronyms, data formats, data types, and making

14   that all clear, is absolutely appropriate and

15   necessary. So, I actually kind of like

16   Recommendation 4 a lot, and I'm wondering if it

17   actually ends up being duplicative of some of the

18   other recommendations -- or other recommendations

19   are duplicative of it.

20   MR. BROWN: Yes, good. Good point.

21   Recommendation No. 4 in our current

22   version, at the Subcommittee we had it as Tech

1   4-1. And so, it is supposed to be an independent

2   recommendation from the other three, but, yet,

3   still related to the point of data and making

4   sure that we understand it the best we can, to

5   share it specifically to the VIS.

6   So, Tech 4, once again, is talking

7   about data generally, when we think about data.

8   For example, with reference to the pipeline, do

9   we agree that it's 0.250 and three decimal points

10   or do some of us call it 0.25? That's one

11   example of measurement unit, as an example. So,

12   those are the things we're talking about in Tech

13   4.

14   4-2 is essential variables. All of

15   that is shared. If there's any essential

16   variable that needs to go with the datapoints or

17   item being shared, what are they, and then, how

18   can we make sure that we have those available, or

19   that we trust these datapoints? I don't know if

20   that helps.

21   But, on the next point, 4-3, we're

22   going to talk about quality.

1   HON. BURMAN: And thank you.

2   Mark, do you have a comment?

3   MR. HERETH: Hey, Bryce, thank you for

4   the work that you guys have done here.

5   I want to support what Erin was just

6   saying. I think that it seems like your intent

7   in Tech 4, in part at least, is to ensure that

8   you get data that you can use from a number of

9   different places, and use it in a meaningful way.

10   Actually, it was Alan Mayberry's point earlier, I

11   think.

12   And then, to build on what John Stoody

13   was saying, it's really that your Tech 1 and Tech

14   2 are sort of vehicles to help facilitate getting

15   this data in the right way, but it's not that

16   those are the only ways of doing it or required

17   means. It's they're a vehicle to get the

18   information in a way that you can have it to

19   analyze in a meaningful fashion. Is that a safe

20   way to say it?

21   MR. BROWN: Yes, that's correct, Mark.

22   MR. HERETH: Yes. I would just think

1   about maybe moving Tech 4 up to be your leading

2   recommendation, your first recommendation, and

3   that these others are really supporting -- 1 and

4   2, in particular, support gathering the data in a

5   way.

6   I think maybe what would help people

7   is to see that you're -- I think there's a couple

8   of points, and I may be stealing thunder from

9   what's ahead. But I think you're trying to make

10   sure that you have data that you can bring

11   together and use in a meaningful way, meaning you

12   have common data elements, but that you also have

13   the flexibility to use unstructured data in a

14   way; give yourself the flexibility to have

15   unstructured data as well. Is that safe to say?

16   MR. BROWN: I think it is safe to say.

17   And what we could do is refer back to the

18   architecture IT experts here and our concepts. I

19   mean, we can speak to that a little bit more.

20   But I see what everybody is

21   mentioning, and we can surely consider combining

22   a few of these into this Tech 4, the 4-2, 4-3,

1 and, basically, those three; see where we can do

2 that. We will endeavor to attempt to do that and

3 make something that makes sense here.

4   Again, I think I've got to fall back

5 to the detail side. That is, what is the data?

6 And do we also understand the essential

7 variables? And those are important topics with

8 respect to the circumstance, but I think we're on

9 the same page.

10   MR. HERETH: Just one other comment.

11 That is, I appreciate the level of detail because

12 part of communicating this is that we need to

13 communicate to people that it is going to be

14 critical or essential to have data that is

15 sufficient enough and common enough to be able to

16 use it in a meaningful way. But I think one of

17 the things we want to be careful of is not being

18 so detailed or so prescriptive here that it

19 scares people away or that, actually, we would

20 have trouble with people getting onboard with

21 what we're trying to do here. So, I don't mean

22 that to be critical. I just mean that from a

1   pragmatic standpoint.

2   MR. BROWN: Totally agree. Totally

3   agree.

4   MR. HERETH: Yes.

5   MR. BROWN: I agree.

6   MR. HERETH: I think maybe having that

7   diagram that you guys developed early on would

8   help, because I know, when I saw it, it gave me a

9   sense of relief. So, somewhere up early on, even

10   if -- and I know it will be in the document, but

11   I think the detail here is somewhat offsetting

12   potentially. And if there is a way that we can

13   help -- but, in saying that, though, I don't want

14   to underestimate the importance of having the

15   right data to be able to do the analyses that

16   needs to get done. So, I don't mean to

17   shortchange that in any way whatsoever.

18   MR. BROWN: Sure. I think it's

19   something that some of us live with day-in and

20   day-out with regard to some of these topics on

21   ILI data versus In-The-Ditch. So, we do bring

22   that level of detail --

1   MR. HERETH: Yes.

2   MR. BROWN: -- to such a

3   recommendation, and that's on us to try to step

4   back, look at the big picture, and try to refine

5   these according to the industry's wishes, which

6   is what we endeavor to do here. So, we'll take a

7   look at these three, which is Tech 4, Tech 4-2,

8   Tech 4-3.

9   Tech 4-3, real quick, just to go to

10   that one real quick, is that it says, "The

11   Voluntary Information Sharing system shall

12   consider the requirements for data

13   quality/validation that will be required prior to

14   delivery into the system."

15   And I know we've talked about this

16   just a little bit, and this open data structure

17   is that you can put all kinds of data into it and

18   start to align and vet them together in a way.

19   But do we need to understand that data prior to

20   us going to the vehicle that brings it into VIS

21   to be shared? And that was the intent of 4-3 is

22   speaking toward.

1   If there's any offers there for

2   questions or comments or edits, we're glad to

3   hear those.

4   HON. BURMAN: Okay. And Sherry has a

5   comment now.

6   DR. BORENER: Okay. This is Sherry

7   Borener.

8   So, I'm recalling all of the

9   discussions about ISIAS and the third-party

10   vendor. So, with what your comment was about why

11   these things are important, no matter what data

12   you get in there, you can always ask your third-

13   party tech vendor to resolve issues of ambiguity;

14   you know, bring data into a common standard, and

15   so on. It's just a matter of where you want to

16   do the work.

17   So, this is, in a sense, a very

18   important recommendation to get information out

19   quickly. The better the format and the more

20   consistent the information, the less processing

21   time that's involved. So, I think maybe that's

22   one of the things that this is capturing, the

1   desire to have fresh information available to

2   people in a rapid manner.

3   But the desire to get to a common data

4   standard is something that also could be a

5   process recommendation. So, it could be that the

6   issue analysis teams, or whatever, push out a

7   requirement for common data because of the topics

8   they want to study. So, it may be that it's not

9   a requirement in certain instances and it is in

10   others.

11   So, maybe what we can do is say

12   something about capture that, that somebody has

13   got to get it into a common dataset --

14   MR. BROWN: Yes.

15   DR. BORENER: -- whether it's the

16   provider of the data or it's the provider's

17   service who does the analysis, but, eventually,

18   it's got to be in that format.

19   MR. BROWN: Understood. And thank

20   you, Sherry, for that clarification. That helps

21   with a lot of it.

22   HON. BURMAN: This is Diane Burman.

1   I do think that we have to balance a

2   lot of this as well. And so, part of the issue

3   is some of this may have to have some clarifying

4   language like we talked about in the beginning,

5   so that it doesn't scare off people or make it

6   too cumbersome for folks to grasp. But we also

7   don't want to lose a lot of the Subcommittee's

8   work, if folks get to this at a later point. So,

9   there may be a way that we're not necessarily

10   recommending all of this, but giving some more

11   overviews, considerations, and somehow

12   referencing some of the background material as

13   helpful processes to look at; and, also,

14   recognizing and being upfront that one of the

15   reasons we're not incorporating it potentially,

16   all of it expressly and explicitly, is because we

17   saw that we, again, potentially were getting too

18   far in the weeds or would cause -- I don't know

19   what the right word is -- but could cause a

20   stoppage on people being able to move forward.

21   Does that make sense?

22   MR. BROWN: Yes.

1   HON. BURMAN: And, Mark?

2   MR. HERETH: So, Bryce, as I sit here

3   and look at this, I think I have a sense of why

4   some of this detail is in here. I think what

5   might be helpful -- and it's probably in the body

6   of text -- it seems as though you're trying to

7   address a series of really important concepts or

8   concerns that might arise in using data. And I'm

9   always wondering if there is a section or a set

10   of points that need to be made.

11   And these are not all of them, but

12   it's we need to have a common set of data that

13   has the parameters that allow to be able to do

14   meaningful analysis that you talk about. Because

15   my sense is you're trying to address questions

16   and concerns here, and it sort of begs the

17   question, when you look at some of these, was it

18   you're trying to address?

19   I feel fortunate in some cases I have

20   a sense of what those are, but, you know, there's

21   a lot of us who are not as close to this as some

22   of you are that work in this space every day.

1   So, I think there's some grounding that we need

2   to have us better understand what is the problem

3   we are trying to solve or what is the issue we're

4   trying to address setting up these

5   recommendations.

6   Because I fully appreciate what it is

7   you're trying to accomplish. I think we need

8   some explanation on the front-end of what it is

9   we're trying to address. Is that a fair -- do

10   you understand what I'm saying?

11   MR. BROWN: Okay. I do, and I do

12   appreciate all the comments received, and we all

13   do in our Subcommittee.

14   There's a bit of work. There's a bit

15   of work to be done already that we can recognize.

16   And actually, Chris is on the phone, Chris

17   Warner. We need to have a better process flow of

18   the comments, or the recommendations, I should

19   say, and making sure that they all kind of run in

20   the right direction and that they feed off of one

21   another, as we have written them. And that's not

22   accomplished just yet, but that is one thing that

1   we need to accomplish.

2   MR. HERETH: And, Bryce --

3   MR. BROWN: We can go back and look at

4   -- yes, sir?

5   MR. HERETH: I would just offer that

6   I'm willing to help --

7   MR. BROWN: Yes.

8   MR. HERETH: -- on some of this,

9   because I'm an instigator of wanting to ensure

10   that we can use unstructured data. So,

11   certainly, I've contributed to that and the

12   challenges that that creates. But I think we

13   need to have that flexibility. But I'm willing

14   to help sort of step back and look at this at a

15   little bit higher level, so that when we look at

16   some of the detailed stuff, we understand the

17   context, what it is we're trying to create.

18   MR. BROWN: Great. That sounds good,

19   Mark.

20   And, of course, we've been working

21   together on this almost two years, I guess.

22   MR. HERETH: Yes.

1   MR. BROWN: And we need to get closer

2   together here in the ones toward the end, but all

3   good.   Thank you.

4   MR. HERETH: Thank you.

5   MR. BROWN: Other points or comments?

6   (No response.)

7   So, Recommendation 4-4 states, "The

8   Voluntary Information Sharing system shall be

9   very clear on how and when the de-identification

10   of data occurs, who has access to the identified

11   data, the governance of access rights and

12   confidentiality requirements for access." This

13   is our key point, but, also, the legal and

14   governance. So, we've talked a little bit about

15   that this morning already. But that was the

16   point that we, of course, support, and it needs

17   to get some emphasis.

18   Any comments or questions for this

19   one?

20   HON. BURMAN: Anyone have any comments

21   or questions? On the phone?

22   (No response.)

1   In the audience?

2   (No response.)

3   No, I think you're good.

4   MR. BROWN: Okay. Tech 5, this

5 follows Mark and team. This is where some of

6 those earlier data items come out, this

7 understanding. But Tech 5 talks about, "The

8 Voluntary Information Sharing system shall

9 consider the input from defined In-The-Ditch

10 Standard for field verifications performed on

11 pipe."

12   Tech 5-1 specifically talks about the

13 inclusion of a defined NDE or other assessment

14 standard for the appropriate tools/technologies.

15 Here, actually, you can't read it on the PDF

16 file, but Tech 5-2 talks as well more about the

17 procedure. So, Tech 5-1 talks about assessment

18 standards, which is also procedure.

19   So, in the Subcommittee, we would

20 combine those two anyway, but this is what we're

21 talking about as it relates to, for example, a

22 recommendation for the tools and technologies to

1 be employed for a given threat or anomaly type.

2 That would be as covered in the table below, for

3 example, where it says "external corrosion," that

4 we might consider a depth gauge micrometer or, in

5 fact, laser scanning.

6 We talk about the need for a defined

7 procedure appropriate to that technique and its

8 application to the threat or the anomaly being

9 measured; for example, an external corrosion

10 anomaly.

11 And so, this talks toward that we

12 really need to do some work in some areas of

13 understanding from the industry as foundational

14 to NDE and In-The-Ditch, similar to what we have

15 in ILI.

16 So, Tech 5-1 and Tech 5-2 talk about

17 procedures and, basically, standards that we

18 might need to reach out and leverage.

19 Questions on 5-1 or 5-2?

20 HON. BURMAN: Any questions on the

21 phone?

22 (No response.)

1   In the audience?

2   (No response.)

3   No? Okay, you're good.

4   MR. BROWN: Okay. I'll move on real

5   quick to Tech 5-3. Tech 5-3, a definition for

6   In-The-Ditch and NDE personnel competency.

7   During ongoing discussions in the industry with

8   PRCI and American Petroleum Institute, the

9   American Society for Nondestructive Testing,

10   around looking at NDE methods and techniques

11   related to pipes specifically and some of the

12   anomalies that operators are faced with, we feel

13   this would be also foundational to the VIS and

14   the original mandate, to have that available to

15   be considered, as we take advantage of these

16   datapoints and we share and utilize to start to

17   fill gaps and continuous improvements. So, we

18   feel that the personnel competency, we need to

19   find a way to leverage that as we develop and

20   define in the VIS, what that actually looks like

21   in the future.

22   Questions?

1   HON. BURMAN: Does anyone have any

2   questions or comments?

3   (No response.)

4   Oh, Cliff? Cliff Johnson, do you have

5   a comment?

6   (No response.)

7   No? Okay.

8   So, I do think that we should probably

9   take a break now --

10   MR. BROWN: Okay.

11   HON. BURMAN: -- because I think

12   people are starting to get hungry.

13   We're going to be back right at 1:30.

14   I do think, also, that we should think

15   about how to incorporate a lot of this and maybe

16   boil it down in a way that is helpful. And to

17   our members who are more technically-wonky and

18   would be sort of focused on this, this might be

19   the type of stuff that you share with them in

20   terms of, "Hey, what would this look like? Would

21   there be a problem? What are we missing?"

22   And so, we can also have some of our

1 folks, PHMSA folks, who are also technology-

2 focused also work through it. What would that

3 look like from that perspective as well?

4 So, maybe there is some way of the

5 Subcommittee doing a little bit of homework with

6 that, getting feedback from others.

7 Okay. All right. So, with that,

8 we're going to take a break. We'll start right

9 back up at 1:30.

10 We're supposed to mute the phone line

11 and not turn it off. Okay.

12 Thanks.

13 And if everyone could just off the

14 mics?

15 Okay. We'll come back at 1:30.

16 (Whereupon, the foregoing matter went

17 off the record for lunch at 12:25 p.m. and went

18 back on the record at 1:38 p.m.)

19 HON. BURMAN: Bryce, are you there?

20 MR. BROWN: Yes, I am.

21 HON. BURMAN: Okay. Well, thank you

22 for being able to take a break in the middle.

1   We're now back, I believe up to Tech 6 right now.

2   MR. BROWN: Yes.

3   HON. BURMAN: Thank you.

4   MR. BROWN: Very good.

5   HON. BURMAN: And I think almost

6   everybody that was here this morning is still in

7   the room, just so you know.

8   MR. BROWN: Okay. Very good.

9   So, we'll get started back then?

10   HON. BURMAN: Yes, yes. You're good

11   to go when you're ready.

12   MR. BROWN: Very good.

13   Tech 6. Tech 6 is considering, "The

14   Voluntary Information Sharing system shall

15   consider a set of definitions for comparing one

16   assessment tool/technology versus another,

17   specifically considering the unique measures and

18   uncertainties associated with each." We go on to

19   say, "In addition, the appropriate subject matter

20   experts will be engaged on the use and resulting

21   analysis of these data."

22   This, we again feel compelled to

1   provide ideas to the detail around comparing one

2   ILI, let's say, versus NDE, that we establish

3   common procedures to enable a common

4   understanding, No. 1, and a common utilization of

5   the VIS, understanding what the analysis would

6   show, for example, in my trend. And when we see

7   a trend, we understand where the trend came from,

8   based on an assessment. And then, we can, then,

9   trust in that information and how to use it for

10   continuous improvement.

11   There are some examples out there on

12   this approach. It could be something like the

13   detection limits of a given assessment versus

14   another, how do you assess those in a way that we

15   can understand as close to what's referred to as

16   an apple-to-apple comparison? And there's a few

17   others there. We might also consider interaction

18   of metal on a piece of pipe versus the ILI data.

19   Are we considering on all occasions the same

20   interaction criteria and how we apply that

21   effectively in a systematic way, that we're

22   getting best out of that full dataset?

1   Any questions or comments?

2   HON. BURMAN: Anyone on the phone?

3   (No response.)

4   We do have someone from the audience.

5   MR. BROWN: Sure.

6   MR. STOODY: Hi. John Stoody from

7   AOPL.

8   I think this is another good example

9   of a good opportunity to have a common set of

10   terms or phrases or reference points. But we'll

11   also have to be careful not to or we would

12   recommend not getting into this group passing

13   judgment on the different tools. Some of the

14   things in this phrase are matters of contention,

15   and good-faith contention. What are the

16   capabilities of ILI tools? How precise are they?

17   And those inform regulatory decisions on what

18   types of actions to take. That's all a healthy

19   debate, but we wouldn't want this group as VIS

20   being an additional group passing judgment one

21   way or another. We would see that as outside the

22   scope of this effort.

1   HON. BURMAN: Thank you.

2   Anyone else?

3   (No response.)

4   Okay. There's no one else.

5   MR. BROWN: Okay. To that point, we

6   do feel that it's not fair to compare one

7   assessment versus another, It can be

8   foundational to the VIS, in order, once again,

9   that we're enabling the ability to look at the

10 continuous improvement, as we again consider the

11 original mandate with the ILI versus the In-The-

12 Ditch measurement.

13   So, again, not to bring so much detail

14 to the recommendation, however, the next step of

15 the next Committee should somehow flesh this out,

16 if you will. So, we can look at -- let's take it

17 from the first half of the session -- we can look

18 at the details, or per se the lack of detail, in

19 the recommendation, but still enabling the same

20 principle, if you will.

21   So, thank you.

22   Moving forward, Recommendation No.

1   7 --

2   HON. BURMAN: Thank you.

3   MR. BROWN: -- "The Voluntary

4   Information Sharing system shall consider methods

5   for evaluating the performance of various

6   integrity assessment methods." The intent here

7   is, again, looking at how do we put information

8   into a VIS related to assessment of so-called

9   performance and/or lack thereof, or gaps in the

10   performance that will come up, what we need to do

11   for continuous improvement. So, the sharing

12   system shall consider these methods can be vetted

13   at the next Committee's efforts to develop those

14   and put those into the VIS.

15   Questions or comments?

16   HON. BURMAN: Any comments on the

17   phone?

18   (No response.)

19   In the audience?

20   (No response.)

21   I think this Subcommittee has gotten

22   the most audience participation.

1   MS. KURILLA: It's because Bryce is

2 challenging us to think about how all this will

3 play out into perpetuity as this VIS lives on.

4   I think what I heard, Bryce, you say

5 -- and I'll ask for a clarification -- is that

6 you really see the VIS developing methods for

7 comparison versus making comparisons?

8   MR. BROWN: So, that's a good point

9 you raise. We thought about this this morning.

10 Shall the VIS Committee and this recommendation

11 ask for definitions or the development of? We

12 had this conversation before, and we got

13 ourselves into a box and we said we're not asking

14 to put forth requirements for development into

15 boxes, but, rather, I guess that's been Erin's,

16 right?

17   MS. KURILLA: Yes, and I apologize.

18 You might have misunderstood me. When I say

19 "VIS," I meant more the program once it's stood

20 up, not this particular working group.

21   So, do you envision those that are

22 working within the program in the future to be

1   actually comparing inspection technologies

2   against each other?

3   MR. BROWN: But that's not the intent

4   -- and I'll let other people chime-in -- but the

5   intent here is, for example, if I think about

6   where I sit at ROSEN, we would understand that

7   data would be shared that comes from our

8   services, and that information would be available

9   to the VIS, to, then, be displayed.

10   Hypothetically, if there's a gap or, say, a trend

11   that is not satisfactory, with that same approach

12   that is agreed upon by the VIS or in that

13   environment, we would enable in our own company

14   to understand our own analyses of the same terms.

15   And with that, we would, then, need to take the

16   necessary actions, for example, for continuous

17   improvement or prospective R&D.

18   So, it's not envisioned that we're

19   comparing one assessment provider versus the next

20   assessment provider, but possibly having the

21   ability to see where we, as an assessment

22   provider, reside in that analysis of data.

1   MS. KURILLA: Yes, thanks, Bryce.

2   That's helpful.

3   I'm going to do a scary thing, which

4   is take like a giant step backwards and say that

5   this has been -- I think this scenario actually

6   illuminates a concern we've all had since the

7   very beginning, which is this idea of what is the

8   goal of the VIS moving forward. Is the goal to

9   bring together data, so that operators can use it

10   in their risk modeling? Is the goal to bring

11   together lessons learned, so that we can learn

12   from each other and not make the same mistake

13   twice? Is the goal to further improve ILI

14   technologies, so that the different vendors and

15   service providers can identify gaps in their own

16   technologies and work to address those gaps?

17   That last one is what I see this

18   doing. And it's not that we can't do all of

19   those. It's just a big "ask" to do all of those.

20   And so, I think we all have different

21   ideas of what we want the VIS to be able to do

22   and to serve as, and I would just ask that we

1   don't accidentally do all of them without

2   consciously doing all of them.

3   MR. STOODY: Yes, John Stoody from

4   AOPL.

5   Erin, you put it in a good way, and I

6   came up to make a similar point. I'll describe

7   it this way, which is this really gets to the

8   scope of what is it that the VIS will be looking

9   at. You know, we had the FAA metaphor. "Oh, the

10   737 has a crack in its wing, and now we've found

11   a bunch. So, we need to go look at it."

12   So, in a pipeline, though, that might

13   be, "Oh, we had three different incidents with a

14   hook crack in a long seam, and it was brittle

15   pipe from this manufacturer, and the ILI tool

16   missed it. So, why is that and what can we do to

17   improve that?" Or ILI compared to dig data

18   didn't predict the growth of the flaw correctly.

19   You know, what should we do about that? Those

20   are specific case examples. These things happen.

21   And that's at one end of the scope

22   spectrum. This Tech 8 and 7 could be interpreted

1   as the other end of the policy section, which is

2   making broad characterizations about the

3   capabilities of ILI. And we're big fans and

4   proponents of ILI. So, in one sense, that could

5   be a good thing, but I think it's also a question

6   about whether this is the best group for that,

7   and would this be another group making broad

8   policy development, taking broad policy

9   development actions or recommendations versus

10   addressing specific safety scenarios? And it may

11   be all you need is a UT tool like this, instead

12   of an MFL tool like that.

13   So, there will be ILI recommendations.

14   I'm not getting at that. But it's that broad

15   characterization or policymaking of the VIS

16   versus examining discrete safety situations and

17   coming up with a better way to tackle the safety

18   questions presented.

19   HON. BURMAN: Alan?

20   MR. MAYBERRY: Bryce, this is Alan.

21   I appreciate the level of detail.

22   And I keep harkening back to what are

1   we here for. Developing a recommendation, and I

2   think especially as it relates to the Technology

3   and Research Group, I think what I see here --

4   I'm just trying to look at this through various

5   lenses. For instance, say the public lens, which

6   really doesn't understand all this. Coming out

7   of this, we are, hopefully, developing an

8   approach or a recommendation that will address

9   the need to disseminate information that's

10   understandable.

11   But I think, if I were to summarize

12   what I see here, which is really a ton of good

13   data I think that will help us with good

14   implementation, or really just some of the

15   challenges and some of the variations, just the

16   issues you have to deal with, I think the real

17   challenge is going to be, you know, identify the

18   issues here, things we need to look out for. As

19   we go to implement, we just have to be mindful of

20   that.

21   But I think, here again, you're

22   identifying the complexity of it and just what

1 | needs to be considered. The real challenge we

2 | have of dealing with something very complex is

3 | creating a level of transparency that can serve

4 | all the audiences. It's really difficult

5 | sausage-making, but I think we can get there. I

6 | just think that we may need to, as we go forward,

7 | dial this -- I mean, this detail is important --

8 | I think we may need to maybe put this, say, in

9 | another part or in an appendix, and maybe have a

10 | higher-level summary that articulates some of

11 | these challenges that are included in more detail

12 | in an appendix.

13 | Appreciate it, Bryce.

14 | MR. BROWN: Yes. Thank you.

15 | MR. WARNER: Bryce, this is Chris

16 | Warner. Can I interject a little bit in response

17 | to the last few questions?

18 | So, I heard concerns about the ILI, in

19 | particular, and how that could be perceived. I

20 | just want to make sure we're clear that the

21 | intent of some of these items are to get at the

22 | continuous improvement or to derive continuous

1   improvement of these tools.

2   And so, to enable the continuous

3   improvement of these tools, we are encouraging

4   the VIS to have the capability for individual

5   tool providers to be able to assess their

6   performance at finding/sizing certain anomalies

7   as compared to other vendors within that same

8   category, and not, as Bryce said, saying, "ROSEN

9   did this and Baker Hughes did this. Therefore,

10   ROSEN is better."

11   But ROSEN, knowing their own results,

12   comparing it to what the industry average is or

13   the top quartile/bottom quartile results are,

14   that, then, gives the operators the motivation to

15   enhance their capability. That was, I think, a

16   lot of the motivation, at least on Michael and my

17   part, for having some of these comparisons in

18   there.

19   And then, the final thing I'll add is

20   we thought that the congressional mandate was

21   asking for continuous improvement and tools. And

22   so, we also wanted to, then, be able to assess

1   how effective are certain tools that identify

2   different kinds of feedbacks. And we may come to

3   the conclusion that EPA is not effective in these

4   conditions or ILI; ILI is not effective in this

5   kind of coating or these kind of pipes. But I

6   think that's an important result of the VIS and

7   that it starts to get at that kind of data

8   overall.

9   Thank you.

10   MR. BROWN: Thanks, Chris.

11   HON. BURMAN: Does anyone else have

12   any more comments or questions?

13   MR. CROCHET: Actually, yes.

14   HON. BURMAN: Okay. Great.

15   MR. CROCHET: Just from an operator's

16   perspective, I think there's more value in

17   concentrating on ILI as the assessment method,

18   rather than hydrostatic tests or any sort of

19   direct assessment vehicle, because I think we

20   already know the limits of hydro tests and direct

21   assessment. And you get the most bang for the

22   buck, I think, in sharing information if we limit

1 it to in-line inspection. That's all.

2   This is Bill from Plains. Sorry.

3   HON. BURMAN: Thank you for that.

4   Anyone else? On the phone?

5   (No response.)

6   In the audience?

7   (No response.)

8   Okay. Thank you.

9   MR. BROWN: Okay. Recommendation No.

10 8, "The Voluntary Information Sharing system

11 shall consider a method, process, or system to

12 provide communication (of the gaps

13 identified/perspective improvements to be made)

14 to the associated industry stakeholders."

15   This is exactly how it reads, and it

16 is a reproduction of Process Sharing, its

17 Recommendation No. 10. So, that is probably one

18 that we consider that together with Mark to make

19 sure that we're on the same page and/or we can

20 eliminate this one, or vice versa.

21   So, as a repeat of Process Sharing

22 Recommendation No. 10, once again, if we think

1   about architecture IT, there's a portion of that,

2   which we'll come back to shortly, that would

3   enable this idea of information to be shared, who

4   does it go to, how does it get there, things that

5   need to be considered in the working VIS

6   environment.

7   Questions or Comments?

8   HON. BURMAN: Any comments on the

9   phone?

10   (No response.)

11   In the audience?

12   (No response.)

13   No.

14   MR. BROWN: One additional item there

15   was the addition of the idea of a users group and

16   creating a team. Chris Warner talked about a

17   users group. And that users group would be made

18   up of industry stakeholders, as others described

19   previously this morning. And maybe that's

20   something that we could consider -- is that part

21   of the issues team that's already been described?

22   But, nevertheless, this community of practice,

1 how do the relevant stakeholders in that

2 community of practice, how do they get together

3 and make sure that we're on the right track with

4 some of the learnings out of the ILIs?

5 Okay. Moving forward, Recommendation

6 No. 9, "The Voluntary Information Sharing system

7 shall be designed to allow for the expansion of

8 the VISS to accommodate integrity assessment

9 technologies other than ILI." I think that's

10 what we've just heard, but we should stay focused

11 on ILI at the end.

12 However, going back to early

13 discussions and meetings, we talked about the

14 focus of the mandate on ILI and how we also

15 consider other assessment methods, other

16 information to be exchanged where we can garner

17 lessons learned.

18 This is in that direction to look at

19 other than ILI, and it lists a few of the items

20 that might be considered and on the breadth of

21 data that is shared, or could be shared. But the

22 idea here is to design a VIS in an open

1 architectural approach to enable this sharing of

2 additional information. As we get our feet under

3 us with that ILI data, we might, then, consider

4 in the future this avenue just as well.

5 Questions and comments to

6 Recommendation No. 9?

7 HON. BURMAN: Any questions or

8 comments?

9 Mark?

10 MR. HERETH: Bryce, this is Mark

11 Hereth from Blacksmith.

12 So, No. 9 is really extending VIS

13 beyond ILI to other technologies? Is that its

14 content?

15 MR. BROWN: Well, I don't know if it's

16 exactly the same -- it should be designed to

17 accommodate. And we've had those kinds of

18 questions in our main Committee meetings in the

19 past around an open architecture with a focus

20 that gives us the ability to pick up on the low-

21 hanging fruit, for example. And then, from

22 there, as we evolve into it with more volunteers,

1   more positive feedback, let's say, that we expect

2   to get from this utilization, we might enable

3   some additional sharing, I guess maybe similar to

4   the aviation industry where they started on one

5   leg and they ended up on two, and so forth, in

6   the over 45 years, to where they are today. The

7   same idea here, that we would consider the open

8   architecture in a way that we could bring in

9   other datapoints that help us as an industry,

10   again, to the idea of continuous improvement and

11   on lessons learned.

12   MR. HERETH: Okay. Thank you.

13   And can I ask a question also? You've

14   raised the idea of user groups or a user group

15   back in Tech 8.

16   MR. BROWN: That's right.

17   MR. HERETH: Is that something you're

18   going to flesh out more? What's your thinking

19   there? It sounds like that was more recent

20   thinking?

21   MR. BROWN: It is recent thinking.

22   And I want to bring it there because maybe it

1   opens up the discussion, together with what we

2   refer to as an issues team under the governance

3   side. And a users group for me is more

4   fundamental around day-by-day where we see what

5   the trends look like versus an issues team under

6   governance.

7   But we thought it useful to think

8   about a users group, and having had the ability

9   to look at the analysis coming out of VIS, and

10   start to understand what do we envision with that

11   information, and how do we, as an industry of

12   stakeholders, collaborate towards the end of

13   continuous improvement? And then, feeding, for

14   example, on the phone with PRCI and looking at a

15   gap that appears as an information gap or a gap

16   in information that we received in the VIS. How

17   do we turn that into private simulation over at

18   the TDC? That's one example. That would be the

19   intent of the users group.

20   MR. HERETH: Okay. Yes, I think that

21   just warrants more discussion. I mean, we have

22   used users groups, right? We had a user group on

1   a couple of different timeframes for ENet

2   technology, for example. So, I can certainly see

3   the value in it. I think we just need to have

4   more discussion about it. It's good.

5   MR. BROWN: Yes.

6   MR. HERETH: I also commend you for

7   including universities in your Tech 8. I don't

8   know that we've talked about that a whole lot

9   historically in our meetings, but I think that's

10   a good add.

11   MR. BROWN: Yes. We know we have a

12   couple of reputable universities represented on

13   our RVI Committee, so we had better include them.

14   MR. HERETH: Yes, yes. Absolutely.

15   MR. BROWN: Very good. Any other

16   questions on Tech No. 9?

17   HON. BURMAN: Any comments or

18   questions?

19   (No response.)

20   No, I think we're good.

21   MR. BROWN: Okay. So, move over to

22   Tech 10. "Establish a process and training for

1   personnel to manage the quality of data submitted

2   to a VIS." We've talked around this a little

3   bit, and the governance or architecture IT,

4   listening to SA, together with the third-party

5   provider, that they have specific personnel to

6   look at and understand, No. 1, data science and

7   data analytics.

8   And we talked that around. Do we need

9   to consider this in the different stakeholder

10   shops? Do we have about personnel that are

11   trained and educated, No. 1, around what does it

12   mean to participate in the VIS at your company

13   level? And then, the other one is maybe specific

14   to it. It says I want to share this data up to

15   the VIS. What else do we need to consider in

16   that regard?

17   I've said a lot there that's maybe not

18   said exactly in this recommendation, but that's

19   the intent.

20   HON. BURMAN: Does anybody -- Mark,

21   your tent card is up.

22   MR. HERETH: Oh, I'm sorry.

1   HON. BURMAN: Does anybody have any

2   comments or questions on the phone?

3   (No response.)

4   In the audience?

5   Christie does. But, before she does,

6   I just want to make a comment about Tech 10. A

7   lot of it, to me, seems like it's more broader

8   than this Subcommittee. It goes more towards

9   somewhat of the governance and layout that might

10 be established, and to look at it from the

11 perspective of understanding that it would be

12 really important to have quality people involved.

13 But who they report to, who, ultimately, weighs-

14 in in the quality of the data, but also ensuring

15 the confidentiality and the other aspects, and

16 that goes more towards, if I remember from the

17 Governance Subcommittee report, looking at some

18 of the issues analysis team as well. So, it may

19 get folded in somewhat broader in the governance

20 aspect of it.

21   And I think there were a couple of

22 tech points, I think maybe 5 and 6 as well, but I

1   would have to go back to look, that also might be

2   able to be a little bit more broad outside of

3   this particular piece. But remember that we're

4   not necessarily drilling down on every aspect.

5   It's more of the key takeaways and the actual

6   program, and the deliverabilities that would come

7   from that will have to get fleshed out a little

8   bit more. So, something that's food for thought.

9   Christie, do you have a comment?

10   DR. MURRAY: Sure. My comment is more

11   around the first sentence where you're

12   establishing the process and training for

13   personnel to manage the quality of data.

14   MR. BROWN: Right.

15   DR. MURRAY: So, my question is, I

16   think about quality, and then, I'm thinking about

17   it from the analysis standpoint, and maybe

18   they're distinctly different. And maybe the

19   analysis doesn't belong here. But I think when

20   it comes to the technical aspects of ILI, et

21   cetera, it's the quality, but it's also the

22   analysis of what you're looking at, and how do

1   you know what you're looking at.

2   So, I guess my comment or question is,

3   should this be inclusive of analysis, you know,

4   getting training around the analysis of what's

5   being looked at, in addition to quality?

6   MR. BROWN: If I understood, it's a

7   valid point. Some of the things that I think

8   about is exactly the handshake between the

9   service provider and the operator. You know, we

10   have the results we've just sent over. They've

11   gone out. If we enable in a better way 1163 and

12   some of the key components of it, talking about

13   sharing field results, how do we work together

14   collaboratively in those results in a way that

15   most of what we talk about here in the

16   Subcommittee today would have already been

17   vetted, because it does take place to a certain

18   extent already in our relationships?

19   But exactly have that handshake

20   between that ILI result and the In-The-Ditch

21   result. And once we've done that in our

22   relationship, then it is handed over,

1   hypothetically, in the operator's shop, because

2   the operator is going to share the data to the

3   VIS, maybe to a person that has a bit more

4   accountability to that commission.

5   And so, I see both aspects. I see one

6   is, how do we ensure that the data and

7   information that we're sharing has been vetted

8   and we all handshake on it, if you will? Then,

9   the next thing is making sure it gets through the

10   right channels to get to the VIS. And

11   then, possibly, there's the contact point back to

12   the stakeholder's shop that answers any calls.

13   "Hey, we received the information in the VIS, and

14   now, we have a question about it. Can you help

15   us answer it?"

16   HON. BURMAN: Okay. Thank you.

17   MR. BROWN: Yes, ma'am.

18   Okay. Recommendation No. 11, "Data

19   needs to remain anonymous, but it is just as

20   important for operators and service providers to

21   have access to their performance." We just spoke

22   about this a little bit more at length. And

1   Chris brought up this, the fact or the idea that

2   the service provider could review their own

3   performance against others that are represented

4   in the VIS, to understand where their performance

5   might exist. Here, the example was given of top

6   quartile, and then, so forth.

7   But this is one area that we felt

8   would give an ability throughout the assessment

9   providers to understand our performance against

10 the whole group of results, and then, we might,

11 then, undertake our own continuous improvement

12 and so forth.

13   Questions? Comments?

14   HON. BURMAN: Anyone on the phone?

15   (No response.)

16   In the audience?

17   (No response.)

18   No, you're good.

19   MR. BROWN: Okay. Tech 12, "Create

20 ``Users Group'' to identify gaps in technologies'

21 effectiveness or ability to identify known

22 threats." We just talked about this as well.

1 Mark pointed out that we probably need to

2 consider this and think about it, and think it

3 through. As well, how does it fit already into

4 existing recommendations that are in there, maybe

5 ID issues team? But it is one that we feel

6 passionate about and about where we all come

7 from. And the devil's in the detail. That is

8 just a users group that has a little bit more

9 stakes in the process of success in the VIS.

10 They're working together closely.

11   Any more questions or comments on a

12 user group?

13   HON. BURMAN: Max?

14   MR. KIEBA: Yes, Max Kieba, PHMSA.

15 There we go. Max Kieba, PHMSA.

16   Yes, I had a question on the users

17 group. I appreciate you mentioning it would be

18 looked at with the issues analysis team. I guess

19 my question was, would the users group be within

20 the hub or outside the hub, once info sharing

21 leaves the hub?

22   MR. BROWN: The way it's written, Max,

1   is that it's VIS users, and I'll let somebody

2   else chime-in from the Subcommittee, if they

3   like. But, again, envisioned as a group of

4   stakeholders that are associated with that type

5   of data that's being shared to the VIS.

6   Anybody else who like to add a comment

7   to that?

8   MR. WARNER: This is Chris Warner.

9   Max, I don't know if you would

10   consider it in the hub or outside the hub, but we

11   felt that this user group would be part of the

12   governance of the VIS as a whole. So, they would

13   exist within the oversight of the VIS group as a

14   whole.

15   MR. KIEBA: Okay, that helps, because,

16   yes, a big key of any kind of information system,

17   voluntary, whatever, is providing it into a

18   certain context. So, I think it's least good if

19   they're within the hub because, if you only give

20   a certain piece of information to another group

21   and if it's taken out of context, that's where it

22   could get interesting.

1   So, okay. Thank you.

2   MR. WARNER: Yes, that was our thought

3   as well, is it would be underneath that whole

4   umbrella or in that hub, so that that could be

5   considered in any access of more data that others

6   may not see externally.

7   MR. KIEBA: And then, I assume, once

8   it leaves the hub, anyone can do whatever they

9   want with it, as long as -- you know, whatever is

10   decided to leave the hub and public, and whatnot.

11   Okay. Thank you.

12   HON. BURMAN: This is Diane Burman.

13   I just want to sort of take a moment

14   here. I know that a couple of these -- and it's

15   a little bit going backwards on Tech 11 and

16   others, and it gets to, also, the process sharing

17   and the lessons learned where we had identified

18   folks that needed certain information.

19   I just want us to be comfortable and

20   thoughtful in what our ultimate goal is,

21   especially because part of the sharing is about

22   the confidentiality and making sure that the

1   information isn't going to be able to be detailed

2   and identifiable enough even for those within a

3   particular company, so that it generates the

4   ability for people to communicate and comfortably

5   share. So that the goal of helping to achieve

6   better understanding for pipeline safety is

7   critical.

8   But, if somehow we're going to also be

9   looking at identifying someone's particular

10   information, even if it seems like a good idea --

11   you should know how you're performing; you should

12   know how you stack up compared to others -- it

13   may actually have a negative end result where

14   it's information sharing for potential punishment

15   or not, and information sharing that doesn't

16   necessarily lead to the group as a whole

17   improving their performance.

18   So, we need to be very mindful of that

19   because I am concerned that that may wind up

20   tripping us up from the ultimate goals. When we

21   are looking at this, we should be identifying the

22   ultimate goal of information sharing in a way

1   that enables better and continued communication

2   and processes, rather than just doing it to say,

3   "I'm good," "I'm not good," or who in our group

4   is now going to have to have issues, because it

5   may chill the actual ultimate goal.

6   So, I would just throw that out there

7   because I can also, then, see people saying,

8   "Well, you have the information on that. Now you

9   have to share it with the larger," you know, the

10   state regulator, or whoever it might be. And I

11   think we should just be cognizant of that.

12   That's why part of these processes was

13   about inputting the information in a way that was

14   not going to be able to be retrieved, though it

15   doesn't mean that the lessons learned more

16   globally, and more specifically, to prevent

17   another incident, isn't ultimately what's going

18   to be shared. But the actual identifiable

19   information should not be.

20   MR. WARNER: Thank you.

21   MR. BROWN: So, let's move to

22   Recommendation 13. "Define and publish key

1   metrics that measure the effectiveness of the

2   VIS." We talked about, in order to build

3   participation and strength and the trust, metrics

4   need to be established to evaluate the

5   performance of the VIS program.

6   Some of the possible metrics might

7   include: knowing the overall size of the

8   database; number of inspections that were

9   submitted or assessments; number and variety of

10   operators and service providers participating;

11   number of lessons learned shared through the VIS;

12   size of operators participating, et cetera.

13   It does make sense to bring out of an

14   effort like this just some key metrics. And that

15   is something that we felt like we wanted to put

16   here as a recommendation: think about

17   architecture IT, and from an old architecture,

18   what I refer to as a database, because you can

19   pull down certain information that tells you more

20   about the complexity of your database per se.

21   So, that's Recommendation No. 13. Any

22   questions or comments?

1   HON. BURMAN: Any comments? On the

2   phone?

3   (No response.)

4   In the room?

5   (No response.)

6   No, there isn't.

7   MR. BROWN: Very good.

8   Recommendation 14 through 20 are very

9   focused on the architecture IT.

10   I know Jason Cradit and Mark Zuniga

11   are on the phone with us. As I read through

12   these, if you have questions, then I would ask

13   those two gentlemen to speak up as needed.

14   So, Recommendation No. 14 says that,

15   "The VIS hub will be an entirely cloud-based

16   system."

17   So, let me stop. One thing I need to

18   make sure we understand is these seven

19   recommendations are further elaborated in the

20   last 5 to 10 days. And my point in the

21   introduction is that we're continuing to refine

22   some things. And based on today's great

1   discussion and great feedback, we'll continue to

2   do so. But I must say that these gentlemen here

3   have put in a lot of effort over these, and they,

4   more recently, in the last 10 days put together

5   some more text and context to these

6   recommendations.

7   So, Recommendation No. 14, once again,

8   "The VIS hub will be an entirely cloud-based

9   system."

10   Questions or comments?

11   HON. BURMAN: Mark?

12   MR. HERETH: Can I defer to the

13   distinguished representative of the AOPL, because

14   he may be wanting to make this comment and he may

15   make it more eloquently?

16   MR. STOODY: It's John Stoody with the

17   AOPL.

18   And I do know what a cloud-based

19   system is, but I have no idea what many of these

20   other things are. And because of my appreciation

21   for ROSEN specifically and the members on this

22   team, I figure they must be important and will be

1   essential to the future data management

2   activities. But it makes me wonder if these are

3   the types of things that are within the scope of

4   this kind of organizational report or it might be

5   better left to the execution phase, all of the

6   different -- from the policy, from the issue

7   analysis to the day-to-day management, to the

8   Board, we'll have executing documents; we'll have

9   implementing documents.

10   But these types of things might be

11   more for the experts who take on these functions

12   and need to implement them after this program is

13   up and running, and we may not need to decide

14   whether FIPS 199 is the best approach or not

15   today or next month. That might be more

16   something that's an implementing action and

17   doesn't need to be defined for purposes of this

18   report, due to the Secretary in December.

19   MR. BROWN: Bryce here again.

20   Thank you for the comment, John.

21   HON. BURMAN: And I think Mark still

22   is going to flesh that out --

1   MR. BROWN: Oh, sorry.

2   HON. BURMAN: -- because John didn't

3   do a good enough job.

4   (Laughter.)

5   MR. HERETH: No, no, John, as always,

6   did a great job.

7   I agree with John's comment. So, I'm

8   wondering if there is a way to capture what you

9   all have done and how, and what you've come to,

10   without prescribing fixed outcomes, which is

11   essentially what you have done in 14 and 15.

12   And I'll have to admit that I like

13   those, but I don't know that a year from now we

14   might be in a different place. And so, I'm

15   wondering if there is a way to talk about in our

16   recommendations that these are important things

17   to consider -- you know, where the data is

18   housed, how it's managed -- and then, to use in

19   the text these as examples of what can be used

20   and why. I think that's one of the things I take

21   away from today, is we need a lot of "why" on

22   some of this stuff, so that everybody has the

1   context.

2   But I'm just wondering, Bryce, if --

3   so, there is a way to retain the value of what

4   you guys have really done here, because there is

5   great value, but make it less prescriptive and

6   more about these are the things that we need to

7   consider when we're standing up this VIS hub.

8   And these would be examples of it that could be

9   provided in the body of the report.

10   MR. BROWN: Sure. That's a good

11   point. Good point, Mark. Thank you.

12   And just as a precursor, I know that's

13   how -- I know that we've listened to some of the

14   other models that are out there. And some of the

15   things that Jason and Mark have thought through

16   is going to be something that can be elaborated

17   in the future or built in the future.

18   But I'll let Jason or Mark speak to

19   the exact point, to those points. Mark? Jason?

20   MR. CRADIT: Yes, this is Jason.

21   I appreciate the feedback. I think

22   what I would say is that we don't necessarily --

1   I do disagree, Mark -- or I don't know who the

2   other gentleman was; I'm sorry. But we also saw

3   this as very prescriptive and, also, very

4   direct, right? I think Cliff from PRCI had told

5   to me similar comments as we vetted this through

6   the Subcommittee, that we needed to focus more on

7   the "why". You know, why? Why do we care so

8   much about 14 being a cloud-based system?

9   I agree. I really appreciate the

10   feedback on all of these. Yes, I wouldn't push

11   back at all. I think we do need to refine the

12   benefits better, and really, I agree with what

13   Bryce said. We have more context behind these in

14   the last, yes, couple of weeks. And we can share

15   that as well. But it's a good question, and we

16   struggled with how much we could or should be

17   that prescriptive. And we're technical people.

18   So, I mean, that's how we think. But I

19   appreciate the feedback, and I think we can

20   refine it.

21   Mark?

22   HON. BURMAN: Mark?

1   MR. ZUNIGA: This is Mark.

2   No, I totally understand and hear the

3   feedback, and we can certainly provide some of

4   the reasoning. And then, I can assign

5   recommendations, that these are things that

6   should be considered and here are some options,

7   that at the time this was formulated these are

8   current technologies that would be applicable to

9   a system like this.

10   MR. HERETH: Just one -- this is Mark

11   Hereth from Blacksmith -- just one final point to

12   reinforce all of this is that, the meeting where

13   you guys presented that diagram or depiction of

14   how this could work had so much of an impact on a

15   lot of us. I wouldn't want that to be lost in

16   people looking at this prescriptiveness and not

17   seeing the value of that.

18   So, I think, again, it really is about

19   what are the important considerations, I think,

20   that we want to be taking into account when we

21   stand up this from a technology standpoint. And

22   then, your words and the depiction become a means

1   of supporting that. Does that make sense? Or am

2   I simplifying it too much?

3   MR. CRADIT: Yes. Yes. No, I believe

4   it does, Mark, and I appreciate your feedback.

5   MR. ZUNIGA: Thank you.

6   MR. CRADIT: That's exactly what we

7   were trying to accomplish, but the whole idea of

8   making a, quote/unquote, "recommendation" led us

9   down a very specific path, right?

10   So, I appreciate your input, and we

11   can work through it like that.

12   MR. BUCHANAN: This is Bob Buchanan

13   here. I just have one comment.

14   Since these are recommendations, and

15   I hate to wordsmith, but wouldn't it be in the

16   recommendation is that the VIS ought to be cloud-

17   based? Rather than just being prescriptive on

18   that?

19   HON. BURMAN: So, this is Diane

20   Burman.

21   One of the things that I think I'm

22   hearing, at least with this Subcommittee, which

1   is a little different from some of the other

2   subcommittees, is that some of it, as a clear

3   recommendation for the Committee, the parent

4   Committee to, then, vote on, may be

5   inappropriate.

6   And also, one of the things that I'm

7   sort of focused on is looking at it from sort of

8   higher-level key takeaway, and then, what would

9   be necessary for the statutory authority, but

10   also where the flexibility would be, as well as

11   how much to tee up in a way that can be done, for

12   when we get into more of the implementation phase

13   of it.

14   And some of my sort of concern is

15   that, also, for each of these, there would be a

16   lot of, if it was something that was, then, going

17   to be teed up for a recommendation, for the

18   report and, then, for more pipeline

19   reauthorization legislation, people would get

20   caught, I think, in a focus of needing a

21   drilldown of all of it or a really like they have

22   to put it in the actual legislation as a "must".

1   So, even something like Tech 14 on the

2   VIS hub will be an entirely cloud-based system,

3   that will produce not only a lot of people coming

4   out of the woodwork to push their specific

5   products, but it will also produce a lot of angst

6   around what that means and what that looks like,

7   that doesn't get to the core heart of the

8   ultimate goals of the VIS enabling legislation,

9   and then, things that come to it.

10   So, for me, all of these things are

11   important to recognize, not necessarily as

12   recommendations, but as things that we thought

13   about, things that need to be considered; and

14   that, when we get to the technology and data

15   provider issues, we must clearly identify those

16   experts who can bring this information and make

17   it very secure, very technology and innovative

18   product, and then, look towards the right

19   leadership framework to help define what that is.

20   So, I do see these things not as a

21   wasted exercise, but as important to make sure

22   that we capture in a way that doesn't sort of

1   take away from everyone looking at the rest of

2   the document, and thinking it's all about, you

3   know, what data technology provider is going to

4   be owning this. And that's a concern for where I

5   sit.

6   And also, to the extent that some of

7   these things, while they relate to other

8   rulemakings and other things, what we may be able

9   to do is sort of take a look and say, in a larger

10   context, what particular rules or rulemakings

11   need to be established that will complement the

12   VIS. And so, that may be something that we put

13   not as us saying what the rulemaking should be,

14   or the particular regulation, but, rather, more

15   of these things need to be complemented and

16   aligned and resolved as we move forward.

17   So, to the extent that this doesn't

18   sit in a silo, but we also are identifying other

19   things that PHMSA and others are looking at, that

20   will be helpful for consideration, I think is

21   important. If that makes any sense, I don't

22   know, but it's my thoughts.

1   Does anyone else have any other

2   comments or concerns?

3   (No response.)

4   Okay.

5   MR. BROWN: Madam Chairman, thank you.

6   Thank you for that description and support. That

7   does make sense. Thank you.

8   HON. BURMAN: Okay. Thanks.

9   MR. BROWN: We've got just a few more

10   to go through, if we might.

11   HON. BURMAN: Yes, it's helpful.

12   MR. BROWN: So, Recommendation No. 15

13   is, "The VIS hub will consist of a data warehouse

14   containing relational and non-relational data

15   with multiple data marts for data integration and

16   case-driven analysis."

17   Questions or comments?

18   HON. BURMAN: Anyone have any

19   comments? Concerns? Questions?

20   On the phone?

21   (No response.)

22   In the audience?

1   There may be in a minute.

2   (Pause.)

3   No, we can continue. Okay, we can

4   continue.

5   MR. BROWN: Oh, okay. Very good.

6   Recommendation No. 16, "The governance

7   committee will be the sole responsible party to

8   define the authorized access of data in the data

9   mart."

10   This may cross over as well with

11   Governance, of course. But, as it relates to the

12   software and the architecture, it would have to

13   be driven into this environment and accessible.

14   Any comments or questions?

15   (No response.)

16   Recommendation No. 17, "The VIS hub

17   will be protected following the NIST 800-53

18   standard."

19   Jason, I believe this deals with,

20   again, de-identification of data?

21   MR. CRADIT: Correct, Bryce. But I

22   think it would follow a similar conversation to

1   14's, in that it's very prescriptive. And while

2   it's worthwhile to include a recommendation of

3   how we can secure the data, I think it needs

4   refinement.

5   MR. BROWN: Okay.

6   MR. CRADIT: Yes, yes.

7   MR. BROWN: Any other comments or

8   questions?

9   HON. BURMAN: It appears none.

10   Anyone on the phone?

11   (No response.)

12   MR. BROWN: Recommendation No. 18,

13 "The VIS hub will utilize a role-based access

14 control mechanism to control dissemination from

15 data marts. The third-party data manager would

16 have full access to the data warehouse."

17   Comments? Questions?

18   HON. BURMAN: No questions on the

19 phone.

20   I think we can go forward looking at

21 these --

22   MR. BROWN: Okay.

1   HON. BURMAN: -- and then, see if

2   anyone has any comments.

3   MR. BROWN: Yes, ma'am.

4   HON. BURMAN: If you want to go to the

5   next one?

6   MR. BROWN: Yes. No. 19, "The

7   qualitative data should be qualified with domain-

8   validated values and ingested via a standard web

9   portal or through JSON or XML formatted document

10   submissions."

11   The last one is Recommendation 20.

12   "The quantitative datasets should be normalized

13   using automated routines before injection into a

14   data warehouse."

15   HON. BURMAN: Okay. Does anybody have

16   any comments or questions?

17   I know we talked a lot on this. I

18   don't where people's comfort level is in terms of

19   some of the feedback that we gave. For those who

20   may have a different perspective or want to think

21   about it a little bit, I do encourage folks to

22   reach back out to the Subcommittee, as well as

1   the other Subcommittee Chairs who will be looking

2   at this. And the Subcommittee Chairs can also

3   talk among themselves to kind of flesh out how

4   this dovetails into their specific issues,

5   especially it goes towards sort of the governance

6   and overarching objectives, I think, and mission

7   sharing and process sharing. I think it's

8   important to kind of look at all of that.

9   MR. BROWN: Yes, ma'am.

10   HON. BURMAN: So, thank you.

11   MR. BROWN: Thank you. Thank you for

12   your time. We, as a Subcommittee, really

13   appreciate all the valuable feedback we received

14   today. I guess it's probably the longest we've

15   spoken about our efforts in one setting. So, we

16   really appreciate that.

17   And, Chairman Burman and Dr. Murray,

18   we'll be reaching out to our Subcommittee

19   together with Best Practice and Eric as well as

20   Process Sharing and Mark.

21   We appreciate it. Thank you.

22   HON. BURMAN: Thank you.

1   And I think, also, just from my own

2   perspective, one of the most important things is

3   ensuring that we have the right people involved

4   in the data and the technologies, and that not

5   being static in that. So, to the extent that I

6   personally appreciate all of the time in this,

7   and also know that this will be continuing dialog

8   as we go forward, don't throw away your draft

9   notes because we'll be looking at it.

10   MR. BROWN: Right. Thank you.

11   HON. BURMAN: Thanks.

12   All right. Next, we're going to go,

13 unless anyone has any -- oh, sorry. Next?

14   MR. KIEBA: Just a point of

15 information. I think there's a Tech 21.

16   HON. BURMAN: Oh.

17   MR. KIEBA: I just wanted to make

18 sure.

19   HON. BURMAN: Thank you.

20   MR. BROWN: Tech 21, real quick, "All

21 data types should be categorized using the FIPS

22 199 framework to ensure confidentiality,

1   integrity and availability."

2   Once again, I think we are on the same

3   page with what we need to do with some of these

4   recommendations across all 21 of them. And we do

5   have, as I've said, over the last 5 to 10 days,

6   we've had a lot more input that is not in this

7   version of our recommendations today that will

8   definitely be there prior to our next meeting.

9   HON. BURMAN: Thank you for pointing

10   out that Tech 21, Max. I think is probably the

11   most important, if we revised it. In my mind,

12   it's about all data utilized and categorized in

13   the framework to ensure confidentiality,

14   integrity, and availability as appropriate.

15   So, just in terms of looking at that

16   in terms of the bigger picture and how it fits

17   into the information sharing objectives, I think

18   is key.

19   All right. Thank you.

20   And unless you have any objection, we

21   will now move to Best Practices, if we are joined

22   by Eric, I believe. Is that who will --

1   Or we can move, if Eric is not

2   available at the moment, we can move to

3   Competency, Awareness, and Training.

4   Sorry, they're all moving around.

5   MR. JENSEN: Yes, this is Leif Jensen.

6   I did tell Max and Eric earlier via an

7   email that, if Eric was not able to attend, that

8   I would do my best to lead the conversation on

9   Best Practices. I know Eric was involved in

10   several meetings today and couldn't attend, but

11   he did say he might be able to join later. So,

12   if it's all right with the Committee, I will

13   proceed with the Competency, Awareness, and

14   Training recommendations. And if Eric doesn't

15   join the call, then I can certainly go and do the

16   Best Practices as well.

17   HON. BURMAN: That sounds perfect.

18   Thank you very much, Leif.

19   MR. JENSEN: Okay. On the Competency,

20   Awareness, and Training Subcommittee, there are

21   actually nine recommendations. The ninth one was

22   really geared towards funding. So, it overlaps

1   with the RFL Subcommittee.

2   But there is fundamentally eight

3   recommendations that are kind of organized by the

4   title of the Subcommittee. There's three of

5   them, and then, one related to awareness, and the

6   fourth one -- there's just four -- targeted

7   towards training.

8   The first recommendation is that job

9   descriptions actually be offered that define the

10   education, knowledge, skills, ability, and

11   experience necessary for those working with the

12   confidential data. And ultimately, just the job

13   descriptions will foster hiring criteria for the

14   third-party data administrator. This is very

15   similar, I think, to the Tech 12 recommendation.

16   Any questions?

17   HON. BURMAN: Any comments or

18   questions? On the phone?

19   (No response.)

20   In the audience?

21   (No response.)

22   Not at the moment.

1   MR. JENSEN: Okay. The second

2 recommendation is that a process be established

3 to pair VIS analytical staff with the pipeline

4 operator or other industry subject matter

5 experts, which would include people from the ILI

6 companies and those companies that perform NDE

7 Inside-the-Ditch.

8   The intent here is to create

9 meaningful reports and metrics, such that the

10 stakeholders who receive content will have

11 meaningful content which to utilize. I see this

12 as a direct correlation with the issues analysis

13 team, so that they can pair up with the key

14 stakeholders that understand the vernacular and

15 terminology that's used within the industry.

16   HON. BURMAN: Anyone --

17   MR. JENSEN: The third recommendation

18 is that an evaluation process be developed for

19 employees working within the hub or within the

20 VIS to ensure they protect the security data and

21 preserve anonymity and confidentiality.

22   One of the key things here is that

1   participants who voluntarily participate in the

2   VIS will want to know how those who see the

3   identified data will be accountable for their

4   confidentiality. So, we use the evaluation

5   process, so that it doesn't get overlapped with a

6   certification process. And ultimately, we

7   believe that an Executive Board or third-party

8   administrator will have to mutually agree with

9   how to go about performing that evaluation.

10   HON. BURMAN: Does anybody have any

11   comments or questions? On the phone?

12   (No response.)

13   In the audience?

14   (No response.)

15   There doesn't appear to be.

16   MR. JENSEN: Okay. The fourth

17   recommendation is really in the awareness

18   umbrella, and it's rather lengthy relative to the

19   others. So, I'm not going to read through it

20   verbatim.

21   But, essentially, it's based on the

22   tenets of trust and leadership from those of us

1 who are leading the VIS. We need to motivate

2 others. And someone earlier said, we want them

3 to be welcoming and we want people to be

4 incented, so to speak, to actually want to

5 participate.

6 So, the next section talks about all

7 the stakeholders that are actually identified in

8 the statute and the mechanism or method by which,

9 when they get used, to put talking points out to

10 their constituencies, to woo them into the VIS.

11 And then, the next section talks

12 about, specifically, what are some of the

13 benefits that the stakeholders can gain. I will

14 leave it to the Committee to kind of read through

15 those. We've talked about them at previous

16 meetings.

17 And then, ultimately -- and I know

18 this is redundant with respect to what's in some

19 of the other committees -- in the middle of page

20 32, where it starts with "In the process of

21 developing `awareness' materials, seek

22 opportunities to" leverage all the other

1   institutions and industries that we've heard

2   from, as well as the recommended Practice 1163,

3   the Common Ground Alliance.

4   And then, oh, ultimately, author a

5   Frequently Asked Questions document that

6   describes the barriers, so that those who are

7   considering to join the VIS will understand how

8   we've overcome those barriers.

9   So, those really, I think,

10   characterize the awareness piece of this

11   Subcommittee's work.

12   HON. BURMAN: Thank you.

13   Does anybody have any comments or

14   questions so far?

15   (No response.)

16   Okay.

17   MR. JENSEN: The next set of

18   recommendations are really around training, with

19   No. 5, developing initial training for the

20   various audiences that need to be trained,

21   whether they're ILI companies, In-The-Ditch

22   companies, operators, efficacy groups, and so

1   forth.

2   The intent here is to train people

3   what the process is. So, ultimately, those who

4   are submitting data, those who actually work

5   within the hub, whether it's the IAT or those

6   that support the IAT, and those, ultimately, who

7   receive the output from the VIS, have to

8   understand what the whole program is. So, that's

9   the intent of this recommendation.

10   The methods by which we train could be

11   in-person, computer-based training modules, or a

12   train-the-trainer-type program. And some of the

13   basis for this, the train-the-trainer, is that if

14   we have individuals at various operators or

15   various in-line inspection vendors, there may be

16   one or two point persons within their companies

17   that actually compile the data and submit it into

18   the VIS. So, maybe they could be the trainers

19   for their respective organization.

20   HON. BURMAN: Okay. Anyone have any

21   comments or questions so far?

22   Christie?

1   DR. MURRAY: Hey, Leif, it's just a

2   general question about training. In the earlier

3   recommendation, you mentioned -- let me figure

4   out which one it is -- in No. 3, you talked about

5   data security and member confidentiality, et

6   cetera. And it just made me think about ongoing

7   training, like awareness training, thinking about

8   -- I don't know where it would fit into this

9   framework, but just something to consider how or

10   to take back to your Subcommittee, possibly to

11   address how ongoing security and awareness

12   training might fit into the profile.

13   MR. JENSEN: Okay. Any other

14   questions?

15   (No response.)

16   Thank you, Christie.

17   Recommendation No. 6 is really how do

18   we go about training and the content that's

19   training. Ultimately, we want to develop modules

20   that will reference utilizing a systematic

21   approach; you know, basically, teaching the right

22   things to the right people at the right time with

1   the right methods.

2   Kind of like what I mentioned before,

3   trainers could consist of just subject matter

4   experts across the industry and within the

5   regulatory agencies, training the participants

6   how to submit the data, the types of data that we

7   would want, the format that we want them. I

8   think we've talked a little bit about that in the

9   Technology Committee, so that we're comparing

10   apples to apples.

11   We wanted to apply a conduct

12   recommended by the Governance Committee to handle

13   identified and de-identified data with robust

14   rules with degrees of separation to preserve the

15   anonymity.

16   I do mention here training modules

17   with a certificate of successful completion. I

18   think we need to rewrite that because we wanted

19   to stay away from issuing certificates. That

20   kind of opens up a whole other Pandora issues we

21   would need to deal with.

22   And then, ultimately, the

1   confidentiality, how do we actually go about de-

2   identifying data and, then, the method by which

3   to validate the data integrity with a robust

4   QA/QC program.

5   HON. BURMAN: All right.

6   MR. JENSEN: Recommendation No. 7

7   is --

8   HON. BURMAN: Before you get --

9   MR. JENSEN: -- ultimately, defining

10   the workflow process --

11   HON. BURMAN: I'm sorry.

12   MR. JENSEN: -- whether it be with

13   some type flowchart or both a flowchart and a

14   document that describes it. We ought to train to

15   that particular workflow and train to that

16   process. And ultimately, if there is a form,

17   train to that form and that template.

18   HON. BURMAN: I'm just going to stop

19   you here for a minute.

20   I just also, in thinking about this,

21   in Recommendation 6 where it talks about applying

22   a code of conduct, what I also want to be focused

1   on, when we look at some of these

2   recommendations, and how it's framed in the

3   report, some of this we would be identifying as

4   things that are helpful to be done by the VIS

5   leadership and working through that. But whether

6   or not it would be appropriate to have language

7   in the enabling legislation that would say what

8   they can do from a governance perspective without

9   necessarily needing to go through a regulatory

10   process, and being able to have the ability to

11   set some of that, like a code of conduct, rather

12   than statutory enabling legislation that might

13   say you should adopt a code of conduct, which may

14   trigger a lot of other issues or regulation that

15   needs to be done.

16   So, I'm just cognizant of the fact

17   that one of the things that we have to do in the

18   Reporting Subcommittee, and from the Legal

19   Subcommittee, is look through some of this and

20   make sure that we're not instituting other things

21   that will bog us down or trip us up. And so, the

22   report should be very clear about the flexibility

1   and the legislation, or whatever the authority

2   is, to be able to have these things set up as

3   necessary or not, as we work through it, but not

4   that it has to now be done a certain way, if that

5   makes any sense.

6   All right. Thanks.

7   MR. JENSEN: Okay. Thank you for

8   that.

9   Recommendation No. 8 was kind of

10   distinguishing between the different types of

11   information and data we might have to train to,

12   and specifically, the quantitative data, which

13   really derives out of the ILI data and some of

14   the technical things that Bryce just talked

15   about, as opposed to some of the qualitative

16   information, which are more like the lessons

17   learned and other key events that we may want to

18   communicate out to stakeholders that don't

19   necessarily require analysis of the detailed data

20   coming out of the ILI tool.

21   So, in essence, understanding there

22   might be two different levels of participants

1   that we're educating and having to train, those

2   that are dealing with very technical,

3   quantitative data, and those that are dealing

4   with more general, qualitative-type information.

5   And then, Recommendation No. 9 was

6   around all the funding. And if people recall at

7   the last VIS meeting, we did recognize that this

8   is overlapping with some of elements in the

9   Regulatory, Funding, and Legal Subcommittee; and

10   that, ultimately, the request for funding to

11   develop some of the training modules or training

12   programs be included in our request for funding,

13   regardless of what option we pursue.

14   That really wraps it up for the

15   Competency, Awareness, and Training.

16   HON. BURMAN: Alan.

17   MR. MAYBERRY: I had a couple of

18   questions, Leif. Thank you.

19   I'm curious, do you recall how the FAA

20   handled, say, training specifically? I just

21   don't. I know I got a dose of what they set up,

22   but I don't recall the training part.

1   The reason I ask is I see our approach

2   to training. It's very similar to what we do in

3   Oklahoma City, and I guess that should be no

4   surprise as far as the approach.

5   And I'm just thinking about, you know,

6   we're setting up a VIS system. I guess they have

7   instructions on how to use it effectively. But I

8   don't know; I'm just thinking about all the

9   information and just the approach. It's very

10   robust, which at the same time I'm thinking,

11   really, we're looking for providing instruction

12   on how to use the system, and just how robust

13   does it need to be?

14   So, anyway, Sherry, we've got our

15   inside baseball person here. So, you can reflect

16   on what FAA does.

17   DR. BORENER: Thank you.

18   Sherry Borener, PHMSA.

19   So, yes, this is a much more robust

20   method of training, especially for general users,

21   because the FAA model relies heavily on having

22   the integrator, the systems designer, facilitate

1   meetings and provide output. And so, they would

2   have the training and skills at that third-party

3   integrator side. And their requirements for

4   confidentiality, all that stuff, are just

5   reiterated at every meeting.

6   Again, this doesn't have to be the

7   end-state. Like this wouldn't have to be

8   required to start the project. You don't have to

9   implement this level of training. You could

10   implement notification and awareness at the

11   beginning, I think.

12   Does that answer your question?

13   MR. MAYBERRY: Yes, that helps. I

14   guess this is a possible end-state of having a --

15   DR. BORENER: Yes.

16   MR. MAYBERRY: -- very mature --

17   DR. BORENER: If you had a very mature

18   system that everybody got into on their own, as

19   if they did the analysis at their own -- by

20   themselves. But, initially, a lot of it is

21   something where people, you know, they have a

22   norm of behavior. And so, you do have to discuss

1   that data is not shared outside the participants

2   and that it is confidential, and a few other

3   things. But that is more like a thing every time

4   you meet rather than a lot of skill-based

5   training.

6   MR. MAYBERRY: Okay. Thank you.

7   DR. BORENER: If that makes sense?

8   HON. BURMAN: So, it sounds, also, a

9   little bit to me like looking at what we would

10   need to do to have in the report some key

11   takeaways and higher-level what may be necessary,

12   and especially on the enabling legislation, but

13   also giving us an opportunity to do this in a

14   longer-term framework without having to come back

15   and say, "Now we need more."

16   DR. BORENER: Right. Much like the

17   information that you collected on the design of

18   the architecture, this is more guidance on

19   implementation rather than recommendation on

20   requirements to get started. So, you could think

21   of this as something you put in an appendix to a

22   report. This is, you know, if you've got the

1   fully implemented system, maybe this is what

2   you're targeting for. And you wouldn't have to

3   require it just to do the project.

4   HON. BURMAN: Okay. Thank you.

5   MR. JENSEN: The short notes that I

6   wrote, having listened to that conversation, was

7   that perhaps one of the things we could write

8   into our portion of the recommendation is that,

9   once the VIS structure and workflow processes are

10 established, we could develop the tactical

11 training. But I had to phrase it in a sense that

12 Sherry said, phase it in as the VIS evolves and

13 matures.

14   Is that an adequate summary?

15   HON. BURMAN: Yes, I think so.

16 Everyone's nodding. Some nodding off, but --

17   (Laughter.)

18   MR. JENSEN: I'll try to be as

19 monotone as I possibly can.

20   (Laughter.)

21   If it's okay with the VIS Group, I'll

22 move on to the Best Practices, unless Eric has

1   joined since I started.

2   HON. BURMAN: Eric have you joined us?

3   (No response.)

4   Eric is not in the building. So, we

5   can go down to you with Best Practices.

6   MR. JENSEN: Okay. And, Max, feel

7   free to chime-in if there's content that I'm not

8   adequately covering. I have attended some of the

9   Subcommittee meetings, but certainly not all of

10   them.

11   When I look at the content that Eric

12   had submitted, there are five total

13   recommendations. I would characterize them, the

14   first one as defining the scope; the second one,

15   leveraging other industry successes; the third

16   one, allowing the existing sharing venue to

17   continue or foster an ability for sharing across

18   some of those boundaries that would not otherwise

19   would have been pursued. The fourth one is more

20   structurally-oriented and possibly some

21   opportunity to integrate with the Governance.

22   And the fifth one is boiled into stakeholder

1   communication and having a measurable output.

2   So, the first recommendation -- and it

3   touches on some of the themes we've talked about

4   earlier today -- a VIS system for energy pipeline

5   should not be limited specifically to pipeline

6   in-line inspection data. Considerable value and

7   improvement is possible if the sharing is

8   expanded to include all of elements of an

9   integrity management process.

10   And I won't read this verbatim. The

11   first paragraph with all the detail, the second

12   sentence, "An effective pipeline integrity

13   management program involves a very rigorous

14   process that is applied to each pipeline system."

15   And then, at a very high level, process flow

16   which describes that.

17   There was some discussion that we had

18   in Process Sharing Recommendation No. 1 as it

19   relates to managing risk. And if you look at the

20   bottom box on this flow diagram, it does talk

21   about "responses to integrity assessments and

22   mitigation". And my take is there's a direct

1   correlation to Recommendation No. 1 out of

2   Process Sharing on that very broad umbrella of

3   how do we go about managing risk.

4   And then, the last sentence of the

5   paragraph below the flow diagram reads,

6   "Therefore, the recommendation is to expand the

7   VIS to include the entire realm of the integrity

8   management process and in this broader context

9   the types of data and information to be shared,

10   likewise, expands to include, but not limited

11   to:"

12   And then, it goes into, I think,

13   three different main segments. The first one is

14   data and information relative to integrity

15   management. It lists about six or eight

16   different aspects.

17   The second main topic is information

18   relative to process improvement. Then, it goes

19   on to list the types of -- you know, the

20   information that we would want to incorporate

21   into that, such as the operational lessons

22   learned; enhancing the existing technology that

1 we're currently using; sharing of the enhanced

2 processes and practices, specifically, solutions

3 to known problems, including experience with new

4 data/information technology; R&D projects to

5 address gaps, and so forth.

6   So, a lot of this information in the

7 second quadrant or the second is not necessarily

8 the detailed data that we had mentioned back

9 under Competency, Awareness, and Training, but,

10 rather, the qualitative information that

11 stakeholders might be able to utilize to improve

12 their integrity management programs.

13   And then, the third aspect -- this is

14 in concluding Recommendation No. 1 -- is, what

15 are the measurable outcomes? What are the

16 leading indicators of VIS? And so, we want to be

17 able to measure how well we're actually

18 performing. So, how many operators or

19 participants are actually in the process? Any

20 quantitative statistics. How we demonstrate

21 improvement, ultimately, we would want to show,

22 in terms of pipeline safety? And what are we

1   learning from others that would be relevant?

2   So, that's kind of a Reader's Digest

3   version of Recommendation No. 1. And I'll pause

4   at this point.

5   HON. BURMAN: Does anybody have any

6   comments or questions? On the phone?

7   (No response.)

8   In the audience?

9   (No response.)

10   No.

11   MR. JENSEN: Okay. The second

12   recommendation, as I mentioned before, is really

13   leveraging those that have already had success

14   with systems in the past. And it goes ahead and

15   lists a variety of those. I'm not going to read

16   those verbatim, but it does talk about ASIAS and

17   several different meetings that we talked about

18   the various elements within the ASIAS and the

19   General Aviation Joint Steering Committee and

20   their risk management approach.

21   On page 16, it gets into the Center

22   for Offshore Safety and the process by which they

1   have gone through. To page 17, a description of

2   the efforts in PRCI, particularly in the NDE-4E,

3   which is the in-Line Inspection Crack Tool

4   Performance Evaluation.

5   And then, lastly, several industry

6   associations that are listed that we should

7   leverage.

8   So, my take on this is that there are

9   some excellent programs out there that we should

10   learn from, institute into our VIS. And then, as

11   it relates to the industry associations, many of

12   them that are listed here, API, AOPL, PRCI,

13   INGAA, and so forth, already have venues by which

14   their participants and their members share

15   information. And the intent is to let that

16   continue, but possibly we could facilitate a

17   process where inter-association can share. So

18   that the industry as a whole, regardless of

19   product, whether it's 192 or 195, we can learn

20   from each other.

21   HON. BURMAN: Thank you.

22   Does anyone have any comments or

1   questions?

2   (No response.)

3   No.

4   MR. JENSEN: So, Recommendation No. 3,

5   which is on page 18. Earlier someone had made

6   the request that the graphic that illustrates all

7   the various entities that currently share be

8   shown in the recommendation report. It is shown

9   here. Perhaps it's better shown in Process

10   Sharing. I don't really know.

11   But we've looked at this several

12   different meetings and the different color codes

13   indicating the different entities that are out

14   there. They are counted. And then, in the

15   center is the process flow, very similar to the

16   1173 life cycle.

17   And so, the intent here is just to

18   illustrate that there's a lot of sharing that

19   already exists today. And to the extent that we

20   can utilize the hub or the issues analysis team

21   within the hub to foster communication and

22   lessons learned across all of these entities, we

1 will set ourselves up for sharing and improving

2 pipeline safety.

3 HON. BURMAN: Can you just pull up 18,

4 page 18? Okay. So, we can see the actual

5 graphic. Sorry.

6 I think that this really helps us kind

7 of look at the flow and what you are talking

8 about. So, to the extent that people also see

9 holes in this, it would be helpful later for us

10 to focus on that.

11 MR. PARKER: This is Randy Parker at

12 Kinder.

13 That might be a nice thing to have on

14 the cover of a report.

15 HON. BURMAN: Thank you for that.

16 (Laughter.)

17 Does anybody have any comments or

18 questions?

19 Erin?

20 MS. KURILLA: Erin Kurilla, APGA.

21 I want to go on the record here about

22 the fact that the intent -- and I think all the

1   language is right, but I just want to make sure

2   we're all on the same page -- that the intent for

3   each of these, especially the more lessons-

4   learned-type groups between AGA's Peer Review and

5   INGAA's Lessons Learned and the PIX stuff that

6   API does -- in APGA, we have a program called

7   SOAR that's similar. The intent is not to dive

8   into those programs, but, instead, allow those

9   programs to export meaningful lessons learned

10   into the VIS.

11   So, while the arrows go both

12   directions -- I guess they go both directions.

13   We just want to maintain the integrity of those

14   programs without inadvertently --

15   HON. BURMAN: It's not about folding

16   the programs into VIS.

17   MS. KURILLA: Yes.

18   HON. BURMAN: But, to the extent that

19   some of the things that are being done may be

20   helpful --

21   MS. KURILLA: Yes.

22   HON. BURMAN: -- to be utilized or

1 fashioned, and collaborate and complement each

2 other, I think that is something that people will

3 consider and look at. It's not about picking one

4 or all of them and dumping it into VIS.

5   MS. KURILLA: Yes, because I think

6 there's amazing things happening in each one of

7 those programs, and they're due to kind of -- I

8 mean, to be frank -- the closed-door nature of

9 those program. Obviously, there are things that

10 can be exported out of them and shared more

11 broadly than in the individual memberships that

12 contribute to them. And I think all trade

13 associations are onboard with trying to make sure

14 we share across our boundaries, if you will.

15   And so, as long as that's the intent

16 here, and not, instead, have the VIS and go in

17 and look at the data that's driving those lessons

18 learned, then we'll be okay.

19   HON. BURMAN: Does anyone want to

20 speak for anyone, especially because we haven't

21 sort of looked at it as a recommendation?

22   But I think that you raise a good

1   point in terms of the sensitivity of the

2   confidentiality in some of those groups as well.

3   And to the extent that there is sharing and

4   collection of data that might go both ways, or

5   utilizing some of those processes in the VIS and

6   some of that data, part of some of the things

7   that we had in the governance piece, as well as

8   the process sharing, would be utilized to make

9   sure that whatever was being done was, one,

10   allowed, both legally, but also that would make

11   sure we were not chilling further information

12   sharing to get to the common good and the common

13   focus. And there would obviously be different

14   parameters that have to be set up before any

15   sharing was being done.

16   MS. KURILLA: Uh-hum. I think we're

17   all good. I just want to make sure we're careful

18   in how we word this recommendation. And to that

19   extent, I think it's worded fine. I just wanted

20   to make sure we had that conversation about that.

21   HON. BURMAN: It does raise the point,

22   though, that we also don't want to now make it

1 somehow information in the VIS. It's good

2 information; outside of the VIS it's not good.

3 So that somehow we have to be careful in our

4 collaboration that we don't sort of set people up

5 to say, "Okay, well, you allow the VIS to do

6 this, but the data being collected here we now

7 want access to."

8   MS. KURILLA: Yes.

9   HON. BURMAN: Right? So, we have to

10 be sensitive. I think that's a conversation we

11 may need to have with the legal folks, just in

12 terms of you raise a good point. And really,

13 it's food for thought.

14   MS. KURILLA: Yes. Thanks.

15   HON. BURMAN: I don't know if anyone

16 else has any thoughts on that.

17   Sherry? And Max? Max and Sherry?

18   DR. BORENER: I only wanted to comment

19 that in the ASIAS model it's a federated

20 architecture. So, in other words, you never --

21 every one of the entities maintains its own

22 internal control, and then, they share

1   information as relevant for a particular analysis

2   or a particular point.

3   So, you could have a lot of data open

4   if you want to, but it could also be that the

5   only time you look at air traffic control data is

6   when you have a question that involves air

7   traffic control. So, they always maintain

8   control over their data.

9   I think that was the concept. Mark is

10   not here. But I think that was kind of the idea,

11   was that these entities maintain their

12   independence and integrity, and then, they become

13   members of this federated architecture. Does

14   that make sense? So, they never, you never lose

15   control of your access.

16   MR. KIEBA: Yes, Max Kieba, PHMSA.

17   And to address Erin's question

18   particularly, what the Subcommittee discussed was

19   the idea that, yes, there is no intent to go out

20   and drill into their data. I think it's more the

21   concept of -- you probably heard earlier

22   discussions on setting up defined structure on

1 how data or information is shared, but this is

2 more of allowing, if it does get too onerous to

3 follow a certain form or model submitting that

4 data, we would defer to these groups. However

5 they want to share, they decide what's shared.

6 And then, just plug it into, whatever is more

7 convenient to them. And somehow, the hub has got

8 to figure out what to do with it.

9 And then, vice versa, it goes into the

10 hub, and once it goes out of the hub, it, then,

11 is public. So, then, vice versa, the groups can

12 do whatever they want with it, however they

13 choose. But, yes, there's no intent to go into

14 the weeds of the specific --

15 HON. BURMAN: And also, just -- Diane

16 Burman -- just also making sure that the data

17 that comes in also, again remember, is supposed

18 to be ensured in terms of not being able to be

19 identifiable. So, part of that may even be we're

20 not necessarily looking at the specific sub-

21 entity that gave the information because there's

22 only certain -- there's parameters in place for

1   that.

2   And maybe we're overthinking this a

3   little, but I think it's a good sort of exercise

4   for us to keep in mind.

5   John?

6   MR. STOODY: John Stoody with the

7   Association of Oil Pipe Lines.

8   Having come from the 11th API PIX,

9   Pipeline Information eXchange Conference

10   yesterday, there was a lot of great information

11   shared, a lot of learnings shared, different

12   incidents. So, we appreciate this group

13   acknowledging the potential benefit of working

14   with those groups.

15   One issue we're struggling with as an

16   industry is nothing that was said in that room

17   left that room. And I can't tell you today, "Oh,

18   here's an example of" this or that. We actually

19   have a strategic initiative, executive level, to

20   try and facilitate ways to break down those

21   barriers, and have the processes and procedures

22   for greater sharing and learning.

1   And I think this experience with the

2   PHMSA VIS will help build that mutual trust, that

3   there can be positive sharing mechanisms. And in

4   the future, harnessing what all of these

5   different groups have to offer could be a great

6   source of information for the VIS project.

7   HON. BURMAN: Okay. Very good

8   perspectives.

9   Anyone else have any thoughts?

10   MR. PARKER: This is Randy Parker.

11   I think Erin and Diane raised some

12   good points that the entire Committee should

13   consider, making sure that the protections that

14   would apply to operators or other parties giving

15   information to the VIS should also apply perhaps

16   to associations and other entities in the same

17   manner.

18   MR. OSMAN: This is C.J. Osman from

19   INGAA. I'll keep it short.

20   I just want to echo what Erin and

21   particularly John just said. I do think, if

22   structured correctly with the protections that

1   Randy just mentioned, this could definitely be an

2   incentive to get the takeaways from the lessons

3   learned workshops that we do, the takeaways from

4   the lessons learned database that we keep, out

5   into a format, into a place that people feel

6   comfortable sharing because the protections are

7   demonstrated; they've been vetted; they're out

8   there. So, I agree with John.

9   HON. BURMAN: Okay. Thank you.

10   Anyone else?

11   Alan?

12   MR. MAYBERRY: All good comments.

13   I just think that, you know, fast

14   forward. We're setting up, we're proposing the

15   gold standard here. So, I think in a mature VIS

16   system that, as the API PIX group meets or INGAA,

17   you guys meet, and the foundation that a key

18   building block of your discussion will be the

19   output of this initiative, it will be a valuable

20   source of information that you use, that we all

21   use. And we'll use it as well. You know, it

22   will guide R&D, both for us or for PRCI. So,

1   anyway, that's it.

2   HON. BURMAN: Okay. Thank you.

3   MR. JENSEN: Okay. Hearing no other

4   conversation, thank you all for that input.

5   Moving on to Recommendation 4 at the

6   bottom of page 19, as I mentioned at the kickoff

7   of this, these somewhat overlap with the

8   governance and some of the other aspects we've

9   discussed. So, there may be an opportunity to

10   integrate this recommendation elsewhere in the

11   report.

12   But, essentially, leveraging or

13   providing a framework of best practices found in

14   other information sharing contexts or industries

15   to manage the sharing context and include the

16   fundamental elements, which would include the

17   governance procedures and recommended practices,

18   which we talked about at the beginning of today's

19   meeting; the quality assurance/quality control of

20   data, and even the training with respect to

21   managing the QA/QC; the security and

22   confidentiality and de-identification processes,

1   and recognizing potential barriers, so that we

2   can still woo others to join. And then,

3   ultimately measuring our performance.

4   So, if you flip the page over to page

5   20, there is another continuous improvement

6   cycle. And I do want to point something out.

7   This is really a cut-and-paste from the center of

8   the graphic we looked at before.

9   But, in one of the previous meetings,

10   we had talked about the right side of that

11   circle. And in figure 3 in the middle of page

12   20, we moved "data quality and validation" to the

13   upper quadrant, "de-identified data and

14   information" to the lower quadrant. And in the

15   middle of page 18 they're reversed. And so, we

16   need to reconcile where we actually have this

17   especially.

18   The reason it's flipped in figure 3 on

19   page 20 is we wanted within the issue analysis a

20   third-party member to be able to go back to the

21   data submitters and ask them questions as they

22   pertain to a lack of clarity or additional

1 information that might be required in order to

2 compare apples to apples across the whole

3 population of data.

4 So, I don't think that we need to get

5 into those details today. That's the basis of

6 those two not being in sync.

7 HON. BURMAN: Just in terms of making

8 it in sync for the slide per se, if you look at

9 page 20, the "de-identified data and information"

10 can have arrows both ways. But we do need to

11 sort of look at it and make sure we're all sort

12 of cognizant of what that means and what some of

13 the substantive issues may be.

14 MR. JENSEN: That's a good point.

15 HON. BURMAN: And I think I like the

16 fact that you explained the rationale, and not

17 because it helps us with the graphics, but also

18 it helps us understand some of that flow that's

19 necessary for us to make sure that we have the

20 right system set up for it.

21 Okay. Does anyone have any --

22 MR. JENSEN: The last recommendation,

1   No. 5, is providing a transparency and

2   communication of industry capabilities,

3   processes, procedures, technologies,

4   improvements, and safety results relative to the

5   value of the sharing process.

6   In part, I think this is here to hit

7   the point that I know we heard from Mr. Cote and

8   Kate in early meetings that we want to be

9   transparent and, to the extent possible,

10   interactive with the public. So, we will have to

11   be able to come up with meaningful metrics -- and

12   he's coined that phrase -- that are meaningful

13   for the various audiences that we're

14   communicating to. There will be technical

15   audiences and there will be those who don't

16   necessarily understand the ILI data that need to

17   have it simplified to the level that they

18   understand.

19   HON. BURMAN: Max?

20   MR. KIEBA: Max Kieba with PHMSA.

21   I'll just point out I think it's

22   process sharing. The very last one is Process

1 Sharing 10 now, since there isn't a 12. So, it

2 will align with PS-10, and then, this one would

3 also align with Tech 8. So, in a discussion of

4 aligning with some other recommendations out

5 there, this will align with those.

6   HON. BURMAN: Thank you.

7   MR. KIEBA: And also, the idea here,

8 too, just to expand on that, was -- and I think

9 Diane mentioned earlier about be careful of what

10 we put out. Is something like a certain

11 technology good or bad? The idea here was to

12 also show some good stories of, hey, here's what

13 we learned in a process. Here's some high-level

14 capabilities of these technologies or processes,

15 and here's, also, what we learned about it.

16 Because the public is going to want to see

17 something, even if it's a high-level description

18 of what this group has done. But that was the

19 idea here. Rather than discrete data, also share

20 just some good stories out of it.

21   HON. BURMAN: Okay. Does anybody have

22 any thoughts or comments on this?

1   MS. PATNI: Sonal Patni with the

2   American Gas Association.

3   HON. BURMAN: And if you could speak

4   up?

5   MS. PATNI: Sorry about that.

6   I just want to echo the gentleman's

7   comments. As for us, the Committee is putting

8   out best practices. If they are viewed as

9   guidance, and not necessarily enforced through

10   the different states -- I just want to make sure

11   that we're mindful of that as well.

12   HON. BURMAN: Yes, I do think that

13   will be an important element, to address that

14   sort of head-on in some fashion, have language

15   that captures that. I do recognize my role as a

16   state regulator, and folks will sort of question,

17   well, what does this mean for a particular state

18   and what would they be doing? And, you know, how

19   does that complement or not? I think that needs

20   to be very clear, yes.

21   Okay. Does anybody else have any

22   comments or questions on --

1   MR. KIEBA: So, just a process

2   question, given our votes yesterday. Do you want

3   to vote on any of those or do we feel like we're

4   in a position not to vote on them?

5   HON. BURMAN: Unless there's a

6   specific item that we think needs to be addressed

7   for a vote, it seems like the way we're going is

8   more now you have food for thought, and we can

9   sort of go to the next step, unless there's

10   something that the Subcommittee itself needs to

11   look at before it moves forward on some of this.

12   I do think that the Subcommittee

13   Chairs, at least the majority of them, will have

14   to have cross-conversations on what it means for

15   their subcommittees. And then, the Reporting

16   Committee has to take a lot of this into account.

17   I do think it's important that,

18   shortly after this meeting, by the end of the

19   week, that there are some deliverables in terms

20   of just making sure that everyone is capturing

21   what some of their tasks are and what they need

22   from other subcommittees to do those tasks. So

1   that we're on point in moving forward.

2   And I'm going to turn it over to

3   Christie.

4   DR. MURRAY: So, what I want to say,

5   congratulations, and thank all of you. We just

6   went through 41 pages of recommendations and

7   still with time remaining.

8   So, that process question, one of the

9   things that we will do -- and we've been taking

10   notes -- is we will take the recommendations that

11   we talked about. They will be in an Excel

12   spreadsheet, and there will be a section

13   designated for some of the comments and actions

14   that we heard today that we can share, hopefully,

15   by the end of this week with the Chairs and the

16   ADFOs. So that you can work together to address

17   some of the things that you've heard.

18   Also, I highly recommend that you go

19   back, once the transcript from this meeting is

20   available, and take a look at that. And that

21   will be helpful for those Chairs that aren't here

22   today, to be able to put it into more context.

1   HON. BURMAN: To the extent, also,

2   that the Chairs weren't here, but the folks who

3   helped step up to report, I kind of look at them

4   as also helping to facilitate that conversation

5   as well.

6   All right. With that, I think we're

7   done with the subcommittee reports out.

8   Before we move on to our sort of wrap-

9   up and next steps in the prep work that we need,

10   is there anything that anyone needs to ask or

11   comment on?

12   (No response.)

13   And, Dr. Perry, with your Reporting

14   Subcommittee, is there anything that you see

15   that's necessary for you to have for the next

16   steps?

17   DR. PERRY: Hi. Thank you, Diane.

18   No. I'll probably be sending out a

19   message to the Chairs about some specific things

20   to think about when bringing forward the report.

21   But there are four things that I really want

22   people to focus on.

1   I'm thinking about contextualizing and

2   aligning all the recommendations with the legal

3   mandates, missions, and concepts. I think most

4   of the subcommittees did a great job of that.

5   The thing is, we need those things written out in

6   narrative, full sentences. That would be

7   helpful. That's one thing.

8   The second thing is to make sure that,

9   if you're the Chair of a subcommittee, that you

10   make sure that we have the flipcharts and tables

11   that go along with it, and those are correct.

12   And then, also, any documents that you

13   might be referring to, technical documents or

14   specific regulatory documents, that you give us

15   either a copy of those or whether or not you've

16   also included them in an appendices or a full

17   reference.

18   And then, I guess the fourth thing

19   that I heard today was, for some of the

20   subcommittees, there are groups of

21   recommendations within each subcommittee. And

22   when you're thinking about contextualizing and

1 writing out a narrative about justifications or

2 why this is recommended and how it aligns with

3 the mandate, if you can look at how maybe they do

4 fall together in theme within your subcommittee,

5 that would also be a helpful way to think about

6 it.

7 So, those are some things. Hopefully,

8 people will think about actually writing out some

9 narrative. That would help in the reporting.

10 So, that's it. Thank you.

11 Great job, everybody.

12 DR. MURRAY: And this is Christie

13 Murray.

14 I would echo those comments. I want

15 to say there were several subcommittees where

16 there were recommendations that were similar

17 topical areas, but they weren't necessarily

18 recommended together. And I think it might add

19 more clarity, for example -- I forget which

20 subcommittee, but there were several

21 recommendations about developing a hub or

22 something regarding a hub sort of an approach.

1   It might be helpful to group those together and

2   other like topical areas, as you are considering

3   your next update.

4   All right. So, we are moving into the

5   phase where we can really start to take a step

6   back, think about where we are now in terms of

7   the recommendations, some of the homework that

8   remains between now and the next meeting, between

9   now and the next Committee meeting, which will be

10   November 8th and 9th.

11   So, just to remind everybody, we will

12   be meeting again November 8th. The subcommittee

13   meetings will take place. And then, on November

14   9th, we will have the Advisory Committee meeting,

15   similar to what we had today. If that needs to

16   change in terms of how we use both of those days,

17   that's something we can certainly talk about. I

18   don't know if it makes sense to have two days to

19   go through recommendations or to come forward.

20   We'll have a draft report and spend both days

21   going through the report. Or if the

22   subcommittees would still like time to refine

1   some things prior to the meeting on the 9th.

2   The one thing that I will ask for

3   consideration is, and feedback on, I thought

4   having the ability to review the consolidated

5   recommendations was useful ahead of time. And if

6   we spend November 8th making changes, that would

7   make it a bit more difficult to give everyone

8   adequate time to review those before the 9th.

9   So, that's one of the things that makes me want

10 to pause and think about the approach a little

11 bit differently in terms of what's gone before

12 November 8th, so that we can give at least a

13 week's opportunity for review prior to getting

14 back together. So, it's just more of a

15 discussion point for the Committee.

16   And possibly using both days to really

17 get into the -- in Christie's crystal ball world,

18 we would have a fully drafted report that we

19 could walk through -- well, we would have a

20 chance to review prior to the meeting, and we

21 would still be able to walk through the

22 recommendations, but we would be able to see it

1   all fit together.

2   And having two days would give the

3   full Committee more time to digest it all and to

4   have some really robust conversations. And we'll

5   have an initial view into how the full report

6   aligns or may need to align with other components

7   of it. So, that's just my thought -- for

8   November.

9   HON. BURMAN: I do think that it may

10   work out that way. I do think we also need to

11   keep in mind that the subcommittees may need to

12   meet after. So, I see the November 8th and 9th

13   being pretty intense, as well as potentially

14   November 8th having folks get together at night.

15   Now I don't want to be a workhorse, and I don't

16   know how much we can do. But I really want to

17   stress that this is a time for us to maximize it

18   as much as we can.

19   And then, from that, also, the end of

20   November, have a lot of the final report draft

21   available shortly after Thanksgiving, so that

22   there's enough time in between to look at

1   December 18th and 19th as well. And December

2   18th and 19th may wind up being a combination of

3   two days of Advisory Committee public meeting as

4   well as subcommittee meeting on the 18th, the

5   same thing.

6   So, I know we have to notice them. I

7   don't know how we can, if you can do a flexible

8   notice as well for the first day. I know it's a

9   little difficult, but we're going to have to make

10   some decisions from a process perspective.

11   Also, I'm cognizant of the fact that,

12   especially because we can look at the formal

13   written comments after the report is finalized,

14   but we can't incorporate it. But, to the extent

15   that it's out there for people to see and have an

16   opportunity to come and be ready to share what

17   some of their members may be thinking, it may be

18   helpful for the conversation. Okay?

19   DR. MURRAY: And I would say that, if

20   we decide to turn subcommittee meeting dates into

21   public meetings, we will need to adjust our

22   Federal Register notice and give adequate time to

1   the public to be able to adjust. So, we will

2   need to make some critical process questions here

3   in the short term, particularly for the November

4   8th and 9th meeting.

5   Let's see. I have some dates that we

6   probably should talk about in terms of what needs

7   to happen between now and November. And this is

8   something we can certainly talk about. So, if we

9   need to adjust it, now would be a great time to

10   talk about it.

11   So, today is Wednesday, October 3rd.

12   What we're proposing is, by October 22nd, the

13   subcommittees have their next version of their

14   recommendations and report sections ready. That

15   gives us a little less than two weeks to clean up

16   what everybody sends and to try to meet a one-

17   week window to send it back out to the parent

18   Committee and others.

19   So, what we would like to do is to

20   have it by the 22nd. Give the Reporting

21   Subcommittee a chance to consolidate and send it

22   back out for parent Committee review and feedback

1   I think that, between now and then,

2   there's a going to be a number of different folks

3   on the subcommittees weighing-in with the

4   Subcommittee Chairs, talking. So, I think that

5   there's a lot of food for thought in terms of

6   fleshing out the A and the B with the side-by-

7   side chart, as well as looking at potentially

8   some out-of-box solutions and incorporation. So,

9   I think it's too soon to say exactly what we may

10   be voting on, but I do think that I am hopeful

11   that, through this collaborative process and with

12   the discussion we had today, that further sort of

13   thoughts and feedback to folks will provide us

14   sort of a good roadmap.

15   I think the Mission and Objectives and

16   the governance is sort of critical to a lot of

17   the other things. So, I do expect that the

18   Subcommittee Chairs will be getting feedback on

19   that, and then, be able to help as it flows to

20   some of that for the other sections, including

21   process and technology as well.

22   And also, to the extent that some of

1   the competency training recommendations flowed

2   into the governance, I do think that Dan, who was

3   very focused on day one about governance being

4   critical, has really sort of made it for me today

5   really shine for me that that part of it, and

6   going through that for the key takeaways and what

7   exactly we're looking for is helpful.

8   I want to caution people not to focus

9   on having the program detailed out in such a way

10 that it doesn't provide us the flexibility, but

11 take a step back and think about it from a key

12 takeaway perspective, ultimate goals, and how do

13 we get there. And how do we enable that

14 collaboration to put together a robust,

15 substantive report that helps people take it to

16 the next step that will actually make it the

17 potential for it to be something very useful for

18 all of us, is what I would like to say.

19   DR. MURRAY: So, in terms of guidance

20 to the Mission and Objectives and the RFL, in

21 particular, Subcommittee, based on those

22 discussions that will need to take place between

1 now and November, what comes out of those

2 discussions? Do you anticipate it being a clear

3 Option 1, A, B, and C, and then, the Committee

4 will decide in November which they may want to

5 consider and vote on?

6 HON. BURMAN: Yes, I think that the

7 Committee should be ready or the parent Committee

8 should be focused on, and subcommittees should be

9 focused on, looking at some recommendations that

10 they may vote on, even if it's also sort of

11 incorporation of the discussion and the dialog.

12 And then, looking at it from, okay, this is the

13 direction that we're going.

14 I don't want to chill what I think

15 will be productive subcommittee discussions on

16 that between now and then, but I am laser-focused

17 on that, if we really want to have this as a

18 substantive report that is helpful. Especially

19 as we move forward to pipeline reauthorization,

20 next steps, we're going to have to do some of the

21 hard work before that November meeting.

22 So, I do anticipate that we will get

1   a sense of that, and we should do a checkpoint

2   with the Subcommittee Chairs and an

3   administrative meeting, if necessary, in between.

4   So that, if there are trip-ups, that we're not

5   waiting until the last minute for that.

6   DR. MURRAY: Okay.

7   MR. PARKER: Diane, this is Randy

8   Parker.

9   I wanted to say that one of the

10   thoughts I had was having combined Subcommittee

11   meetings between the RFL Committee and the

12   Governance Committee because we have a lot of

13   overlapping members on each committee, and work

14   together in order to speed up the process.

15   Secondly, I would say that there have

16   been discussions about the possibility of talking

17   with the full Committee about presenting options

18   to the Secretary. In other words, a couple of

19   options or hybrids that might have different

20   approaches, but we find each of them very good,

21   that we could propose to the Secretary. So, I'm

22   just throwing that out as something in progress.

1   HON. BURMAN: Okay. First, I agree

2   with you about having the combined meetings, to

3   the extent that we're able to. I think it's

4   helpful. I do think that sort of the steps you

5   outlined is helpful.

6   DR. MURRAY: Okay. So, in terms of

7   refined dates -- and this chart may not depict

8   what I'm going to say in some regard --

9   subcommittees, your next report and

10   recommendation submission date is by October

11   22nd, which is a Monday.

12   The Reporting Subcommittee will work

13   to have all those sections consolidated and

14   updated in the report by October 29th. And we

15   will send out the updated report with the

16   recommendations to the parent Committee by

17   November 1st, which will give seven days prior to

18   the next meeting.

19   And for those who are members of the

20   public and interested parties, the report will

21   also be posted to the meeting registration page

22   on November 1st, so that you'll have the draft,

1 pre-decisional documents that the parent

2 Committee will also look at.

3   And Diane and I will confer with

4 others to determine whether or not -- probably

5 the ADFO and Chairs and our leadership at PHMSA

6 -- to determine if the first day, November 8th,

7 should be a working subcommittee day or a two-day

8 full Advisory Committee day.

9   If your Chairs are not here, and

10 you're discussing what needs to take place and

11 you have recommendations on how to use that time,

12 please let us know, so that we can consider that

13 in our decisionmaking.

14   Let's see if there's anything else.

15 I think that is all I had.

16   Are there any questions from you --

17   MR. HERETH: Dr. Murray?

18   DR. MURRAY: Yes? Yes, did someone

19 have a question?

20   MR. HERETH: Yes, Dr. Murray, this is

21 Mark Hereth.

22   So, I'm catching up on where you guys

299

1 are going. And I'm open to either direction you

2 all want to go on the November meetings. There

3 may be value in just meetings of the full

4 Committee, meetings both of those days.

5 But I think we talked about it

6 earlier. I think we'll try to get Eric and Best

7 Practices and Bryce and Technology together with

8 Process Sharing, so we can go through some of

9 ours together and make sure we've got the right

10 connections before the recommendations.

11 DR. MURRAY: Okay. Thank you, Mark.

12 We will certainly consider that.

13 And we certainly encourage as much

14 joint subcommittee dialog and interaction to help

15 flesh out some of these recommendations. We

16 certainly encourage you guys to certainly work

17 together to do so.

18 I heard several examples of crossover

19 between subcommittees. Let us know how we can

20 help your ADFOs help facilitate that.

21 HON. BURMAN: Did I hear you right,

22 Mark, that you were suggesting possibly having

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1   the November meeting, having it as both days

2   being subcommittee meetings, right? So, is that

3   what I heard?

4   DR. MURRAY: I thought he said both

5   full Advisories.

6   HON. BURMAN: Full Advisories?

7   MR. HERETH: Well, that's kind of the

8   sense that I picked up on kind of coming into it

9   late, this discussion, but I may be off base

10   there.

11   HON. BURMAN: Okay. That's why I was

12   just questioning.

13   MR. HERETH: Yes, yes, yes.

14   HON. BURMAN: Right now, I think we

15   have about -- forget about Option A and B --

16   right now, we have A through Z logistically.

17   Just joking.

18   But I do think that we should make

19   sure that all the different options are there and

20   what makes the most sense for the workload as

21   well as the substantive dialog. And so, we'll

22   just have to touch base. And I know folks will

1   also touch base among themselves to kind of see

2   and make change based on who we see we need to

3   meet with. Okay.

4   MR. HERETH: Oh, yes. And just to

5   clarify, I meant main Committee both days, not

6   subcommittee one day and the main the next day.

7   I'm sorry.

8   HON. BURMAN: Okay. So, both days

9   parent Committee.

10   MR. HERETH: Yes, yes.

11   HON. BURMAN: Okay.

12   MR. HERETH: Sorry.

13   HON. BURMAN: No, that's okay. Thank

14   you.

15   DR. MURRAY: Okay. Any final

16   questions or clarifications?

17   DR. PERRY: Hi. This is Simona. Hi.

18   I just wanted to invite anybody to

19   participate in the Reporting Subcommittee meeting

20   that we're having next Tuesday, October 9th, at

21   12:00 p.m. It would be a good opportunity if you

22   are working on getting the recommendations

1 finalized and submitted in a report for that, if

2 you wanted to ask questions or just get clarity

3 on where we're going with the report coming

4 together and the outline of it, and everything.

5 So, I encourage other subcommittee members and

6 Chairs to participate in that.

7 HON. BURMAN: Maybe we can have PHMSA

8 send out an email calendar invite. Even if folks

9 aren't able to be there, they might be able to be

10 in for part of the time or designate someone.

11 So, thank you.

12 DR. PERRY: Yes, thank you.

13 DR. MURRAY: Okay. Well, thank you

14 all very much. If there is --

15 MR. JENSEN: This is Leif. If I could

16 just chime-in real quick?

17 I would like to echo, unintended, what

18 Mark just said. I would appreciate if we would

19 move the public meeting to November 8th, that

20 Thursday, and possibly even into Friday, November

21 9. I think there's been enough progress made

22 today, and the subcommittees can clarify the

1   report. And there will be a lot of value in

2   having another full discussion that Thursday.

3   And then, to the extent that we need to work into

4   the evening to finalize or further mature

5   recommendations, discuss that again on Friday.

6   And maybe it's only a half-day public meeting on

7   Friday. And then, that would allow subcommittees

8   to further deliberate and debrief Friday

9   afternoon. And then, those that have to travel

10   can catch early evening flights and not worry

11   about those that have to quickly exit to catch

12   flights on late Friday afternoon.

13   DR. MURRAY: Okay. Thank you for that

14   feedback. We'll certainly incorporate that into

15   making some adjustments for the November meeting.

16   Any other thoughts?

17   (No response.)

18   HON. BURMAN: All right. Thank you

19   very much.

20   This, I think, was well worth having

21   this meeting. I appreciate everyone.

22   I also just want to say a special

1 thank you to the PHMSA staff. You've been

2 incredible to work with and you continue to

3 impress me with your dedication. It means a lot,

4 a great deal to me.

5 So, thank you to everyone.

6 And thank you to our court reporter as

7 well.

8 And also, to the audience. I

9 appreciated the willingness to step up and talk

10 and share your thoughts. And this is all really

11 about us collaborating together with the common

12 goal. And thank you. I appreciate it.

13 DR. MURRAY: All right. Thank you

14 all.

15 Enjoy the rest of your day.

16 (Whereupon, at 3:48 p.m., the meeting

17 was adjourned.)

18

19

20

21

22

A

a.m 1:14 5:2 85:7,8
ability 23:9,9 37:1,2
  64:16 65:16 76:6 79:4
  98:8 100:22 165:18
  194:9 197:21 208:20
  210:8 217:8,21 221:4
  243:10 252:10 259:17
  288:4
able 5:13 19:3,15 21:3
  30:5 34:22 36:9 37:12
  38:2 69:14 82:10
  90:14 94:12 121:5
  136:14 140:8 144:7
  145:22 151:20 176:15
  177:15 181:20 182:13
  190:22 198:21 203:5
  203:22 214:2 221:1
  222:14 234:8 242:7
  242:11 252:10 253:2
  262:11,17 272:18
  277:20 279:11 283:22
  288:21,22 291:1
  293:19 297:3 302:9,9
absolutely 87:5 110:10
  172:14 211:14
accelerate 133:3,14
accept 162:9
acceptable 164:17
accepted 163:14
access 12:18 153:12,13
  185:10,11,12 216:21
  220:5 236:8 237:13
  237:16 270:7 271:15
accessible 236:13
accidentally 199:1
accidently 159:7
accommodate 207:8
  208:17
accompany 35:9
accompanying 86:1
accomplish 183:7
  184:1 231:7
accomplished 183:22
account 11:21 77:14
  230:20 282:16
accountability 148:7
  216:4
accountable 245:3
accounted 11:22
achievable 31:2
achieve 53:4 130:19
  137:8 221:5
achievements 20:8,12
achieving 69:22 149:10
acknowledge 18:16
  164:4
acknowledged 18:12

acknowledging 166:12
  273:13
acronyms 168:5 172:13
Act 6:2
action 4:20 26:16 87:21
  89:11 90:5 91:20 92:1
  92:19 93:5 95:5,7,13
  99:13 132:1 226:16
actionable 8:13 111:17
actions 11:4 30:19 89:7
  89:15 91:5,17 131:7
  131:10 193:18 197:16
  200:9 283:13
active 12:21
activities 27:6 65:13
  226:2
activity 92:13
actual 130:12 214:5
  222:5,18 232:22
  266:4
add 67:10 108:9 133:9
  154:11 203:19 211:10
  219:6 286:18
added 126:8
addition 73:8 82:1
  145:9 191:19 206:15
  215:5
additional 19:7 67:3
  86:20 161:1 193:20
  206:14 208:2 209:3
  277:22
Additionally 12:20
address 6:15 34:16
  61:10 63:19 78:16
  86:14 96:15 108:13
  122:8 156:13 182:7
  182:15,18 183:4,9
  198:16 201:8 249:11
  262:5 271:17 281:13
  283:16
addressed 30:15 31:20
  56:14 57:15 73:9
  84:18 122:6 125:14
  125:15 282:6
addresses 63:2 86:17
  164:18
addressing 121:21
  122:2 200:10
adequate 100:13
  258:14 288:8 290:22
adequately 259:8
ADFO 298:5
ADFOs 283:16 299:20
Adjourn 4:22
adjourned 304:17
adjust 290:21 291:1,9
adjustments 26:9
  303:15

administered 46:4,5
  83:3
administering 47:4,7
  117:19 148:6
administrated 68:1,4
  68:12,14
administration 1:3
  92:22 94:2
administrative 296:3
administrator 2:7 21:18
  22:2 107:13 149:11
  243:14 245:8
admissibility 92:7
admit 227:12
adopt 115:7,18 154:18
  252:13
adoption 23:6
advance 29:17 124:15
  163:19
advancements 8:12
advantage 155:5
  188:15
advantages 68:12
advice 7:17
advise 7:8
Advisories 300:5,6
advisory 5:6 79:4,11
  287:14 290:3 298:8
advocate 54:18
AED 12:6
Affairs 2:10
afternoon 26:12 27:3,7
  27:14 152:5 303:9,12
AGA 101:11,14,16
  102:6
AGA's 267:4
agencies 68:14 90:18
  250:5
agency 40:2 90:8
agenda 4:7,14,18 21:11
  25:4 26:18,22 27:7
aggressive 24:1
agility 159:16
ago 24:8 99:15 108:19
  113:6
agree 97:15 139:11,22
  161:5 164:20 165:19
  173:9 177:2,3,5 227:7
  229:9,12 245:8 275:8
  297:1
agreed 12:16 197:12
agreeing 159:16
agreement 7:16
agreements 40:8 66:15
  93:20 94:3
ahead 40:22 109:16
  110:21 138:4 175:9
  263:14 288:5

aid 12:4
air 271:5,6
Alan 2:7 12:15 15:4
  17:12 21:15 43:8 44:2
  58:2 70:14,16 83:10
  98:11 101:8 117:22
  130:22 158:5 174:10
  200:19,20 254:16
  275:11
alarm 11:3
alarm- 11:1
albeit 161:3
Alicia 2:2 17:2 72:3
  73:13 82:13,14
align 178:18 280:2,3,5
  289:6
aligned 155:22 156:8
  234:16
aligning 280:4 285:2
alignment 97:12
aligns 100:16 286:2
  289:6
All-American 14:20
Alliance 69:14 82:18
  133:9 247:3
allow 45:2 57:11 74:8
  79:8 100:20 182:13
  207:7 267:8 270:5
  303:7
allowed 35:20 89:15
  101:1 123:11,12
  269:10
allowing 75:21 259:16
  272:2
allows 53:7
ALPI 26:21
alternate 123:11
alternative 73:3 165:13
alternatives 38:13 49:5
  69:12 117:1 139:7
  164:13
amazing 268:6
ambassadors 60:17
ambiguity 179:13
America 2:6
American 3:8,13,16
  15:20,22 124:12
  188:8,9 281:2
amount 20:10 35:14
  73:19
Amundsen 1:17 16:13
  16:14 151:20
analogous 135:17
analyses 177:15 197:14
analysis 6:11 7:22
  39:10,17 40:20 64:7
  118:8 143:9 159:18
  165:19 166:4,21

clunkier 29:10
clunky 18:19 19:12
co-chaired 39:15
co-run 42:9
coalition 2:12 53:19
74:8 144:11
coating 204:5
code 163:12 251:22
252:11,13
codes 168:5 265:12
cognizant 19:18 35:21
222:11 252:16 278:12
290:11
coined 279:12
cold 76:16
collaborate 79:12 81:10
93:21 210:12 268:1
collaborating 304:11
collaboration 270:4
294:14
collaborative 6:6 8:10
20:22 141:2 293:11
collaboratively 20:4
81:7 215:14
collect 69:9
collected 121:7 257:17
270:6
collection 7:22 269:4
college 70:6
color 265:12
combination 290:2
combine 50:16 136:14
138:22 139:1 140:8
186:20
combined 154:10
296:10 297:2
combining 136:8
138:17 175:21
come 15:13 16:6 26:15
33:9 59:12 63:7,10
78:1 82:10 84:1 86:19
112:22 138:22 152:10
152:11 153:17 159:13
186:6 190:15 195:10
204:2 206:2 214:6
218:6 227:9 233:9
257:14 273:8 279:11
287:19 290:16
comes 13:8 23:5 56:10
66:8 69:7 106:7 127:8
131:5 143:2 170:12
197:7 214:20 272:17
295:1
comfort 157:22 169:22
238:18
comfortable 73:22
98:17 103:15 109:8
220:19 275:6

comfortably 221:4
coming 26:5 125:4,6
151:2,15 159:9
160:19 200:17 201:6
210:9 233:3 253:20
300:8 302:3
commences 90:5
commend 23:20 211:6
commensurate 57:12
comment 18:16 34:18
34:21 35:3,16 37:9
46:2 50:10 51:14 52:4
56:3 80:6,7 81:18
82:13,17 83:13 95:1
95:12 101:15 109:11
122:21 124:15 138:6
139:5 149:5 155:18
156:2,18 161:7
162:13 172:3 174:2
176:10 179:5,10
189:5 213:6 214:9,10
215:2 219:6 225:14
226:20 227:7 231:13
270:18 284:11
commenters 68:7
commerce 93:13
commission 1:17 2:15
15:8,9 38:9 216:4
Commissioner 5:10
13:21 15:7 49:8,13
151:4
commitments 30:4
committee 4:3,6,19 5:6
5:15 6:4 7:9 10:2
13:22 15:5 18:5 25:11
29:17 30:10 31:7
33:10 35:19 38:12
42:6,14 47:1 48:9
61:5 67:8 68:7 70:2,7
70:8,17 74:4 79:11
84:21 87:2 99:7 105:4
116:12 133:8 144:10
148:14 151:7 194:15
196:10 208:18 211:13
232:3,4 236:7 242:12
246:14 250:9,12
263:19 274:12 281:7
282:16 287:9,14
288:15 289:3 290:3
291:18,22 292:19
295:3,7,7 296:11,12
296:13,17 297:16
298:2,8 299:4 301:5,9
Committee's 195:13
292:9,17
committees 23:17 79:5
246:19
common 69:13 82:18

107:7 113:4 133:9
136:12 175:12 176:15
179:14 180:3,7,13
182:12 192:3,3,4
193:9 247:3 269:12
269:12 304:11
commonalities 160:5
commonly 163:13
communicate 55:12
176:13 221:4 253:18
communicating 176:12
279:14
communication 141:18
205:12 222:1 260:1
265:21 279:2
community 105:11,20
108:17 110:3 111:3
206:22 207:2
companies 60:18 61:9
90:15 106:15 107:5,9
244:6,6 247:21,22
248:16
company 197:13
212:12 221:3
compare 74:22 194:6
278:2
compared 199:17 203:7
221:12
comparing 139:6
191:15 192:1 197:1
197:19 203:12 250:9
comparison 171:7
192:16 196:7
comparisons 196:7
203:17
compatriot 113:15
compelled 155:3,8
191:22
compendium 107:15
competency 4:11 188:6
188:18 242:3,13,19
254:15 262:9 294:1
compilation 138:2
compile 248:17
complement 234:11
268:1 281:19
complementary 88:13
complemented 234:15
completely 48:3
completion 250:17
complex 202:2
complexity 201:22
223:20
compliance 23:3
component 33:1
components 118:20
215:12 289:6
computer-based

248:11
concentrating 204:17
concept 72:7 106:4
122:3 138:14 271:9
271:21
concepts 132:21
175:18 182:7 285:3
concern 51:5 61:10
96:17 99:16,19 198:6
232:14 234:4
concerned 221:19
concerns 30:14 58:14
58:16 62:8,16,22 63:2
63:18,20 77:16 79:22
84:17 86:18 97:2
170:6 182:8,16
202:18 235:2,19
concisely 30:10
conclude 24:1
concluding 262:14
conclusion 73:16 204:3
concrete 62:22
conditions 91:6 150:3,4
204:4
conduct 250:11 251:22
252:11,13
confer 298:3
conference 10:21 273:9
confidence 53:3 64:17
75:10
confidential 56:19
243:12 257:2
confidentiality 40:3,5
56:8,13 64:15 66:12
76:5 78:17 88:18 89:9
94:3 185:12 213:15
220:22 240:22 241:13
244:21 245:4 249:5
251:1 256:4 269:2
276:22
configuration 121:14
confirmation 89:20
98:19
conflict 64:20
conflicts 67:1
conformance 115:20
121:10
congratulations 283:5
Congress 45:8 47:15
48:15 73:1 88:8 92:9
92:11 93:9 100:20
101:7
congressional 87:21
92:19 93:5 94:13
203:20
connection 88:7 114:6
129:8
connections 299:10

275:18 280:3 288:15
293:12 295:11 300:9
303:2
discussions 103:16
148:3 161:11 179:9
188:7 207:13 271:22
294:22 295:2,15
296:16
displayed 197:9
displaying 6:22
disseminate 201:9
disseminating 137:4,17
142:4
dissemination 40:9
141:14 142:7 237:14
distance 153:17
distinction 8:7 46:21
distinctly 214:18
distinguished 225:13
distinguishing 253:10
distribution 119:15
distributions 8:6
Ditch 194:12
dive 267:7
diverse 69:5,15
docket 10:15,15,17
18:8,9 35:2
document 29:14 36:20
37:18 50:5 58:7 75:12
141:13 153:13 154:1
154:4 161:20 163:18
177:10 234:2 238:9
247:5 251:14
documents 6:18 29:22
66:11,13 103:12
115:17 149:7 165:2
226:8,9 285:12,13,14
298:1
doing 41:20 54:6 61:1
95:9 103:15 131:17
149:8 150:16 151:1
157:6 164:15,16
167:8 171:6 174:16
190:5 198:18 199:2
222:2 281:18
domain- 238:7
doors 8:19,20 11:11,12
11:13
dose 254:21
DoT 21:2 35:12 42:10
44:11 47:13 79:18
98:7
dovetail 82:7
dovetailed 51:17
dovetails 239:4
Dr 5:3 12:8,13,15 13:9
13:10,14,17,19 17:2
17:15,16 21:13 25:3

27:8,18,21 29:11
36:13,19 37:4,15,20
38:7 54:16 56:4 59:20
75:3 85:13 87:6
110:22 111:13,15,21
119:9,14 120:19
121:3,6 122:1,9,12,20
123:14 141:7,8,8
142:2,16 146:9 147:4
147:12,17 153:22
179:6 180:15 214:10
214:15 239:17 249:1
255:17 256:15,17
257:7,16 270:18
283:4 284:13,17
286:12 290:19 294:19
296:6 297:6 298:17
298:18,20 299:11
300:4 301:15,17
302:12,13 303:13
304:13
draft 35:1 69:20 80:12
80:21 98:3 118:7
128:11 153:19,20
240:8 287:20 289:20
297:22
drafted 288:18
drafting 19:9,16
dramatically 76:14
draw 107:14 118:12
drawbacks 68:17
Drew 118:12,17
Drew's 118:16
drill 98:2 271:20
drilldown 232:21
drilling 214:4
drive 158:17
driven 236:13
drives 141:1
driving 268:17
drop 12:20
due 226:18 268:7
dumping 268:4
duplicative 172:17,19
duty 100:4

E

e.g 167:22 168:1
eager 23:19
earlier 7:6 62:3 66:5
75:3 114:10 117:10
147:6 151:17 174:10
186:6 242:6 246:2
249:2 260:4 265:5
271:21 280:9 299:6
early 92:14 137:15
177:7,9 207:12 279:8
303:10

earthquake 12:19
easier 130:19
easiest 137:8
easily 34:11
east 26:2
easy 163:14
echo 59:20 75:7 96:5
156:20,22 274:20
281:6 286:14 302:17
edited 35:7
edits 35:20 179:2
educated 212:11
educating 254:1
education 243:10
effective 204:1,3,4
260:12
effectively 25:13
192:21 255:7
effectiveness 217:21
223:1
efficacy 247:22
effort 83:21 151:6
193:22 223:14 225:3
efforts 6:7 22:8 23:11
24:5 45:4 53:12
161:14 195:13 239:15
264:2
egov 18:8
eight 243:2 261:15
EIS 67:13
either 48:1,8 63:13,18
149:18 285:15 299:1
elaborated 224:19
228:16
elected 108:18
element 281:13
elements 7:12 73:5
118:20 119:2 129:4
136:12 149:18 157:11
157:13,18 170:15,22
171:17 175:12 254:8
260:8 263:18 276:16
eliminate 205:20
Elliott 22:3
eloquently 225:15
email 6:18,21 29:12
242:7 302:8
emailed 7:3
embrace 117:22
embraced 63:9 112:5
emergency 11:3,8 12:3
12:3 95:17
emphasis 160:15
185:17
employed 187:1
employees 92:2 244:19
enable 155:5 192:3
197:13 203:2 206:3

208:1 209:2 215:11
294:13
enables 222:1
enabling 97:5,13 98:4
194:9,19 233:8 252:7
252:12 257:12
encapsulate 97:19
encourage 9:13 23:21
35:16 91:3,9 131:10
157:17 238:21 299:13
299:16 302:5
encourages 6:6 7:21
encouraging 97:10
142:6 203:3
end-state 256:7,14
endeavor 160:14 176:2
178:6
endeavors 171:15
ended 72:15 209:5
ends 172:17
energy 133:1 260:4
Energy/Energy 1:18
ENet 211:1
enforced 281:9
enforcement 89:7,10
89:15 90:10,18,21
91:4,16 95:5 99:12,20
engage 10:2 53:1,22
engaged 80:15 191:20
engagement 3:5 53:8
53:16 69:17 75:19
80:17
engaging 89:10
engineer 2:13 132:12
engineering 70:6
enhance 203:15
enhanced 262:1
enhancement 88:9
enhancing 6:1 261:22
Enjoy 304:15
ensure 12:18 24:3 31:5
64:12 97:14 155:4
174:7 184:9 216:6
240:22 241:13 244:20
ensured 272:18
ensuring 213:14 240:3
entire 44:8 128:2 261:7
274:12
entirely 224:15 225:8
233:2
entities 79:10 95:11
265:7,13,22 270:21
271:11 274:16
entity 68:4 69:9 272:21
environment 8:10 59:2
84:8 197:13 206:6
236:13
environmental 55:20

148:22 190:6 209:1
225:1 228:21 229:10
229:19 230:3 231:4
238:19 239:13 288:3
291:22 293:13,18
303:14
feedbacks 204:2
feeding 210:13
feel 9:19 16:6 54:3
70:19 103:14 109:8
155:3,8 156:16
161:22 182:19 188:12
188:18 191:22 194:6
218:5 259:6 275:5
282:3
feelings 63:13
fees 69:8 71:10
feet 208:2
fell 104:1
felt 72:10 93:6 142:4
217:7 219:11 223:15
fenced 40:14
field 155:7 186:10
215:13
fifth 107:9 259:22
fight 12:22
figure 37:22 48:19
72:18 77:12 122:7
129:3 225:22 249:3
272:8 277:11,18
figures 147:14
file 186:16
fill 188:17
filled 24:9
final 69:20 70:5 203:19
230:11 289:20 301:15
finalize 303:4
finalized 290:13 302:1
finance 57:6
financing 57:8,15
find 8:22 23:11 49:3
62:10 64:18 115:10
161:6 188:19 296:20
finding 83:15
finding/sizing 203:6
fine 24:17 146:5 269:19
fine-tuned 81:6
fine-tuning 82:5
FIPS 226:14 240:21
firm 56:19 67:13
first 12:21 31:11 36:11
56:7 63:5 76:19 77:3
96:6 105:10 107:21
108:16 111:2 137:7
153:19,20 154:14
155:9 161:5 175:2
194:17 214:11 243:8
259:14 260:2,11

261:13 290:8 297:1
298:6
fit 100:1 105:9 164:13
218:3 249:8,12 289:1
fits 68:19 79:8 97:1
146:21 148:15 241:16
five 7:3 10:11 40:1,13
44:2 105:9 108:13
259:12
five-minute 84:12
fixed 227:10
flag 37:21
flavor 98:4
flaw 199:18
flesh 104:9 194:15
209:18 226:22 239:3
292:11 299:15
fleshed 148:16 214:7
fleshing 86:16 293:6
flexibility 159:21
175:13,14 184:13
232:10 252:22 294:10
flexible 33:21 102:11
290:7
flights 303:10,12
flip 277:4
flipcharts 285:10
flipped 277:18
flipping 41:7
floated 22:13
flow 167:3 183:17
260:15,20 261:5
265:15 266:7 278:18
flowchart 251:13,13
flowed 294:1
flows 162:4 293:19
flu 57:19
flushed 32:11 67:19
fly 124:14
focus 20:10,20 21:6
25:5 30:17 34:15 76:3
103:22 111:3 130:17
142:4 143:1 155:19
156:7 159:19 169:20
207:14 208:19 229:6
232:20 266:10 269:13
284:22 294:8
focused 21:8 29:3 77:2
77:3 105:22 106:18
130:5 189:18 190:2
207:10 224:9 232:7
251:22 294:3 295:8,9
focuses 106:21 130:1
focusing 20:1 51:5
128:3
FOIA 89:4 92:20 93:2
fold 50:22 51:13
folded 213:19

folding 267:15
folk 15:14
folks 16:5,12 18:10,13
18:14,19 19:1,4 41:16
59:9 60:13 61:21 68:7
76:3 77:18 78:8,20
79:2,10 81:7 85:3
94:22 97:2,15,16 98:4
103:10 109:7 148:20
156:11 160:3 169:18
170:1 181:6,8 190:1,1
220:18 238:21 270:11
281:16 284:2 289:14
293:2,13 300:22
302:8
follow 11:14 36:22 38:2
150:6 159:4 236:22
272:3
followed 21:17 120:11
following 23:3 37:5
67:16 236:17
follows 90:6 186:5
followup 117:9
food 41:3 103:8 148:11
170:4 214:8 270:13
282:8 293:5
footnote 129:3
foregoing 190:16
forget 82:12 286:19
300:15
forgotten 58:3
form 69:8 150:9 251:16
251:17 272:3
formal 98:7 290:12
formalize 115:7
formally 24:16 154:18
format 179:19 180:18
250:7 275:5
formats 168:5 172:13
formatted 238:9
former 151:3
formulated 38:16 230:7
forth 32:17 41:7 106:10
106:20 138:22 196:14
209:5 217:6,12 248:1
262:5 264:13
fortunate 182:19
forum 32:2
forward 19:19 20:4,16
21:9 24:18 27:22 29:4
32:5 33:8 34:4 63:7
70:12 74:9 87:1 88:5
96:18 104:7 119:1
134:17 162:9 167:17
169:1 181:20 194:22
198:8 202:6 207:5
234:16 237:20 240:8
275:14 282:11 283:1

284:20 287:19 292:5
295:19
foster 243:13 259:17
265:21
found 95:9 142:17
199:10 276:13
foundation 22:22 120:9
275:17
foundational 187:13
188:13 194:8
Founder 2:11
fountain 11:20
four 30:17 39:8,12
89:13,16 243:6
284:21
fourth 107:6 114:22
243:6 245:16 259:19
285:18
frame 52:2
framed 252:2
framework 51:11
119:16 164:10,10
165:3 233:19 240:22
241:13 249:9 257:14
276:13
frank 268:8
free 9:19 16:6 259:7
freely 59:3
Freeman 3:9 14:15,15
Frequently 247:5
fresh 180:1
Friday 302:20 303:5,7,8
303:12
frightened 61:14
front-end 183:8
frontier 149:10
fruit 208:21
fulfill 5:21 171:15
full 142:4 155:5 192:22
237:16 285:6,16
289:3,5 296:17 298:8
299:3 300:5,6 303:2
fuller 19:21
fully 43:20 53:1 57:5
63:9 68:8 183:6 258:1
288:18
function 117:16 127:7
147:9
functioning 20:5
functions 43:5 64:12
65:19 226:11
fund 48:19 71:5 72:14
94:8
fundamental 74:19
210:4 276:16
fundamentally 243:2
funded 42:11 44:11,15
48:8 76:21 83:2,4

longest 239:14
look 7:14 11:21 13:2
  20:15 24:18 28:21
  30:21 34:20 38:13
  40:13 42:19,20 44:1
  45:17 51:2,21 52:20
  52:21 54:9 56:16 58:6
  74:17 75:4 76:2,13
  78:14 79:1 80:5 82:5
  82:22 94:11 101:3,5
  103:13 104:2 108:10
  119:8 124:17 127:12
  128:7,18 132:21
  141:2 143:12 148:20
  151:11,18 156:12
  160:16 161:4 164:3
  165:20 178:4,7
  181:13 182:3,17
  184:3,14,15 189:20
  190:3 194:9,16,17
  199:11 201:4,18
  207:18 210:5,9 212:6
  213:10 214:1 233:18
  234:9 239:8 252:1,19
  259:11 260:19 266:7
  268:3,17 271:5 278:8
  278:11 282:11 283:20
  284:3 286:3 289:22
  290:12 298:2
looked 100:15 215:5
  218:18 265:11 268:21
  277:8
looking 20:10 21:9
  26:22 29:3 30:18
  31:10 45:22 50:13,19
  51:6,9,15 58:11 77:7
  77:12 80:12 82:18
  96:6,17 98:1 99:8
  102:11 107:7 130:8
  131:4 136:7 148:14
  154:5,12 160:14
  163:21 165:15 166:1
  166:1 188:10 195:7
  199:8 210:14 213:17
  214:22 215:1 221:9
  221:21 230:16 232:7
  234:1,19 237:20
  239:1 240:9 241:15
  255:11 257:9 272:20
  293:7 294:7 295:9,12
looks 51:12 71:12
  188:20 233:6
lose 181:7 271:14
lost 37:22 230:15
lot 18:19 20:22 22:9
  25:18 41:8,9 43:5
  50:14 52:2 57:14
  60:12 62:14 67:14

68:11 73:8 75:18 77:1
  94:3,13,17 103:8
  105:3 149:7 154:22
  157:2,6 159:9 161:18
  168:21 172:8,16
  180:21 181:2,7
  182:21 189:15 203:16
  211:8 212:17 213:7
  225:3 227:21 230:15
  232:16 233:3,5
  238:17 241:6 252:14
  256:20 257:4 262:6
  265:18 271:3 273:10
  273:11 282:16 289:20
  293:5,16 296:12
  303:1 304:3
low- 208:20
lower 53:3 277:14
lunch 4:13 25:17,17
  26:3,5 151:13 152:12
  152:13 190:17
lunchtime 9:4 26:4
Lynch 3:14 14:13,14

M

ma'am 216:17 238:3
  239:9
MacNeill 2:5 17:10,11
Madam 22:1 24:12
  73:11 109:5 235:5
main 39:4 95:12 155:5
  208:18 261:13,17
  301:5,6
maintain 267:13 271:7
  271:11
maintains 270:21
major 42:12
majority 161:12 282:13
making 19:1 30:22 31:2
  42:13 65:5,7 86:8,10
  127:22 140:22 146:19
  172:13 173:3 183:19
  196:7 200:2,7 216:9
  220:22 231:8 272:16
  274:13 278:7 282:20
  288:6 303:15
manage 212:1 214:13
  276:15
managed 76:21 106:6
  227:18
management 1:21 23:7
  64:8 111:4 115:22
  116:2,20 117:21
  123:17,19 127:8,13
  128:15 129:5,6 226:1
  226:7 260:9,13 261:8
  261:15 262:12 263:20
manager 1:18,19,21

237:15
managing 120:4 260:19
  261:3 276:21
mandate 8:5 99:4 132:1
  155:6 162:12 188:14
  194:11 203:20 207:14
  286:3
mandates 285:3
mandating 163:1
mandatory 149:14,18
  150:13 156:4,12
  169:16,20,20
manner 62:22 180:2
  274:17
manufacturer 199:15
mark 2:3,18 13:16,17
  14:10 17:4,22 44:20
  44:21 46:13 49:19
  63:19 103:18 104:20
  109:15,17 116:7
  120:21 124:15 129:21
  137:2 142:1 151:9
  154:15 174:2,21
  182:1 184:19 186:5
  205:18 208:9,10
  212:20 218:1 224:10
  225:11 226:21 228:11
  228:15,18,19 229:1
  229:21,22 230:1,10
  231:4 239:20 271:9
  298:21 299:11,22
  302:18
marking 98:3
mart 236:9
marts 235:15 237:15
Massachusetts 150:16
Massoud 3:19 15:2
  21:18 24:7,12
match 77:9,10
matches 77:9
material 142:20 181:12
materials 1:3 246:21
matter 50:4 72:8 85:6
  102:13 165:17 179:11
  179:15 190:16 191:19
  244:4 250:3
matters 31:12 193:14
mature 256:16,17
  275:15 303:4
matured 73:21
matures 258:13
maturity 116:10 133:4
  133:15
Max 3:12 14:22 152:2
  218:13,14,15,22
  219:9 241:10 242:6
  259:6 270:17,17
  271:16 279:19,20

maximize 137:22
  289:17
Mayberry 2:7 15:4,4
  17:12,13 21:15,22
  28:8 34:7 43:7,8,15
  43:19,22 44:3,9 58:2
  58:5 70:15 71:16
  83:11 98:12 99:14,21
  100:6 101:9 128:13
  129:1,9,12 131:2
  158:6 200:20 254:17
  256:13,16 257:6
  275:12
Mayberry's 174:10
mean 21:4 56:11 60:22
  66:19 75:5 83:12
  96:19 97:21 125:2,18
  145:4 158:6,7 164:14
  175:19 176:21,22
  177:16 202:7 210:21
  212:12 222:15 229:18
  268:8 281:17
meaning 132:9 175:11
meaningful 165:19
  166:21 174:9,19
  175:11 176:16 182:14
  244:9,11 267:9
  279:11,12
meanings 168:17
means 51:13 52:22
  113:9 158:15 169:17
  174:17 230:22 233:6
  278:12 282:14 304:3
meant 111:6 131:22
  134:21 153:1 196:19
  301:5
Mears 2:16
measurable 88:8 260:1
  262:15
measure 223:1 262:17
measured 187:9
measurement 168:6,7
  171:8,9,10,11 173:11
  194:12
measures 191:17
measuring 277:3
mechanism 130:11
  138:21 237:14 246:8
mechanisms 101:2
  163:12 274:3
media 1:13 8:18 10:21
medical 12:2,16
meet 24:2,20 111:11
  257:4 275:17 289:12
  291:16 301:3
meeting 1:8 5:6,8,14,21
  6:19 10:13 14:1 18:3
  18:6,6,7,10,12,22

19:6,11,22 22:6 25:6
26:13 31:20 34:13,17
52:1 59:17 73:18 74:5
74:16 103:11,17
106:19 107:12 111:7
111:12 146:4 153:18
170:4 230:12 241:8
254:7 256:5 276:19
282:18 283:19 287:8
287:9,12,14 288:1,20
290:3,4,20 291:4
292:2 295:21 296:3
297:18,21 300:1
301:19 302:19 303:6
303:15,21 304:16
meetings 19:13,14
24:16 29:9 36:3 38:15
56:21 64:2 72:6 80:14
80:16 99:15 106:18
108:19 112:12 115:3
137:7 207:13 208:18
211:9 242:10 246:16
256:1 259:9 263:17
265:12 277:9 279:8
287:13 290:21 296:11
297:2 299:2,3,4 300:2
meets 275:16
member 9:8 10:6 22:11
24:6 249:5 277:20
members 1:15 5:14,15
22:4 30:11 35:3 59:10
60:22 63:3 67:12 74:1
80:15 81:16 84:21
103:11 105:16 189:17
225:21 264:14 271:13
290:17 296:13 297:19
302:5
memberships 268:11
memo 35:12,22
memorandums 93:19
memorialized 125:19
mention 22:7 169:15
250:16
mentioned 32:14 33:19
99:5 154:15 161:12
249:3 250:2 262:8
263:12 275:1 276:6
280:9
mentioning 175:21
218:17
mere 23:3
message 37:2,14
140:11 284:19
messages 8:15 147:16
messaging 140:16
met 1:12
metal 192:18
metaphor 199:9

method 204:17 205:11
246:8 251:2 255:20
methods 188:10 195:4
195:6,12 196:6
207:15 248:10 250:1
metric 171:1,2,3
metrics 117:13 223:1,3
223:6,14 244:9
279:11
MFL 200:12
mic 121:2
Michael 1:18 16:15 17:7
51:18 121:21 138:5,8
139:3 152:7,14,22
203:16
Michael's 122:7
Michelle 3:9 14:15
17:20,21
micrometer 187:4
microphone 101:13
mics 190:14
middle 13:5,6 190:22
246:19 277:11,15
mike 2:5 17:8 21:21
mind 74:19 75:13 77:3
79:16,20 124:21
152:8 241:11 273:4
289:11
mindful 201:19 221:18
281:11
mine 113:15
minimum 94:6 156:6,7
156:15,17 170:10
171:1
minor 61:4 128:19
minute 72:22 171:22
236:1 251:19 296:5
minutes 10:11 113:6
mirroring 96:7
misinterpreted 149:21
missed 131:12 199:16
missing 148:22 189:21
mission 4:8 7:8,11 8:7
32:22 85:17 87:1
100:17 112:4 119:16
143:8 239:6 292:6
293:15 294:20
missions 36:12,18
285:3
mistake 198:12
misunderstood 196:18
mitigation 260:22
mixed 167:7
mixing 168:13
mobile 9:10
model 38:13 52:20 64:9
64:22 71:12 83:7,14
116:10 143:11 165:5

255:21 270:19 272:3
modeling 198:10
models 64:3 71:8 82:19
228:14
modifications 292:14
modules 248:11 249:19
250:16 254:11
moment 110:17 220:13
242:2 243:22
Monday 297:11
money 45:11 47:21
77:22
monies 100:20
monotone 258:19
month 13:12 26:14
48:22 105:2 226:15
months 20:21,21
Morgan 2:10
morning 5:3 8:14 14:3
14:13 26:10 27:3,6,13
52:12 59:11 61:16
63:21 67:7 68:8
114:11 117:11 133:11
139:5 140:10 144:18
144:19 145:1 154:5
185:15 191:6 196:9
206:19
morphed 75:20
motivate 246:1
motivation 203:14,16
MOU 97:10,11,14,19
MOUs 97:9 98:3
move 9:3 11:6 16:10
20:16 29:4 34:4 85:11
87:9 169:19,21
181:20 188:4 211:21
222:21 234:16 241:21
242:1,2 258:22 284:8
292:5 295:19 302:19
moved 115:13 277:12
moves 282:11
moving 20:4 92:15
161:8 162:9 166:17
167:17 169:1 175:1
194:22 198:8 207:5
242:4 276:5 283:1
287:4
multi-tasking 9:13
multiple 9:12 29:15
84:7 235:15
Murray 3:4 5:3,7 12:8
12:13,15 13:9,10,14
13:17,19 21:13 25:3
27:8,18,21 29:11
36:13,19 37:4,15,20
38:7 85:13 87:6
110:22,22 111:13,15
111:21 119:14 122:20

123:15 153:22 214:10
214:15 239:17 249:1
283:4 286:12,13
290:19 294:19 296:6
297:6 298:17,18,20
299:11 300:4 301:15
302:13 303:13 304:13
mute 9:13 190:10
mutual 274:2
mutually 245:8

N

NACE 155:1
name 13:15 14:8,13
15:14 21:19 63:12
names 168:5
naming 168:12
namings 169:1
Nancy 3:20 12:9 15:1
NAPSR 105:15
narrative 285:6 286:1,9
NASA 43:10,17
national 2:5 58:20
nature 8:11 33:22 268:8
NDE 98:18 107:8
123:18 124:1 130:14
138:19 168:2 171:8
186:13 187:14 188:6
188:10 192:2 244:6
NDE-4E 264:2
NDT 98:18
near 11:19
near-misses 90:11,16
90:20 137:12 142:15
necessarily 77:20 80:9
80:10 164:4 181:9
214:4 221:16 228:22
233:11 252:9 253:19
262:7 272:20 279:16
281:9 286:17
necessary 96:15 98:5
172:15 197:16 232:9
243:11 253:3 257:11
278:19 284:15 296:3
necessity 35:15 156:6
needed 39:20 55:21
73:9 86:13 161:13
170:16 220:18 224:13
229:6 292:14
needing 51:2 232:20
252:9
needs 19:20 32:16 42:6
48:9 49:7 55:13 75:13
78:7 90:1 95:15
102:17 148:16 156:8
173:16 177:16 185:16
202:1 216:19 237:3
252:15 281:19 282:6

323

phone 5:16 6:17 9:11
9:14 10:5 15:12,14
16:12 18:13,16,20
19:2 26:19 30:5 36:8
52:4 56:2 60:8 62:16
67:9 72:2 95:2 96:1
102:3 108:3 109:11
114:15 121:5 122:13
129:18,19 135:6,19
136:20 147:19 155:14
162:15 167:14 169:5
183:16 185:21 187:21
190:10 193:2 195:17
205:4 206:9 210:14
213:2 217:14 224:2
224:11 235:20 237:10
237:19 243:18 245:11
263:6
phrase 193:14 258:11
279:12
phrased 156:10
phrases 193:10
physically 8:17 10:20
pick 208:20
picked 300:8
picking 80:1 268:3
pictorial 142:17
picture 178:4 241:16
piece 23:8 51:16 101:16
120:10 149:19 192:18
214:3 219:20 247:10
269:7
pieces 88:1 133:15
piggyback 122:20
PII 1:18
pipe 3:18 162:20
186:11 192:18 199:15
273:7
pipeline 1:3,18,19 2:8
2:12,13 3:8,10 6:10
8:1 14:20,20 20:9
21:5 23:2,13 24:10
59:16 60:17,18 61:9
69:15 76:11 81:8
88:11 91:2,14 92:3
93:11 96:15 111:8
115:21 116:20 117:21
120:4 123:5,17 143:4
144:10,11 161:17
173:8 199:12 221:6
232:18 244:3 260:4,5
260:12,14 262:22
266:2 273:9 295:19
pipelines 6:1 15:19
64:1 71:11 133:2
pipes 6:2 188:11 204:5
PIX 267:5 273:8 275:16
place 11:5 49:16 63:5

129:7 133:1,14,18
134:17 137:15 144:13
147:14 159:9 215:17
227:14 272:22 275:5
287:13 294:22 298:10
placed 10:17
places 174:9
plain 31:13,16,18 67:2
132:8
Plains 3:8 14:19 205:2
plan 68:20 109:17
114:3 124:3
play 123:1 134:17
139:10 196:3
playing 27:1
plays 136:12
please 9:9,19 10:4
11:21 13:2,6 32:11
33:7 298:12
pleased 22:16 24:6,9
plug 272:6
plus 2:5 64:9
point 11:19 14:5 27:16
39:5 42:5 48:20 50:6
52:14 54:10 57:21
67:12 96:11 102:22
106:16 108:22 111:21
112:6,14 115:2
116:22 117:18 118:4
119:1,12 120:5
122:10,11 124:8
126:6,16 127:2,17
128:5,19,20 129:10
135:1 139:2,15,16
140:4,10 142:12
143:7 144:4 147:13
147:16 148:11 153:11
154:12 160:3 169:18
172:20 173:3,21
174:10 181:8 185:13
185:16 194:5 196:8
199:6 215:7 216:11
224:20 228:11,11,19
230:11 240:14 248:16
263:4 269:1,21
270:12 271:2 277:6
278:14 279:7,21
283:1 288:15 292:21
pointed 218:1
pointing 241:9
points 77:14 131:17
138:4 142:19 143:20
148:2 173:9 175:8
182:10 185:5 193:10
213:22 228:19 246:9
274:12
policies 40:7 43:3
64:14,15 66:9,16

policy 21:18 66:20
200:1,8,8 226:6
policymaking 200:15
ponder 156:22
poor 102:16
population 278:3
portal 238:9
portion 206:1 258:8
position 20:15 67:13
80:11 282:4
positive 80:22 209:1
274:3
possibilities 161:1
possibility 296:16
possible 10:12 23:12
71:7 157:12 223:6
256:14 260:7 279:9
292:16
possibly 60:21 86:3,4
86:17 95:17 148:3
197:20 216:11 249:10
258:19 259:20 264:16
288:16 292:8 299:22
302:20
post 35:1
posted 297:21
potential 20:5,18 68:3
94:12 163:20 221:14
273:13 277:1 294:17
potentially 46:7 100:16
137:11 177:12 181:15
181:17 289:13 293:7
power 13:4 43:4 47:8
PowerPoint 7:2
practical 31:1 66:8
93:16 127:10 157:17
164:14 292:21
practice 105:11,21
106:20 108:18 110:3
111:3 115:11 117:1
155:1 206:22 207:2
239:19 247:2
practices 4:10 20:13
82:20 112:18 113:2
114:8 151:11,14,18
152:9 162:1,5 163:2
241:21 242:9,16
258:22 259:5 262:2
276:13,17 281:8
299:7
practices/standards
154:19
pragmatic 177:1
PRCI 52:6 74:13 133:7
133:22 134:1,14
188:8 210:14 229:4
264:2,12 275:22
pre-decisional 298:1

pre-subcommittee
19:14
preamble 108:12
precise 193:16
precursor 228:12
predict 199:18
preference 71:19
prep 284:9
Preparatory 4:19
prepare 26:12 49:20
prepares 95:6
preparing 19:9
prescribing 227:10
prescriptive 176:18
228:5 229:3,17
231:17 237:1
prescriptiveness
230:16
present 1:15 3:2,22
22:4 142:18 161:3
presentation 6:22 7:2
118:12,17,17 134:15
presentations 18:7
115:3
presented 38:14 142:13
200:18 230:13
presenting 296:17
presents 67:17
preserve 244:21 250:14
President 1:17,20 2:2,5
2:9,16,18
presiding 1:14
press 27:21
pressure 135:15
pretty 26:15 59:15 99:6
112:15 157:1 289:13
292:7
prevent 45:6 55:19
222:16
prevention 83:22
previous 64:2 72:6
86:18 112:12 122:21
246:15 277:9
previously 5:19 112:5
206:19
primarily 38:19 42:10
primary 29:22 38:18
56:11
Principal 2:3
principle 89:14 194:20
principles 119:2 124:6
prior 115:2 178:13,19
241:8 288:1,13,20
297:17
private 46:6 56:19 68:4
69:16 93:14 210:17
proactive 8:11
probably 33:6 56:11

77:10 81:21 86:16
90:12 108:22 123:3
126:15 127:16 149:17
152:16 182:5 189:8
205:17 218:1 239:14
241:10 271:21 284:18
291:6 298:4
problem 38:4 41:22
77:21 163:15 183:2
189:21
problematic 61:7
problems 262:3
procedure 186:17,18
187:7
procedures 187:17
192:3 273:21 276:17
279:3
proceed 13:13 145:22
242:13
process 2:3 4:9 24:22
27:17 28:11 53:11,21
67:15 88:3 89:12,22
93:2 104:18 105:1
106:11 116:2,2
117:13 121:8,13
123:14 133:4 136:11
137:4 139:15,16,18
139:19 141:12,15,17
144:7 146:14 148:15
154:16 162:4 166:21
166:22 167:3 168:7
169:2,18 172:9,10
180:5 183:17 205:11
205:16,21 211:22
214:12 218:9 220:16
239:7,20 244:2,18
245:5,6 246:20 248:3
251:10,16 252:10
260:9,14,15,18 261:2
261:8,18 262:19
263:22 264:17 265:9
265:15 269:8 279:5
279:22,22 280:13
282:1 283:8 290:10
291:2 293:11,21
296:14 299:8
process-sharing
148:21
processes 120:1 130:2
133:13,17 143:15
144:13 158:11 159:14
167:9 181:13 222:2
222:12 258:9 262:2
269:5 273:21 276:22
279:3 280:14
processing 143:4
179:20
processwise 120:13

produce 233:3,5
produced 117:13
producing 50:4
product 233:18 264:19
productive 295:15
products 233:5
profile 249:12
profiles 168:8
program 38:19 44:7
47:4,7,8 74:20 76:9
78:21 88:14 90:5,6,14
91:20 92:13 94:19
95:7 102:18 116:19
124:5 149:14,15,17
156:4,15 196:19,22
214:6 223:5 226:12
248:8,12 251:4
260:13 267:6 268:9
294:9
programs 21:18 48:3,4
48:7 68:13 69:7 71:11
74:12 88:10,11 93:1
96:14 99:20 161:17
254:12 262:12 264:9
267:8,9,14,16 268:7
progress 296:22
302:21
prohibited 91:22
prohibiting 89:7
project 45:14 52:21
72:14,15 92:13
127:14 256:8 258:3
274:6
projects 262:4
promote 69:15 128:18
promoting 23:6 128:17
promptly 49:21
pronouncing 21:19
proper 20:7 21:12
properly 170:18
proponents 200:4
proposal 73:17
propose 54:21 296:21
proposed 25:10 30:20
31:3
proposing 275:14
291:12
pros 49:4 68:9 70:9
86:4
prospective 197:17
prospects 22:9
protect 55:19 94:3
244:20
protected 236:17
protecting 5:22 92:6
protection 88:20
protections 40:3 64:14
93:10,18 94:13,17

274:13,22 275:6
protocol 158:17
provide 6:13 7:16 8:10
11:4 30:11 45:19
57:10 117:6 123:3
161:3 165:9,18 192:1
205:12 230:3 256:1
293:13 294:10
provided 94:5 95:6
105:3 113:9 136:17
228:9
provider 39:11,22
43:17 44:6,13,17
51:16 75:6 106:22
130:6,7 180:16
197:19,20,22 212:5
215:9 217:2 233:15
234:3
provider's 180:16
providers 102:8 105:16
106:13 107:3,8
123:16,18,22 124:1,2
135:14 136:4,18
154:17 198:15 203:5
216:20 217:9 223:10
provides 9:21 56:19
66:17 107:16 111:8
117:1,3 138:20
163:12
providing 12:3 45:2
100:2 121:13 219:17
255:11 276:13 279:1
provision 45:2,18 91:22
provisions 40:5 64:13
88:1 114:10
prudent 31:22
PS-10 280:2
PS-4 131:7
PS-5 135:12
PS-7 133:20
public 1:16 3:13 5:15
10:2,8 15:7,8 16:1
34:18,21 35:2,3,8,14
35:15,16 53:3,13 54:5
54:18 55:10,19 60:22
61:6 62:20 69:16 74:2
79:19 81:14 98:8
105:16,18 124:13
144:8 201:5 220:10
272:11 279:10 280:16
290:3,21 291:1
297:20 302:19 303:6
public's 54:10 62:15
publish 222:22
published 39:21
pull 36:20 125:22 166:2
223:19 266:3
pulling 150:18

punishment 221:14
purely 53:2 54:2
purpose 5:20 6:9
purposes 48:6 226:17
pursue 42:16 254:13
pursued 259:19
push 180:6 229:10
233:4
pushing 133:22
put 39:18 41:18 42:4
47:19 57:16 71:15
81:9 84:16 91:21
113:11 151:12 158:22
178:17 195:7,14
196:14 199:5 202:8
223:15 225:3,4
232:22 234:12 246:9
257:21 280:10 283:22
294:14
putting 109:18 281:7

Q

Q&A 4:12,16
QA/QC 124:5 251:4
276:21
quadrant 262:7 277:13
277:14
Qualification 155:2
qualified 238:7
qualitative 166:19
167:2,22 238:7
253:15 262:10
qualitative-type 254:4
quality 24:3 124:3
158:9 159:1,18,18
173:22 212:1 213:12
213:14 214:13,16,21
215:5 276:19 277:12
quality/validation
178:13
quantitative 166:20
168:1 238:12 253:12
254:3 262:20
quartile 203:13 217:6
quartile/bottom 203:13
question 9:20 27:8,20
34:11,17 37:5,6,7
43:8 49:11 56:7,15
68:18,22 69:2 70:16
71:10 75:4 98:13
109:15 110:14,20
111:1 118:16 119:6
119:13,20 120:21
122:5 128:13 131:1,5
131:14,18 141:21
145:3 146:10 149:16
155:18 160:9 182:17
200:5 209:13 214:15

rep 14:22 15:1
repeat 205:21
report 4:7,8,14 19:17
  35:2,5,6,10,13 41:17
  45:13 68:8 70:5 80:13
  80:21 81:14,17 91:3
  92:2 97:22,22 98:6
  104:9 109:19 128:2,7
  128:10 138:3 143:9
  156:4 160:4 213:13
  213:17 226:4,18
  228:9 232:18 252:3
  252:22 257:10,22
  265:8 266:14 276:11
  284:3,20 287:20,21
  288:18 289:5,20
  290:13 291:14 294:15
  295:18 297:9,14,15
  297:20 302:1,3 303:1
report- 25:16
report-out 27:17 28:10
  28:16 36:11 104:19
report-outs 25:7 27:1,2
  28:15 30:1 34:16
  104:17
reported 12:21 90:20
  171:1,4
reporter 304:6
reporting 28:17 56:20
  91:9 127:21 146:15
  252:18 282:15 284:13
  286:9 291:20 297:12
  301:19
reports 28:18 69:20,20
  103:18 143:13 148:14
  244:9 284:7
represent 14:9,11
  15:14
representation 38:20
  46:9 142:18
representative 9:7
  14:14,16 102:6
  225:13
representatives 74:1
  104:8 105:15,18
represented 46:19 47:2
  144:9 211:12 217:3
representing 14:20
  15:5,8 16:3
represents 105:12
reproduction 205:16
reputable 211:12
request 92:18 254:10
  254:12 265:6
requested 47:15
requesting 88:2
require 163:8 253:19
  258:3

required 95:13 155:9
  157:13 166:20 170:11
  170:11 174:16 178:13
  256:8 278:1
requirement 6:3 56:12
  165:1 180:7,9
requirements 128:22
  157:11 163:12 178:12
  185:12 196:14 256:3
  257:20
requires 11:8
requiring 159:7 163:1
research 2:11 3:10
  39:19 45:4 57:9
  105:17 112:20 137:20
  201:3
reside 75:1 197:22
resides 57:2
resolution 168:7
resolve 179:13
resolved 234:16
resources 57:3,4 84:6
respect 43:4 106:1,12
  115:8 137:5 176:8
  246:18 276:20
respected 150:13
respective 107:7
  248:19
responders 12:18
response 96:2,4 100:8
  100:10 102:5 103:6
  104:14 108:4,7 112:8
  113:20 114:16,18
  122:15,17 129:20
  132:18 135:5,7,9,20
  135:22 136:21 137:1
  145:16 147:20,22
  152:1 155:15,17
  162:16 167:15 169:6
  169:8 171:21 185:6
  185:22 186:2 187:22
  188:2 189:3,6 193:3
  194:3 195:18,20
  202:16 205:5,7
  206:10,12 211:19
  213:3 217:15,17
  224:3,5 235:3,21
  236:15 237:11 243:19
  243:21 245:12,14
  247:15 249:15 259:3
  263:7,9 265:2 284:12
  303:17
responses 260:21
responsibilities 48:6
  66:1 75:1,10 148:8
responsibility 65:10,20
  66:18 148:7
responsible 47:20

66:10 236:7
rest 67:8 162:10 234:1
  304:15
restaurants 25:18
restrooms 8:22
restructured 105:6
result 167:7 170:17
  171:7 204:6 215:20
  215:21 221:13
resulting 191:20
results 88:8 167:7
  203:11,13 215:10,13
  215:14 217:10 279:4
resumed 85:7
retain 228:3
retaliatory 92:1
retrieve 12:10
retrieved 222:14
return 90:13
reveal 100:3
revealed 99:11
revealing 91:1
reverberates 154:15
reversed 277:15
review 21:11 60:5 116:2
  217:2 267:4 288:4,8
  288:13,20 291:22
revise 60:5 154:7
revised 87:16 241:11
revising 170:21
revision 154:1
reword 165:21
rewrite 250:18
rewrote 87:16
RFL 243:1 294:20
  296:11
rights 185:11
rigid 158:16
rigorous 260:13
risk 6:10 55:12 57:2
  111:4 198:10 260:19
  261:3 263:20
road 127:12,16 165:8
roadmap 293:14
roads 163:7
Robert 1:21 16:21
Roberti 3:17 131:4
  132:4,7 149:4 150:22
  156:3
robust 78:5 81:17
  102:18 250:13 251:3
  255:10,12,19 289:4
  294:14
role 40:19,20 42:21
  61:5 70:22 123:1
  136:13 281:15
role-based 237:13
roles 75:9 139:8 148:8

roll 14:6 49:20
rolling 59:22
room 9:11 11:9,13
  13:12 14:4,7 15:15
  18:11,14 36:8 52:10
  54:15 56:1 57:21 58:3
  59:9 60:8,9 61:21
  67:8 78:19 82:2 96:3
  191:7 224:4 273:16
  273:17
ROSEN 1:21 153:8
  197:6 203:8,10,11
  225:21
routines 238:13
RP 115:1,3,17,20 118:8
  120:13 126:1 157:16
  157:18 158:1,3
  163:15 165:4
RPs 157:8,12 159:11
  163:9
rulemaking 234:13
rulemakings 234:8,10
rules 33:13 234:10
  250:14
run 12:22 39:3,9 42:11
  47:8,12,20 48:7 72:15
  183:19
running 43:12 226:13
runs 130:13,14
rush 19:19
rusty 12:5
RVI 211:13

S

SA 212:4
safe 13:1 161:16 174:19
  175:15,16
safely 91:16
safer 61:2
safety 1:3,19 2:5,8,12
  2:13 4:2 6:1 8:1,15
  10:18,19 20:9 23:2,5
  23:7,13 24:10 54:18
  55:19 59:16 69:16
  76:11 88:11 91:2,14
  92:4,22 93:11 96:16
  111:9 113:18 115:22
  116:19,20 117:21
  120:4 123:17,19
  127:8,13 143:4
  144:10,11 200:10,16
  200:17 221:6 262:22
  263:22 266:2 279:4
satisfactory 197:11
sausage-making 202:5
saw 43:10 177:8 181:17
  229:2
saying 76:4 80:8 105:8

128:2,18 134:22
144:22 156:20,22
174:6,13 177:13
183:10 203:8 222:7
234:13
says 76:20 96:12 121:9
145:5 154:16 167:18
178:10 187:3 212:14
224:14
scanning 187:5
scare 181:5
scares 176:19
scary 198:3
scatterbrained 124:16
scenario 198:5
scenarios 81:21 82:10
200:10
scene 94:12
schedule 19:7 24:1
science 56:12 212:6
scope 143:21 193:22
199:8,21 226:3
259:14
screen 6:16
se 1:13 74:9 165:22
194:18 223:20 278:8
Seal 1:21
seam 199:14
second 52:13 54:4
56:17 85:4 105:19,21
110:15 156:2 244:1
259:14 260:11 261:17
262:7,7 263:11 285:8
292:4
Secondly 296:15
Secretary 6:13,15 7:16
21:2 22:2,16 24:21
35:13 45:10 58:12
70:10 79:18 87:21
92:11 98:7 149:10
226:18 296:18,21
Secretary's 73:1
section 5:21 13:6 50:9
50:10 108:12 128:4
131:6 143:10 182:9
200:1 246:6,11
283:12
sections 95:14 291:14
293:20 297:13
sector 46:6
secure 7:18 58:9
233:17 237:3
security 11:15 12:17
244:20 249:5,11
276:21
seeing 51:7,17 69:19
77:8 82:7 148:15,20
230:17

seek 87:21 94:13
246:21
seen 23:18 43:11 48:1
63:8 68:13 69:12
segments 261:13
select 133:2
self-audit 116:14
self-executing 94:16
self-serving 54:7
SEMS 128:19
send 291:17,21 297:15
302:8
sending 37:14 284:18
sends 291:16
Senior 2:1,4,16
sense 31:13 32:20 33:6
55:14 66:9 67:14
70:11 71:18 73:22
75:18 99:8 109:6
113:9 147:2 159:14
176:3 177:9 179:17
181:21 182:3,15,20
200:4 223:13 231:1
234:21 235:7 253:5
257:7 258:11 271:14
287:18 292:10 296:1
300:8,20
sensing 33:10
sensitive 133:20 134:2
270:10
sensitivity 269:1
sent 215:10
sentence 76:19 77:4
214:11 260:12 261:4
sentences 285:6
separate 35:22 88:14
141:16 168:16
separately 130:18
separation 250:14
September 153:19,21
series 105:2 182:7
serve 198:22 202:3
serves 120:9
service 1:16 15:8
105:16 106:13,21
107:3,8 123:16,18,22
124:1,1 130:6,7
135:13 136:4,18
154:17 180:17 198:15
215:9 216:20 217:2
223:10
services 12:16 197:8
serving 5:7,11
session 194:17
set 11:12 18:14 28:12
34:9 72:13 82:20
105:21 106:9,10
108:14 113:4 120:1

164:11 182:9,12
191:15 193:9 247:17
252:11 253:2 254:21
266:1 269:14 270:4
278:20
setting 34:6 36:8 88:16
137:9 183:4 239:15
255:6 271:22 275:14
seven 25:11 28:15
76:18 224:18 297:17
shape 20:14
share 21:16 23:10 30:8
55:17 90:2 130:11
137:9 143:2 144:8,13
160:21 167:5,5 170:2
173:5 188:16 189:19
212:14 216:2 221:5
222:9 229:14 264:14
264:17 265:7 268:14
270:22 272:5 280:19
283:14 290:16 304:10
shared 59:3 89:21,21
89:22 98:20 99:1,10
105:2 106:17 112:11
117:14 133:7 162:7
168:20 173:15,17
178:21 197:7 206:3
207:21,21 219:5
222:18 223:11 257:1
261:9 268:10 272:1,5
273:11,11
sharing 4:9 5:5 6:4,6,8
7:4,19 18:4 20:13
48:7 76:11 78:22
82:19 104:18 105:1
106:11 112:16 113:10
130:2 131:6,9 133:13
136:11,16 137:5,13
138:16,21 148:15
154:16 159:16,17
166:18,22 167:19
168:11 169:1 170:10
178:11 185:8 186:8
191:14 195:4,11
204:22 205:10,16,21
207:6 208:1 209:3
215:13 216:7 218:20
220:16,21 221:14,15
221:22 239:7,7,20
241:17 259:16,17
260:7,18 261:2 262:1
265:10,18 266:1
269:3,8,12,15 273:22
274:3 275:6 276:14
276:15 279:5,22
280:1 299:8
she'd 27:11
shelter 11:5

Sherman 17:17
Sherry 3:7 16:2 56:5
120:19 141:9 179:4,6
180:20 255:14,18
258:12 270:17,17
shift 152:6
shine 294:5
shooter 12:21
shop 216:1,12
shops 212:10
short 37:14 81:2 85:11
123:21 134:15 258:5
274:19 291:3
shortchange 177:17
shortly 154:10 206:2
282:18 289:21
shot 60:15
should've 6:18
show 25:15 70:6 96:8
139:7 192:6 262:21
280:12
showed 139:17
showing 58:12
shown 55:13 114:1
265:8,8,9
shows 42:3 49:4 108:20
side 18:15 53:8,9,22
54:1 63:14 176:5
210:3 256:3 277:10
293:7
side-by- 293:6
side-by-side 41:5 74:18
sides 53:12
sign 93:22
significant 20:8 47:3
silence 9:9
silo 80:2 234:18
siloed 102:10
similar 43:6 45:3 50:20
68:13 82:17 93:22
95:8 162:22 187:14
199:6 209:3 229:5
236:22 243:15 255:2
265:15 267:7 286:16
287:15
similarities 41:9 50:3
77:1 96:8
Simona 2:11 52:8 54:14
54:15 55:22 77:15
82:8 146:8 301:17
simple 137:8
simplified 279:17
simplifies 139:10
simplify 140:11
simplifying 231:2
simply 31:17 59:17
113:9 114:11
simulation 210:17

ten 28:6
tend 158:18
tenets 245:22
tent 9:19 18:15 109:8
  212:21
term 53:6 70:5 108:18
  117:3 123:21 128:21
  291:3
terminology 244:15
terms 10:18 25:16 27:7
  29:6 31:18 41:6,22
  50:11 51:15 66:9
  70:21 86:16 96:18
  100:1 111:11 123:1
  143:20 162:1 164:15
  168:21 189:20 193:10
  197:14 238:18 241:15
  241:16 262:22 269:1
  270:12 272:18 278:7
  282:19 287:6,16
  288:11 291:6 293:5
  294:19 297:6
testing 89:19 123:10
  135:15 188:9
tests 204:18,20
text 146:17 152:3 182:6
  225:5 227:19
thanks 42:18 52:12
  58:5 61:22 63:20
  82:15 100:6 102:20
  119:11 124:11 129:21
  145:13 167:16 170:7
  190:12 198:1 204:10
  235:8 240:11 253:6
  270:14
Thanksgiving 289:21
Thebert 17:20,21
theme 150:19 286:4
themes 260:3
thereof 195:9
they'd 61:11
things 9:12 20:2 21:5
  28:20 31:4 41:4 48:22
  55:4 64:10 68:20
  69:11 80:19 91:4,9
  97:16 99:10 103:22
  104:1,2 120:3 134:2
  136:5,6 137:8 142:14
  152:6 159:7 160:12
  161:2 163:11,19
  165:7 172:12 173:12
  176:17 179:11,22
  193:14 199:20 201:18
  206:4 215:7 224:22
  225:20 226:3,10
  227:16,20 228:6,15
  230:5 231:21 232:6
  233:9,10,12,13,20

234:7,8,15,19 240:2
  244:22 249:22 252:4
  252:17,20 253:2,14
  257:3 258:7 267:19
  268:6,9 269:6 283:9
  283:17 284:19,21
  285:5 286:7 288:1,9
  293:17
third 53:7 54:9 75:6
  106:4 113:21 157:6
  244:17 259:15 262:13
third- 179:12
third-party 39:10,22
  40:2 43:16 44:6,13,17
  102:8 116:11 179:9
  212:4 237:15 243:14
  245:7 256:2 277:20
thought 28:8 41:4
  59:18 61:12 62:6 72:9
  72:12,21 92:21 93:15
  99:2,6 103:9 109:18
  120:21 121:9 131:8
  146:17 148:11 170:4
  196:9 203:20 210:7
  214:8 220:2 228:15
  233:12 270:13 282:8
  288:3 289:7 293:5
  300:4
thoughtful 220:20
thoughts 20:14 29:21
  67:10 103:14,18
  111:9 152:13 234:22
  270:16 274:9 280:22
  293:13 296:10 303:16
  304:10
threat 187:1,8
threats 217:22
three 24:8 65:12 66:10
  106:14,16 127:15
  136:9 139:9,13 142:5
  173:2,9 176:1 178:7
  199:13 243:4 261:13
throw 222:6 240:8
throwing 296:22
thrust 131:8
thunder 175:8
Thursday 302:20 303:2
tie 114:11
tied 92:22 97:15
tiers 40:10,11,13
tight 78:12
timeframes 211:1
timely 20:17
times 23:16 88:17
  132:9 133:10
timing 130:19
title 243:4
today 5:4,9 7:14 10:3

22:4 25:5 30:2 32:2
  41:16 51:21 75:12
  112:13 115:4 119:21
  122:5 209:6 215:16
  226:15 227:21 239:14
  241:7 242:10 260:4
  265:19 273:17 278:5
  283:14,22 285:19
  287:15 291:11 292:19
  293:12 294:4 302:22
today's 6:19 10:12 25:6
  224:22 276:18
toes 71:20
told 35:6 229:4
ton 201:12
tool 199:15 200:11,12
  203:5 253:20 264:3
tool/technology 191:16
tools 186:22 193:13,16
  203:1,3,21 204:1
tools/technologies
  186:14
top 203:13 217:5
topic 261:17
topical 286:17 287:2
topics 176:7 177:20
  180:7
tornado 11:6
total 259:12
totally 159:4 177:2,2
  230:2
touch 300:22 301:1
touched 32:4
touches 260:3
track 24:16 207:3
trade 74:2 107:12
  137:18,22 268:12
trades 163:8
traditionally 58:18 65:3
traffic 271:5,7
train 248:2,10 251:14
  251:15,17 253:11
  254:1
train-the-trainer 248:13
train-the-trainer-type
  248:12
trained 132:7 212:11
  247:20
trainers 248:18 250:3
training 4:11 211:22
  214:12 215:4 242:3
  242:14,20 243:7
  247:18,19 248:11
  249:2,7,7,12,18,19
  250:5,16 254:11,11
  254:15,20,22 255:2
  255:20 256:2,9 257:5
  258:11 262:9 276:20

294:1
transcript 18:13 283:19
Transfer 1:18
transition 55:4 82:22
transmission 6:9 8:2,3
transparency 202:3
  279:1
transparent 55:15 76:7
  279:9
Transportation 1:1,13
  2:14 6:14 7:17
Transportation's 10:21
travel 303:9
TRC 2:1
trend 91:13 192:6,7,7
  197:10
trends 210:5
tricky 162:22
tried 29:16
trigger 252:14
trip 252:21
trip-ups 296:4
tripping 13:3 221:20
trouble 176:20
truly 75:11 81:3,5
trust 1:20 55:11 59:16
  60:12,13 76:5 78:7
  88:18 144:10 170:18
  171:13 173:19 192:9
  223:3 245:22 274:2
trust-building 55:8
try 10:10 19:8 29:18
  35:15 37:21 62:18
  75:16,17,19 93:3
  113:3 131:12 178:3,4
  258:18 273:20 291:16
  299:6
trying 34:7,9 37:22
  46:21 53:4,13 55:14
  72:4 81:16 83:17
  88:10,12 91:8 93:14
  108:15 112:16 114:5
  124:18 131:10 160:21
  175:9 176:21 182:6
  182:15,18 183:3,4,7,9
  184:17 201:4 231:7
  268:13
Tuesday 301:20
turn 13:21 21:10 24:11
  27:16 29:1 36:6 83:6
  87:12 190:11 210:17
  283:2 290:20
tweak 164:21
twice 198:13
two 7:5 23:16 31:11
  39:4 49:17 52:14 53:6
  65:9,20,22 66:2,17
  70:18,21 72:1 74:17

145:11 156:19 203:22
223:15 240:17 250:11
250:18 269:19 270:18
277:19 296:9 301:18
302:2
wanting 96:20 97:18
184:9 225:14
wants 101:7
warehouse 235:13
237:16 238:14
Warner 2:16 17:22
141:20,21 142:1
183:17 202:15,16
206:16 219:8,8 220:2
222:20
warrant 86:16
warranted 92:21
warrants 210:21
Warren 118:18
Washington 1:13 2:14
11:1
wasn't 41:9 93:7
wasted 233:21
watching 61:1
waterfront 11:18,19
way 24:19 35:11 42:13
45:13 46:11,12 48:1,8
49:9 50:3 53:5,22
60:20 67:20 71:9
75:11 77:12 78:10
80:11,14 81:6,11,12
83:2 89:22 94:5
113:11,12 115:6
116:18 125:9 131:15
136:13 139:4,10,12
140:3,11,15 141:1
143:16 146:1 152:5
156:13 157:1,3,22
161:6 165:21 167:8
174:9,15,18,20 175:5
175:11,14 176:16
177:12,17 178:18
181:9 188:19 189:16
190:4 192:14,21
193:21 199:5,7
200:17 209:8 215:11
215:14 218:22 221:22
222:13 227:8,15
228:3 232:11 233:22
253:4 282:7 286:5
289:10 294:9
ways 5:20 57:14 68:9
115:10 164:21 174:16
269:4 273:20 278:10
weave 49:14
web 238:8
WebEx 34:9
website 18:8

Wednesday 1:10
291:11
weeds 98:3 113:8
181:18 272:14
week 282:19 283:15
291:17 292:2
week's 288:13
weeks 24:8 229:14
291:15
weigh 19:2 51:22 67:20
79:5
weighing 70:1 80:1,19
weighing-in 293:3
weighs- 213:13
welcome 4:2 5:4 12:14
62:17 112:1 146:3
welcoming 150:9,10
246:3
well- 102:13 150:12
went 60:1 83:1 85:6
149:7 190:16,17
283:6
weren't 80:10 284:2
286:17
whatnot 220:10
whatsoever 177:17
White 3:20 12:7,12,14
15:1,1
wholly 58:14
wider 89:22
widespread 88:19
wiggle 78:19
willing 53:19,20 60:11
60:14 61:11 74:9
184:6,13
willingness 304:9
wind 221:19 290:2
window 81:2 291:17
wing 199:10
wins 137:15
wish 37:9
wishes 178:5
wonder 226:2
wondering 121:11
152:5 172:16 182:9
227:8,15 228:2
woo 246:10 277:2
woodwork 233:4
word 31:16 32:1 126:7
169:21 181:19 269:18
word-for-word 89:4
worded 269:19
words 90:12 114:2
132:8 168:13 230:22
270:20 296:18
wordsmith 164:20
231:15
wordsmithing 128:14

work 7:9 20:22 24:17
24:17 27:13 34:12,20
38:5 49:22 50:19 51:2
67:3,14 70:7 73:4
84:15 102:12,18
103:1,2 106:11
108:11 112:17,19
115:8,10 122:7,8
130:14 133:6,9
140:10 143:1,21
150:8 151:1 157:3,21
159:6 174:4 179:16
181:8 182:22 183:14
183:15 187:12 190:2
198:16 215:13 230:14
231:11 247:11 248:4
253:3 283:16 284:9
289:10 292:5 295:21
296:13 297:12 299:16
303:3 304:2
worked 79:2
Workers 2:6
workflow 117:11,16
251:10,15 258:9
workhorse 289:15
working 1:6,12 5:5,12
6:4,12 7:7,10,15 18:4
24:19 28:6 29:13 31:8
34:21 35:4 60:6 63:3
64:9,21 82:9 152:13
159:13 184:20 196:20
196:22 206:5 218:10
243:11 244:19 252:5
273:13 298:7 301:22
workload 300:20
works 62:11 77:13
132:12
workshops 275:3
world 68:17 288:17
worlds 65:5
worry 93:1 99:12
303:10
worth 45:22 54:20 69:2
72:18 303:20
worthwhile 237:2
wouldn't 72:14 93:12
104:3 157:13 193:19
229:10 230:15 231:15
256:7 258:2
wrap 75:14
wrap- 284:8
wraps 254:14
wrestle 42:6
write 258:7
writing 90:6 286:1,8
written 10:14 28:18
95:6 115:9 120:15
183:21 218:22 285:5

290:13
wrong 72:17 80:10 87:3
wrote 258:6
www.regulations.gov
18:9

X

XML 238:9

Y

year 88:3 163:17
227:13
years 7:5 23:16 31:11
127:16 184:21 209:6
yesterday 273:10 282:2
York 1:16 15:7 151:2

Z

Z 117:11 300:16
zero 149:11
Zuniga 2:18 17:22 18:1
224:10 230:1 231:5

0

0.25 173:10
0.250 173:9
0102 155:2

1

1:30 189:13 190:9,15
1:38 190:18
10 5:22 106:3 129:4
137:3,16 141:17
154:3 205:17,22
211:22 213:6 224:20
225:4 241:5 280:1
10:06 85:7
10:23 85:7
100 139:11,22
104 4:9
11 28:8 82:1 216:18
220:15
1163 106:20 115:1,4,20
116:4 118:17 119:21
120:1,13 123:8 126:1
130:5 138:20 154:22
155:21 165:4 215:11
247:2
1173 113:16 115:17
116:10 117:7 118:3
123:1 126:2 129:3,8
265:16
1183 163:16
11th 273:8
12 151:13 217:19
243:15 280:1
12:00 301:21
12:15-12:30 151:13

12:25 190:17
1200 1:13 10:22
12th 153:20
13 222:22 223:21
14 4:3 224:8,14 225:7 227:11 229:8 233:1
14's 237:1
15 81:22 227:11 235:12
151 4:10
152 4:10
16 236:6 263:21
17 236:16 264:1
18 4:4 141:13 237:12 265:5 266:3,4 277:15
188 4:11
18th 290:1,2,4
19 238:6 276:6
190 4:13
191 4:14
192 264:19
195 264:19
199 226:14 240:22
19th 290:1,2
1D 96:12
1st 297:17,22

2

2 4:14 38:17 86:7 88:20 93:17 112:9 150:2 161:10 162:11,22 163:15 166:21,22 172:8 174:14 175:4
2-0-2-3-6-6-0-3- 12:17
20 224:8 238:11 277:5 277:12,19 278:9
2016 6:2
2017 7:6
2018 1:10
2019 92:10
21 240:15,20 241:4,10
22 4:5 150:2
22nd 291:12,20 297:11
22nd-23rd 153:18
23rd 38:11
25 154:5
25th 153:22
287 4:19
29th 292:1 297:14

3

3 1:10 4:18 86:9 89:3 93:17 106:8 166:18 166:18 167:10 249:4 265:4 277:11,18
3-3 12:18
3:39 61:16
3:48 304:16
30 95:7

303 4:20
304 4:22
32 246:20
35 87:12
36 4:8
38 89:16
39 92:18
3rd 291:11

4

4 40:14,15 74:18 75:5 89:6 93:17 95:4 106:3 116:13 123:7 127:3 130:4 131:19 140:2 167:18,18 170:13 172:6,11,16,21 173:6 173:13 174:7 175:1 175:22 178:7 276:5
4-1 170:13 173:1
4-2 170:8 173:14 175:22 178:7
4-3 173:21 175:22 178:8 178:9,21
4-4 185:7
41 283:6
45 209:6
48 4:9
4A 124:17
4B 122:21

5

5 4:2 92:5 93:18 100:15 106:10 119:22 120:12 120:15 122:22 123:4 123:6,16 135:17 136:8 186:4,7 213:22 224:20 241:5 247:19 279:1
5-1 186:12,17 187:16,19
5-2 186:16 187:16,19
5-3 188:5,5
5:00 151:17
50 95:11
55 129:6

6

6 44:2 92:9 100:13 130:1,7 132:17 191:1 191:13,13 213:22 249:17 251:21

7

7 42:20 74:18 106:3 132:20 133:16 195:1 199:22 251:6
737 199:10
7th 153:19

8

8 106:10 119:22 135:11 136:8 199:22 205:10 209:15 211:7 253:9 280:3
8:30 1:14 5:2
8:45 28:4
800-53 236:17
85 77:10
8th 26:12 287:10,12 288:6,12 289:12,14 291:4 292:2 298:6 302:19

9

9 106:10 119:22 136:2,8 207:6 208:6,12 211:16 254:5 302:21
911 12:16
95 77:10
9th 26:13 287:10,14 288:1,8 289:12 291:4 301:20

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was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.

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Court Reporter