

PHMSA

Regulatory Update



Contact Information

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Rulemaking Process

- **ANPRM** – Advance Notice of Proposed Rulemaking
 - Used to gather information (non-mandatory)
- **NPRM** – Notice of Proposed Rulemaking
 - Almost always required – Defines intent and scope
- **SNPRM** – Supplemental Notice of Proposed Rulemaking



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Rulemaking Process

- **FR** – Final Rule
 - Implementation date, 30 – 90 days depending on significance of regulation
- **DFR** – Direct Final Rule
 - Used for non-controversial issues



Alert Notices & Advisory Bulletins

- **Alert Notices** - a notice of a situation of immediate safety concern
- **Advisory Bulletins** - an advisory not of immediate safety concern
 - matters that have potential to become safety or environmental risks

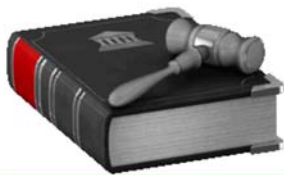


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Rulemaking Process

- Significant rules
 - PHMSA - OST – OMB – Federal Register
 - Additional review time




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OST – Office of the Secretary of Transportation

OMB – Office of Management & Budget – President

Rulemaking Process

- Non-Significant rules
 - PHMSA - Federal Register
- OMB Determines what rules are Significant
 - 8 of 9 PHMSA rulemakings are or expected to be designated as Significant rulemakings



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Significant vs Non-Significant Rulemakings (EO 12866)

- Have an annual effect on the economy of \$100 million or more...
- Create a serious inconsistency or with another agency;



EO – Executive Order



Significant vs Non-Significant Rulemakings (EO 12866)

- Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or



Significant vs Non-Significant Rulemakings (EO 12866)

- Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive order.
 - ***8 of 9 PHMSA rulemakings are or expected to be designated as Significant rulemakings***



EO – Executive Order

Rulemaking Process

- Where can I find information on the Status of Significant rulemakings?
 - **DOT**
 - Report on DOT Significant Rulemakings (Monthly reports)
 - www.dot.gov/regulations
 - **OMB**
 - www.reginfo.gov



CURRENT RULEMAKING PROCESS





Safety of On-Shore Hazardous Liquid Pipelines (NPRM stage)

- NPRM moved past DOT
- ANPRM published 10/18/2010
- Major topics under consideration:

CURRENT RULEMAKING PROCESS





Safety of On-Shore Hazardous Liquid Pipelines (NPRM stage)

- Expansion of IM requirements beyond HCA's
- Leak detection beyond HCAs
- Repair criteria in HCA and non-HCA areas
- Stress Corrosion Cracking (SCC)
- Piggability of lines
- Reporting requirements for Gathering lines
- Gravity Line exception

CURRENT RULEMAKING PROCESS





Safety of Gas Transmission and Gathering Lines (NPRM stage)

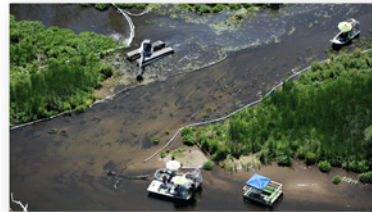
- NPRM moved past PHMSA
- ANPRM Published 8/25/2011
- Major Topics under consideration:

CURRENT RULEMAKING PROCESS



Safety of Gas Transmission and Gathering Lines (NPRM stage)

- Expansion of IM requirements beyond HCA's
- Repair criteria for both HCA and non-HCA areas
- Assessment methods
- Corrosion control
- Gas gathering



CURRENT RULEMAKING PROCESS



- PHMSA is seeking public comment on whether applying the integrity management program (IMP) requirements, or elements of IMP, to areas beyond current high consequence areas (HCAs) would mitigate the need for class location requirements for gas transmission pipelines.
- Substituting an IM approach for the use of class locations would allow the operation of the pipeline at higher pressures while conducting integrity inspections and remediation to maintain safety.

Safety of Gas Transmission and Gathering Lines

- Integrity Verification Process
 - Recommendations from NTSB
 - Elimination of the Grandfather clause
 - Minimum pressure test

CURRENT RULEMAKING PROCESS





Safety of Gas Transmission and Gathering Lines

- Congressional mandate requiring either pressure testing or alternative equivalent means such as ILI program for pipe not previously tested or for those that have incomplete records to verify their MAOP
- Other problematic or “legacy” pipe

CURRENT RULEMAKING PROCESS



Excavation Damage Prevention *(Final Rule stage)*

- Final Rule moved past PHMSA
- Adv. Committee approval vote December 2012
- NPRM published 4/2/2012
- Major Topic
 - Enforce damage protection laws in States that have inadequate enforcement to protect safety.
Complies with PIPE's Act 60114(f).



CURRENT RULEMAKING PROCESS



Miscellaneous Rulemaking (Final Rule stage)

- Final Rule moved past PHMSA
- Adv. Committee approval vote in 7/2012
- NPRM published 11/29/2011

CURRENT RULEMAKING PROCESS





Miscellaneous Rulemaking (Final Rule stage)

– Major Topics

- performance of post-construction inspections
- leak surveys of Type B onshore gas gathering lines
- requirements for qualifying plastic pipe joiners
- regulation of ethanol
- the transportation of pipe

CURRENT RULEMAKING PROCESS



EFV Expansion beyond Single Family Residences (NPRM stage)

- NPRM moved past DOT
- ANPRM published 11/25/2011



CURRENT RULEMAKING PROCESS

EFV Expansion beyond Single Family Residences (NPRM stage)

– Major Topics

- *Rule will propose to require EFVs for:*
 - *branched service lines serving more than one single family residence*
 - *multi-family residential dwellings*
 - *commercial buildings*

CURRENT RULEMAKING PROCESS



- This rulemaking would require excess flow valves (EFVs) be installed in all new and renewed gas service lines, for structures other than single family dwellings, when the operating conditions are compatible with readily available valves.
- These changes would be in response to NTSB and PHMSA investigations of current EFV installation practices.



Standards Update (Final Rule stage)

- NPRM published 8/16/2013; PAC Vote 12/2013 and 2/2014
- Major Topics:
 - Addresses the set of IBR standards throughout PHMSA's part 192, Part 193 and Part 195 code with updated revisions of standards from all standard organization bodies.

CURRENT RULEMAKING PROCESS





Standards Update (Final Rule stage)

- This NPRM would impact 22 of the 60+ standards that we currently IBR.
- Per recent statute (Section 24, revised) all IBR standards pertaining to PSR must be available for free to the public. (Most SDOs comply)
 - ANSI IBR portal – ibr.ansi.org

CURRENT RULEMAKING PROCESS



OQ, Cost Recovery and Other Pipeline Safety Proposed Changes (NPRM stage)

- NPRM moved past PHMSA
- This rule will address issues related to:
 - **O**perator **Q**ualification for new construction
 - Incident Reporting
 - Cost Recovery
 - Renewal process for special permits
 - Other issues to be determined

CURRENT RULEMAKING PROCESS



Plastic Pipe (NPRM stage)

– Drafting NPRM to address the following plastic pipe topics:

- Authorized use of PA12
- AGA petition to raise design factor from 0.32 to 0.40 for PE pipe
- Enhanced Tracking and traceability
- Miscellaneous revisions for PE and PAI I pipelines
- Additional provisions for fittings used on plastic pipe



CURRENT RULEMAKING PROCESS



PA12 – Polyamides

Rupture Detection and Valve Rule (NPRM stage)

- This rule will establish and define rupture detection and response time metrics including the integration of Automatic Shutoff Valves (ASV) and Remote Control Valve (RCV) placement as necessary, with the objective of improving overall incident response.

CURRENT RULEMAKING PROCESS



Rupture Detection and Valve Rule (NPRM stage)

- This rule responds to:
 - Requirements of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (The Act):
 - Section 4: ASV/RCV or equivalent technology be installed on newly constructed or entirely replaced natural gas and hazardous liquid transmission pipelines 2 years after the act was issued

CURRENT RULEMAKING PROCESS



Rupture Detection and Valve Rule

(NPRM stage)

- Section 8: Require operators of hazardous liquid pipeline facilities to use leak detection systems and establish standards for their use.
- NTSB Recommendation P-11-10 (gas) which requires transmission and distribution operators to equip SCADA systems with tools to assist with recognizing and pinpointing leaks.

CURRENT RULEMAKING PROCESS



ADVISORY BULLETINS





ADB 2013 –01
January 30, 2013

Telephonic Notification Time Limit to National Response Center (NRC)

- Operators should contact the NRC
 - Within one hour of confirmed discovery of a pipeline incident
 - File additional telephonic reports if there are significant changes in the number of fatalities or injuries, product release estimates or the extent of damages.



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ADB-2013-02
July 12, 2013

Potential for Damage to Pipeline Facilities Caused by Severe Flooding

- Continuing surveillance requirements §192.613
- Severe flooding can adversely affect the safe operation of a pipeline.
- Direct resources in a manner that will enable determination of the potential effects of flooding





ADB-2013-02
July 12, 2013

Potential for Damage to Pipeline Facilities Caused by Severe Flooding

- If a pipeline has suffered damage, is shut-in, or is being operated at a reduced pressure as a precautionary measure due to flooding, the operator *should advise the appropriate pipeline safety authority before returning the line to service, increasing its operating pressure, or otherwise changing its operating status.*



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- Exposed Petroleum Pipeline from September Flooding in the Loyalsock Watershed in Lycoming County, Pa.



ADB-2013-02
July 12, 2013

Potential for Damage to Pipeline Facilities Caused by Severe Flooding

- Urged to take actions to prevent and mitigate damage to pipeline facilities and ensure public and environmental safety in areas affected by flooding
- A Safety Related Condition as prescribed in §§ 191.23 and 195.55 may also be required.



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- Exposed Petroleum Pipeline from September Flooding in the Loyalsock Watershed in Lycoming County, Pa.



ADB-2013-03
July 18, 2013

Reminder of Requirements for Utility LP-Gas and LPG Pipeline Systems

- Remind owners/operators of liquefied petroleum gas (LPG) and utility liquefied petroleum gas (utility LP-Gas) plants that although they must follow the American National Standards Institute/National Fire Protection Association (ANSI/NFPA) standards 58 or 59, they must also follow certain sections and requirements of Part 192.



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ADB-2013-03
October 31, 2013

Reminder of Requirements for Utility LP-Gas and LPG Pipeline Systems

- Updated bulletin with application section of Part 192 an operator needs to follow, particularly because **ANSI/NFPA 58 and 59** do not specifically address these parts.
 - Construction, Valves, Operations, OQ and DIMP



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ADB-2013-04
August 28, 2013

Recall of Leak Repair Clamps due to Defective Seal

- T.D. Williamson issued recall on June 17, 2013 for Leak Repair Clamp (LRC)
- Covers all LRCs of any pressure class or size
- Manufactured between 9/2002 and 8/2012
- Range in size from 2" to 48"
- ANSI Pressure Classes of 150, 300, 400, 600, and 900



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- The TDW LRC is a hinged split sleeve that is designed to fit around the damaged area of the affected pipe and provide a sealing barrier to arrest leaking product.
- The seal is activated when applied pressure from bolts causes the internal seal to encapsulate the leak.
- TDW specifies that this clamp provides temporary repair only when it is bolted closed.
- TDW designates the LRC as a permanent repair when it is welded shut; this is analogous to a full encirclement welded split sleeve with welded ends (e.g., B-Type Sleeve).
- The LRC may leak when it is installed in the bolted-closed position. According to TDW, when the LRC is completely welded shut the defective seal is encapsulated and no leakage is expected.

TDW Leak Repair Clamp Recalled



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ADB-2013-04
August 28, 2013

**Recall of Leak Repair Clamps due to
Defective Seal**

- T.D. Williamson conducted study to identify problem, determine repair options, and evaluate fitness of existing LRCs.
- Stop using TDW LRCs and contact TDW immediately


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- Remember this could have an effect on IM programs, operator should verify if they have any.

ADB-2014-02

May 6, 2014

Lessons Learned From the Release at Marshall, Michigan


- Pipeline owners and operators are encouraged to review their own IM programs for similar deficiencies and to take corrective action.
- Consider training their control room staff as teams to recognize and respond to emergencies or unexpected conditions.



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- Though this was an oil spill, the bulletin affects both gas and liquid operators. It is focused on improving programs that are directly connected to the operators' IM programs.



ADB-2014-02
May 6, 2014

Encourages operators to evaluate their leak detection capabilities to ensure adequate leak detection coverage.

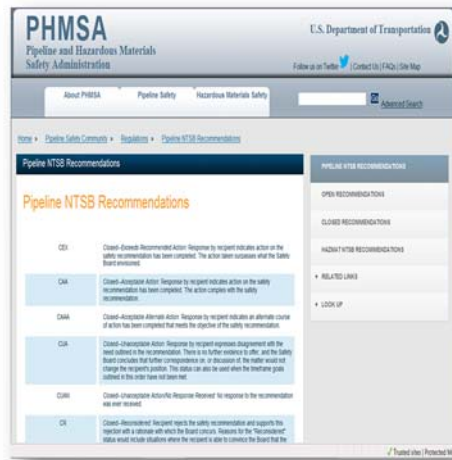
- Additionally, operators are encouraged to review the effectiveness of their public awareness programs and whether local emergency response teams are adequately prepared to identify and respond to early indications of ruptures.



- To ensure adequate leak detection coverage during transient operations and assess the performance of their leak detection systems following a product release to identify and implement improvements as appropriate
- Strong public awareness and education programs can help shorten incident response times and improve overall incident response.

ADB-2014-02
May 6, 2014

- Finally, this advisory reminds all pipeline owners and operators to review NTSB recommendations and implement recommendations that are applicable to their programs.



QUESTIONS???

