



West Virginia
Public Service Commission
Gas Pipeline Safety Section

WV 4C

Annual Update

Charleston, West Virginia

November 17, 2009

Update from 201 Brooks Street...





What's Happening...

- Staff Changes
- Data / Statistics
- Incidents
- Significant Issues / Current Initiatives
- Rule Changes in the Works



Staff Changes

- Darrell McKown -- RETIRED!
- Girija Bajpayee
- Ed Clarkson
- Bob Hickman
- Bill Valentine -- FEELING BETTER
- Julie Caton -- Our NEW Secretary
- Dave Hippchen



Contact Us

- Main PSC Number 304-340-0300
- Pipeline Safety Section 304-340-0395
- Incident Reports 304-552-1053
- Incident Reports 304-340-0393
- www.psc.state.wv.us

Pipeline Operators in WV

- Interstate Transmission 6
 - Intrastate Transmission 4-G 2-L
 - Jurisdictional Gathering 19
 - Local Distribution 17-G 1-LPG
 - Master Meters 77
- As of 12-31-08

Inspection Man-Days 2008

■ Interstate	195
■ Intrastate	377
■ Total	572
■ Construction	38%
■ Standard	62%
■ Incident	0%

Incidents - Distribution

Year	No.	Fatalities	Injuries	Damages
1998	1	1	2	\$0
1999	1	0	1	\$0
2000	1*	0	0	\$107,000*
2001	1	0	1	\$0
2002	1	0	1	\$3,377
2003	1	0	0	\$Not Est.

Incidents - Distribution

Year	No.	Fatalities	Injuries	Damages
2004	1	0	1	\$0
2005	0	0	0	\$0
2006	1	4	1	\$300,000*
2007	1	0	1	\$62,180
2008	0	0	0	\$0
2009	0	0	0	\$0
Totals	9	5	8	\$472,557

Incidents - Transmission

Year	No.	Fatalities	Injuries	Damages
2000	0	0	0	\$ 0
2001	1	0	0	\$ 170,966
2002	1	0	0	\$3,006,895
2003	5	1	1	\$ 696,896
2004	2	1	4	\$ 215,080

Incidents - Transmission

Year	No.	Fatalities	Injuries	Damages
2005	3	0	0	\$1,115,424
2006	1	0	0	\$ 132,982
2007	0	0	0	\$ 0
2008	1*	0	0	\$ 13,500
2009	4	0	1	\$ 856,920
Totals	17	2	5	\$6,208,663



Incidents - 2008

10-23-08 Dominion Transmission

Dig-in by DTI crew, Line H-197

Reported to NRC as incident

Rescinded – did not exceed \$50K

Investigation closed by WVPSC in 2009

Reported as incident to PHMSA by PSC



Incidents - 2009

- Columbia – 1 line failure at Coco – open status
- Columbia - 2 compressor station abnormal operations exceeding damage threshold – open status
- Hampshire Gas – accident at pig receiver with injury - closed



Regulatory Agenda

- Public Awareness Programs
- Damage Prevention Enforcement
- Distribution Integrity Management (DIMP)

Population – Pipeline Ratio

PHMSA Region	Population from 2000 Census	Square Miles of combined states	Population Density Pop/Sq mile	Transmission Pipeline Mileage	Pop-Density Pipeline Ratio $\times 10^{(-4)}$
Eastern	69133382	237717	291.0	33658	86.4
Southern	57061576	372684	153.1	58531	26.2
Central	64392776	751426	86.7	128781	6.7
Southwest	33263896	547459	60.8	218384	2.8
Western	61660203	1632063	37.8	75632	5.0



Pipeline Safety Improvement Act of 2002

- Required owners or operators of a gas or hazardous liquid pipeline facility to carry out a continuing program to educate the public on:
 - Use of a one-call notification system prior to excavation;
 - Possible hazards associated with unintended releases from the pipeline facility;
 - Physical indications that such a release may have occurred;
 - Steps that should be taken for public safety in the event of a pipeline release; and
 - Procedures to report such an event.



Goals for Public Awareness Plans

- Enhanced public safety;
- Decreased third party damage;
- Improved performance;
- Enhanced emergency response coordination;
- Improved relationships with affected public;
- Less resistance to pipeline activities; and
- Preservation of ROW from encroachments.

API RP 1162

Purpose:

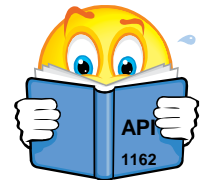
Pipeline operators use API RP 1162 to develop and actively manage their Public Awareness Programs.

Goal:

It establishes guidelines for operators to develop, implement, and evaluate their Public Awareness Programs in an effort to raise the effectiveness of Public Awareness Programs throughout the pipeline industry.

Guidance:

- ✓ Intra- and interstate hazardous liquid pipelines;
- ✓ Intra- and interstate natural gas transmission pipelines;
- ✓ Local distribution pipelines; and
- ✓ Gathering pipelines.



API RP 1162

Program Development:

- ✓ Provides recommended elements of a **Baseline** Program
- ✓ Provides considerations to determine when and how to enhance (**Supplement**) the baseline program.

Target Audience:

- ✓ Affected public (landowners, residents and visitors);
- ✓ Emergency officials;
- ✓ Local public officials; and
- ✓ Excavators.

It appears there may be some overlap



API RP 1162

Message Content:

- ✓ Pipeline Purpose and Reliability
- ✓ Hazard Awareness and Prevention Measures
- ✓ Leak Recognition and Response
- ✓ Emergency Preparedness Communications
- ✓ Damage Prevention
- ✓ Pipeline Location Information
- ✓ Gas Transmission Operators - IMP and HCA Overview
- ✓ Website Info
- ✓ ROW Encroachment Prevention
- ✓ Pipeline Maintenance Construction Activities
- ✓ Security
- ✓ Facility Purpose



API RP 1162

Message Delivery Methods and/or Media:

- Print Materials (brochures, flyers, bill stuffers, letters, maps)**
- Personal Contact (door-to-door, calls, open houses)**
- Electronic Communications (videos, CDs, email)**
- Mass Media Communications (PSAs, newspapers, advertising)**
- Specialty Advertising Materials**
- Informational or Educational Items**
- Pipeline Markers**
- One-Call Center Outreach**
- Operator Websites**



API RP 1162

Program Documentation

- Statement of Management Commitment**
- Roles and Responsibilities**
 - Identity Key Personnel**
 - Identify Communication Methods and Media and Basis for Selecting those Methods and Media**
 - Frequency and Basis for Selecting**
 - Program Enhancements**
 - Evaluation Process**

Program Recordkeeping

- Lists, Records, Other Stakeholder Audiences**
- Copies of Materials Provided to Stakeholders**
- Results and Follow-up Actions of Program Evaluations**

API RP 1162

Program Evaluation

- ✓ Purpose and Scope of Evaluation
- ✓ Elements of Evaluation Plan
- ✓ Measuring Program Implementation

Don't waive the flag quite yet -
Program Evaluations are
due **June**
2010.



PAP Compliance

- ➡ Compliance means meeting all the regulations in **§192.616** not just following API RP-1162
- ➡ Despite preliminary review - PAP can be, and will be, inspected
- ➡ Program Evaluations will be inspected starting next year
- ➡ PHMSA/State Agencies pay close attention to
 - ❑ Message content, delivery methods, frequency, buffer zones, metrics and other PAP elements as they relate to the specific pipeline and facilities
 - ❑ Supplemental Enhancements when conditions along the pipeline suggest a more intensive effort is needed:
 - High Consequence Areas
 - Land Development Activity
 - Third-party Damage Incidents
 - Pipeline History





And now, a brief interlude...

- Saluting (American?) know-how and the ability to get things done...

Universal Repair Kit



Universal Repair Kit 2



We built this city...



We built this city 2...



We built this city to last...



Keep 'R' Running...



Keep 'R' Running



Keep 'R' Running



Power to the People...



Power to the People...



Power to the People...



Power to the People...



And now, back to our program...

- Plastic pipeline coatings?



Polyamide (PA-11) Development

- October 4, 2004: Arkema, Inc. files 2 petitions to revise 192.121 and 192.123
- Increase design factor to .40
- Increase maximum pressure to 200 psi
- June 22, 2005: PHMSA requested public comment



Polyamide Development

- Also known as Nylon 11 or Rilsan
- December 24, 2008: Amendment 192-108 revised design factors for plastic pipe









PA-11

- Subject to the limitations of §192.123, the design pressure for plastic pipe is determined by either of the following formulas:
- $P = 2S / (SDR - 1) * DF$
- Where: $DF = 0.32$ for polyethylene or
- $= 0.40$ for nominal pipe size (IPS or CTS) 4-inch or less, SDR-11 or greater (i.e. thicker pipe wall), PA-11 pipe produced after January 23, 2009.
- Code Reference 192.123

PA - 11

- (f) The design pressure for polyamide-11 (PA-11) pipe produced after January 23, 2009 may exceed a gauge pressure of 100 psig (689 kPa) provided that:
 - (1) The design pressure does not exceed 200 psig (1379 kPa);
 - (2) The pipe size is nominal pipe size (IPS or CTS) 4-inch or less; and
 - (3) The pipe has a standard dimension ratio of SDR-11 or greater (i.e., thicker pipe wall).



Damage Prevention

- ANPRM dated October 29, 2009
- PHMSA to develop rules to determine adequacy of state enforcement efforts
- PHMSA to develop rules to allow for federal damage enforcement for intrastate lines
- PIPES Act of 2006 (PL 109-468)



Damage Prevention - PHMSA

- State partners – NAPSR
- Technical assistance grants
- Work with consensus standards groups
- Research and development
- Public awareness programs – RP-1162



Focused Initiatives

- Damage Prevention *Best Practices*
- Common Ground Alliance
- 811 universal call-in number
- CATS, **C**ommunity **A**ssistance and **T**echnical **S**ervices



Focused Initiatives

- Virginia Pilot Project using GIS
- PIPA, *P*ipeline and *I*nformed *P*lanning *A*lliance
- DPAP, *D*amage *P*revention *A*ssistance *P*rogram, “Strengthening State Damage Prevention Programs”



Nine Elements

- Enhanced operator/excavator communications
- Foster support & partnership among stakeholders
- Performance measures for locating
- Partnership in employee training
- Partnership in public education



Nine Elements

- Streamlined dispute resolution
- Fair and consistent enforcement
- Use of technology to improve process
- Use of data to track improvements

Enforcement in WV

- W. Va. Code 24C-1-5: (e) Any person who fails to notify the one-call system prior to performing any excavation or demolition, or fails to follow the reporting provisions of this section, or who violates any other provision of this section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than ***five thousand dollars.***
- Passed March 10, 2006; effective June 10, 2006











Federal Enforcement

- United States Code Title 49, Chapter 60122: Civil penalty of \$100,000 per day, up to \$1,000,000
- United States Code Title 49, Chapter 60123: Criminal penalty of up to 5 years imprisonment and fines



Issues for Comment

- Considerations for determining adequacy of state damage prevention enforcement program
- Administrative process
- National excavator standards
- Adjudication process
- Existing requirements applicable to pipeline operators



What PHMSA must determine...

- Does WV require operators to be members of one-call system?
- Does WV require all excavators to call before they dig?
- Does WV exempt any excavators?
- Does WV provide clear and specific guidance for excavators?



What PHMSA must determine...

- Are excavators required to report all damage to affected pipeline operators?
- Are excavators required to call 911 for emergency releases of product?
- Has the responsible state agency established a damage reporting mechanism? **



What PHMSA must determine...

- Does the responsible state agency investigate all dig-in pipeline incidents? **
- Does WV provide enforcement authority?
- Are the WV penalties similar to Federal?
- Has WV designated a state agency to administer the damage prevention law?
- Does the state collect and disseminate data on dig-in incidents and enforcement?





11/10/2009



11/10/2009











Administrative Process

- PHMSA will seek comment on:
- Annual review of state program to determine adequacy of enforcement
- Written decision by PHMSA that state program is inadequate
- Enforcement actions commence



What PHMSA must determine...

- Administrative process for states that contest PHMSA's finding of inadequate enforcement
- Administrative process that balances the Congressional directive to PHMSA versus states' rights



National Excavator Standards

- PHMSA will seek comment on:
- Should national standards only follow what is referenced in PIPES Act?
- Is there concern about unintended consequences with the 911 requirement?
- Are there suggested alternatives?



National Excavator Standards

- Call Miss Utility before digging
- Wait the required period (48 or 72 hours)
- Excavate with due care
- Report damage to pipeline operator
- Report emergencies to 911
- [WV law already requires this]



Adjudication process

- Administrative hearing before PHMSA hearing officer in Trenton, NJ
- May petition for reconsideration and judicial review
- Should formal rules of evidence and discovery apply?
- How should civil penalty considerations apply to excavator?



Requirements for operators

- Make requirements for responding to locate requests more detailed?
- More detailed or explicit requirements for accuracy of locates and marks?
- Make operator personnel available to consult with excavators?

Comments on ANPRM

- Comments should reference Docket No. PHMSA–2009–0192
- Web – www.regulations.gov
- Fax - 1–202–493–2251
- Mail - DOT Docket Operations Facility (M–30),
U.S. Department of Transportation,
West Building, 1200 New Jersey Avenue, SE.,
Washington, DC 20590.



Distribution Integrity **M**anagement **P**rogram

- NPRM June 25, 2008
- Comment Period
- Final Rule Pending



DOT Seminar

- What: Regulations and Code Compliance Seminar
- When: Feb. 15 – 19, 2010 (2 days)
- Where: Charleston (Columbia Gas auditorium, if available)
- Presenter: Lane Miller, T&Q Pipeline Safety Specialist, Oklahoma City







Finally...

Enjoy Your Thanksgiving Holiday!