



# McCHORD PIPELINE



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March 4, 2002

Carole J. Washburn, Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

**SUBJECT: REF. NO. DOCKET TO-000712 WAC 480-75 WRITTEN COMMENTS**

Dear Ms. Washburn:

McChord Pipeline Co. submits these comments for consideration in response to the Notice of Opportunity to File Written Comments on Hazardous Liquids Pipeline Safety Rulemaking (Docket No. TO-0000712). McChord Pipeline Co. is an operator of a 14.5-mile length of intrastate pipeline within the State of Washington. McChord Pipeline Co. supports the Washington Utilities and Transportation Commission (WUTC) in its efforts to provide oversight to the pipeline industry within the state. McChord Pipeline Co. remains dedicated to safe operation of the pipeline.

McChord Pipeline Co. supports the use of 49CFR195 requirements for the design, operation, construction and maintenance of pipelines within the state. Additional requirements should remain consistent with the federal regulations and enhance those regulations to improve the public safety and protect the environment.

The following specific comments are submitted for consideration on WAC 480-75-036 to 042:

1. WAC 480-75-037 The term "major reconstruction or reconditioning" needs to be clearly defined. It is recommended that a "Definition" section be established for WAC 480-75 similar to 49 CFR 195.2 to include this item and numerous other items mentioned in previous public comments by others to date.
2. WAC 480-75-039 We recommend keeping the reporting requirements and thresholds consistent with those of 49CFR195.50 and 49CFR195.52. We recommend rewording this section to include telephonic notification of WUTC whenever the reporting requirements of 49CFR 195.50 or 195.52 are encountered or "when in the judgment of the company, there has been a significant occurrence that did not meet the reporting requirements of 49CFR195.50 or 195.52."
3. WAC 480-75-039 We recommend the spill reporting threshold remain consistent with the 5 gallon requirement of 49CFR195.50 as well as the thresholds outlined in WAC 173-303-145. In

many cases, the WAC 173-303-145 spill reporting requirements are much more stringent than the 5-gallon limit.

4. WAC 480-75-039(1)(f) We recommend removal of the reporting requirement due to news media reporting the occurrence. Television, newspaper, internet websites, etc. have differing timelines for reporting news that could make the 2-hour reporting requirement impossible to achieve. This requirement is purely arbitrary and dependent upon the media's interest in reporting an occurrence. Any event significant enough to warrant media reporting would already trigger the other reporting criteria already defined in this section.
5. WAC 480-75-040 The term "subsoiling" needs to be clearly defined. Methods for acceptable depth of cover verification should also be elaborated upon. Frequency of readings or potholing requirements should be defined.
6. WAC 480-75-041 This section should not be applicable to intrastate pipelines or companies which are not common carriers. Report Form No. 6 is "designed to collect financial and operational information from oil pipeline companies subject to jurisdiction by FERC" and for companies subject to the Interstate Commerce Act. McChord Pipeline Co. is not a common carrier pipeline and is not subject to FERC or the Interstate Commerce Act. Requiring completion of the 69-page Form No. 6 for intrastate pipeline companies that are not common carriers is onerous and does not enhance pipeline safety or environmental protection.
7. WAC 480-75-041(3) We feel this annual report should not be applicable to intrastate pipelines or companies which are not common carriers for the reasons given in #6 above.
8. WAC 480-75-042 (1) We support incorporation of the required information into the existing plans already required by 49 CFR 195.402.
9. WAC 480-75-042 (4) The 5-day submission requirement is appropriate for any plan changes that directly impact the safety, operation, design, construction or maintenance of the pipeline. We recommend a 30-day submission requirement for any plan changes that are considered administrative such as spelling, grammar, personnel, etc. This is consistent with submittal requirements for plans from other state agencies.

Thank-you for the opportunity to participate in this process. McChord Pipeline Co. remains committed to working and being involved with WUTC to insure the safe operation of our pipeline.

Sincerely,

McChord Pipeline Co.

  
Alan Cabodi  
President

cc: RWS, GAH, CCB/JPW, TJG

Attachments: 3.5" Diskette with formatted info

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