Chapter 480-93 WAC
GAS COMPANIES—SAFETY

[DRAFT]

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

480-93-001	Definitions. [Order R-28, § 480-93-001, filed 7/15/71.] Repealed by Order R-98, filed 5/18/77. Later promulgation, see WAC 480-93-005.
480-93-050	Pipelines and mains under or along highways and railroads. [Order R-5, § 480-93-050, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.
480-93-060	Minimum cover and clearances. [Order R-5, § 480-93-060, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.
480-93-070	Welding inspection. [Order R-5, § 480-93-070, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.
480-93-090	Bends. [Order R-5, § 480-93-090, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.

Note: Staff recommends deleting this rule and incorporating the contents in WAC 480-93-007.

~~**WAC 480-93-002 Application of rules.**~~

~~These rules shall apply to every gas company, as that term is defined by WAC 480-93-005, and shall apply to the construction, operation, maintenance, and safety of gas facilities used in the gathering, storage, distribution, and transmission of gas in this state, except those gas facilities exclusively under federal jurisdiction for compliance with pipeline safety regulations.~~

WAC 480-93-005 Definitions.

(1) **"Active corrosion"** means continuing corrosion, which, unless controlled, could result in leakage.

(2) **"Bar hole"** means a hole made in the soil or paving for the specific purpose of testing the subsurface atmosphere with a combustible gas indicator.

(3) **"Building"** means any structure that is normally or occasionally entered by humans for business, residential, or other purposes and within which gas could accumulate.

(4) **"Business district"** means an area where the public congregate for economic, industrial, religious, educational, health, or recreational purposes, and two or more buildings used for these purposes are located within 100 yards of each other.

~~What constitutes "the public"? Avista recommends using the definition of public~~

Avista's Comment: Avista believes the phrase "an area where the public congregate" is not specific enough. We recommend using a definition specifying a number of people as in the definition for "Place or building of public assembly".

(5) **"Combustible gas indicator" (CGI)** means a device capable of detecting and measuring gas concentrations in air.

(6) **"Commission"** means the Washington Utilities and Transportation Commission.

(7) **"Confined space"** means any space having a limited means of egress, which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined spaces include, but are not limited to, storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, underground utility vaults, tunnels, pipelines, and open top spaces more than 4 feet in depth such as pits, tubs, vaults, and vessels.

(8) **"Covered Task"** means an activity identified by the operator, that:

(a) Is performed on a pipeline facility;

(b) Is an operations, maintenance, or new construction activity;

(c) Is performed as a requirement of 49 CFR Part 192 and Chapter 480-93 WAC; and

(d) Affects the operation or integrity of the pipeline.

Avista's Comment: Since new construction activities will be addressed on the federal level, Avista believes this definition is not necessary in the WAC rules and should be deleted.

(9) **"Follow-up inspection"** means an inspection performed after a repair has been completed in order to determine the effectiveness of the repair.

(10) **"Gas"** means natural gas, flammable gas, or gas that is toxic or corrosive.

(11) **"Gas associated substructures"** means those devices or facilities utilized by an operator which are not intended for storing, transporting, or distributing gas, such as valve boxes, vaults, test boxes, and vented casing pipe.

(12) **"Gas company"** means, as defined in RCW 80.04.010, every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receiver appointed by any court whatsoever, and every city or town, owning, controlling, operating or managing any gas plant within this state.

(13) **"Gathering line"** means a gas pipeline that transports gas from the outlet of a production well and terminates at:

(a) The outlet of a processing plant that extracts heavy ends from the natural gas; or

(b) If there is no processing plant, the outlet of a pipeline compressor (not including a wellhead compressor); or

(c) If there is no processing plant or pipeline compressor, the point where two or more well pipelines converge; or

(d) If none of the above applies, the point where there is a change in ownership of the pipeline.

(14) **"Indication"** means a response indicated by a gas detection instrument that has not been verified as a reading.

(15) **"L.E.L."** means the lower explosive limit of the gas being transported.

(16) **"Main"** means a gas pipeline, not a gathering or transmission line:

(a) Which serves as a common source of gas for more than one service line; or

(b) Which crosses property not owned by the customer or the gas company.

Avista's Comment: Avista believes item (b) conflicts with the "Service line" definition. We recommend changing the service line definition to the new federal definition to resolve the conflict.

(17) **"Master meter system" Master meter system** - a pipeline system for distributing gas to more than one building within, but not limited to, a definable area, such as a mobile home park, housing project, or apartment complex, where the operator purchases metered gas from an outside source for distribution to ultimate consumers other than the system operator's immediate family through a gas distribution pipeline system.

(18) **"Operator"**

(a) For purposes of Chapter 480-93 WAC, the term "operator" means

(i) every natural gas distribution company that has tariffs on file with the commission;

(ii) every city or town that owns, controls, operates, or manages any gas plant in this state; and

(iii) every other person or corporation transporting natural gas by pipeline, or having for one or more of its principal purposes the construction, maintenance, or operation of pipelines for transporting natural gas in this state; even though such person or corporation does not deliver, sell, or furnish any such gas to any person or corporation within this state. The terms "person" and "corporation" are defined in RCW 80.04.010. "Transporting natural gas by pipeline" means transmission or distribution of natural gas through a pipe.

(b) A single entity may qualify as an operator under one or more of the provisions of this subsection.

(c) The term "operator" includes operators of master meter systems, as that term is defined in WAC 480-93-005.

(19) **"Place or buildings of public assembly"** means an area where the pipeline lies within 100 yards (91 meters) of either a building, outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least five days a week for 10 weeks in any 12 month period. (The days and weeks need not be consecutive.)

Avista's Comment: Avista believes the distance of 100 yards in this definition conflicts with the distances in both items (a) and (b) of WAC 480-93-020 Proximity considerations. We recommend removing the distance in the definition to resolve the conflict.

(20) **"Prompt action"** means to consistently dispatch qualified personnel without undue delay for the purpose of evaluating and, where necessary, abating an existing or probable hazard.

(21) **"PSIG"** means pounds per square inch gauge.

(22) **"Public Service Company"** is defined in RCW 80.04.010.

(23) **"Reading"** means a repeatable representation on a combustible gas indicator or equivalent instrument expressed in percent L.E.L. or gas-air ratio.

(24) **"Service line"** means a gas pipeline, not a main, gathering, or transmission line, which provides service to one building. Service lines shall include gas pipelines extended from a main to provide service to one building, which traverse a public right of way or an easement immediately adjacent to a public right of way or another easement.

Avista's Comment: We recommend that the new federal definition be used, which allows for branch services. Avista believes this would also resolve the conflict between the "Main" definition and the "Service line" definition.

(25) **"Sniff Test"** means a qualitative test utilizing both "threshold" and "readily detectable" methods for determining proper concentrations of odorant.

(26) **"Transmission line"** means a gas pipeline as defined in 49 CFR, Part 192, Section 192.3 on the date specified in WAC 480-93-999.

(27) **"Weak Link"** means a device or method used when pulling polyethylene pipe to ensure that damage will not occur to the pipeline by exceeding the maximum tensile stresses allowed.

(28) Other terms that correspond to those used in 49 CFR, Parts 191, 192 and 199 (Minimum Federal Safety Standards for Gas Pipelines) shall be construed as used therein on the date specified in WAC 480-93-999.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-005, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040 and 80.28.210. 95-13-082 (Order R-427, Docket No. UG-950061), § 480-93-005, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-005, filed 8/5/92, effective 9/5/92; Order R-100, § 480-93-005, filed 5/18/77. Formerly WAC 480-93-001.]

WAC 480-93-007 Application of rules.

(1) This chapter applies to the following activities of operators: the construction, operation, maintenance, and safety of gas facilities used in the gathering, storage, distribution, and transmission of gas in this state.

(2) This chapter does not apply to customer-owned facilities, where the customer is the end user, and the customer-owned facilities are on the customer's side of the distribution meter. Customer-owned transmission facilities are subject to the rules in this chapter.

(3) This chapter does not apply to those operators of gas facilities exclusively under federal jurisdiction for compliance with pipeline safety regulations.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-002, filed 8/5/92, effective 9/5/92; Order R-99, § 480-93-002, filed 5/18/77.]

WAC 480-93-008 Additional requirements.

(1) These rules do not relieve any operator from any of its duties and obligations under the laws of the state of Washington.

(2) The commission retains the authority to impose additional or different requirements on any operator in appropriate circumstances, consistent with the requirements of law.

WAC 480-93-009 Severability.

If any provision of this chapter or its application to any entity or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

WAC 480-93-015 Odorization of gas.

(1) All gas that is transported by pipeline must be odorized so that, at a concentration in air of one-fifth of the lower explosive limit, the gas is readily detectable by a person with a normal sense of smell.

(2) Operators must use odorant testing instrumentation when conducting sniff tests. Sniff tests must be performed at least monthly.

(3) Operators must calibrate instruments used to conduct sniff tests in accordance with the manufacturer's recommendations. When there is no manufacturer's recommendation, operators must calibrate instruments used to conduct sniff tests at least once each calendar year.

(4) Operators must keep all records of odorant usage, sniff tests performed, and equipment calibration for five years.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-015, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-015, filed 8/5/92, effective 9/5/92.]

480-93-017 <u>Filing requirements for</u> design, specification, and construction procedures.

(1) Any operator operating a gas pipeline facility in this state must file with the commission all applicable design, specification, and construction procedures used for each pipeline facility prior to operating the pipeline. All procedures must detail the acceptable types of materials, fittings, and components for the different types of facilities in the operator's system.

Avista's Comment: The last sentence of item (1) is overly burdensome in that Avista believes it will require an O&M Manual update revision for any material change by the operator or manufacturer. Our field employees are required to use only materials approved by the Chief Gas Engineer, which are controlled and stocked in its warehouse. Our O&M Manual states this explicitly. Staff can request a listing of these materials at any time.

(2) With the exception of emergency situations, any construction plans that do not conform with a gas company's existing and accepted design, specification, and construction procedures on file with the commission, must be submitted to the

commission for review at least forty-five days prior to the initiation of construction activity.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-017, filed 8/5/92, effective 9/5/92.]

WAC 480-93-018 Maps, drawings, and records of gas facilities.

(1) Each operator must prepare, maintain, and make available to the commission, all maps, drawings, and records of the operator's gas facilities. The maps, drawings, and records must show the size and type of material for all facilities, corrosion control system, and the maximum allowable operating pressures. The maps and drawings must indicate the location of all district regulator, gate stations, and emergency valves specified in the operator's emergency plan.

(2) Each operator must make books, records, reports, and other information available to the commission upon request, so the commission can determine whether the operator is in compliance with state and federal regulations.

(3) Operators must update records within six months of completion of construction activity and make them available to appropriate company operations personnel.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-018, filed 8/5/92, effective 9/5/92.]

WAC 480-93-020 Proximity considerations.

(1) Each operator must submit a written request and receive commission approval prior to operating any gas pipeline facility that has the following characteristics:

(a) Greater than five hundred pounds per square inch gauge (psig) that is operated within 500 feet of the places described below:

(i) A building intended for human occupancy that is in existence or under construction prior to the date authorization for construction

is filed with the commission, and that is not owned and used by the petitioning operator in its gas operations;

(ii) A place of public assembly in existence or under construction prior to the date authorization for construction is filed with the commission; or

Avista's Comment: Avista believes the 100 yard distance in the definition of a "Place or buildings of public assembly" conflicts with the distances in both items (a)(ii) and (b)(ii). We recommend removing the distance in that definition to resolve the conflict.

(iii) A public highway, as defined in RCW 81.80.010(3).

(b) Greater than 250 psig, up to and including 500 psig, that is operated within 100 feet of the places described below:

(i) A building intended for human occupancy that is in existence or under construction prior to the date authorization for construction is filed with the commission, and that is not owned and used by the petitioning operator in its gas operations; or

(ii) A place of public assembly in existence or under construction prior to the date authorization for construction is filed with the commission.

(3) Operators must provide documentation proving that it is not practical to select an alternative route that will avoid such locations as described in subsections (a) and (b) above and further provide documents that demonstrate the operator has considered the possibility of the future development of the area and has designed their pipeline facilities accordingly.

(4) Operators must provide maps and records to the commission showing the exact location of the pipeline and the shortest direct distance to the places listed above in subsections (a) and (b). Upon request of the commission, the operator must provide with its request the maintenance, construction, and operational history of the pipeline system and an aerial photograph showing the exact location of the pipeline in reference to places listed above in subsections (a) and (b).

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-020, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-020, filed 7/15/71; Order R-5, § 480-93-020, filed 6/6/69, effective 10/9/69.]

WAC 480-93-040 Location of gas compressor stations on gas pipelines.

~~No compressor station to be located on any gas pipeline shall be constructed in any zoned area without prior approval of the appropriate zoning authority and acquisition of required permits. In other areas the distance between any compressor station designed to operate at pressures in excess of 250 psig and any existing building intended for human occupancy and not under the control of the gas company shall not be less than 500 feet, except for compressor stations having an installed capacity of less than 1,000 horsepower, in which case such distance shall not be less than 250 feet.~~

(1) Compressor stations that are designed to operate at pressures in excess of 250 pounds per square inch gauge (psig) must be located at least 500 feet away from any existing buildings intended for human occupancy that are not under the control of the operator.

(2) Gas compressor stations having an installed capacity of less than 1,000 horsepower must be located at least 250 feet away from any existing buildings intended for human occupancy that are not under the control of the operator.

[Order R-28, § 480-93-040, filed 7/15/71; Order R-5, § 480-93-040, filed 6/6/69, effective 10/9/69.]

WAC 480-93-080 Welder and joiner identification and qualification certificates.

(1) All welding procedures and welders must be qualified to API Standard 1104 (18th edition) or section IX of the ASME Boiler and Pressure Vessel Code (1995 edition). Oxyacetylene welders may qualify under 49 CFR Part 192 Appendix C, and may only perform fillet and butt welds on nominal two-inch or smaller diameter pipe. Appendix C welders must be re-qualified every six months not to exceed seven and one half months but at least twice each calendar year.

Avista's Comment: Avista believes that arc welders should not be excluded from the Appendix C qualification? We have no problem with the limitation to Appendix C for fillet and butt welds on nominal two-inch or smaller diameter pipe.

(a) An operator must use testing equipment necessary to measure the essential variables during welder and procedure qualification, or welder re-qualification. All essential variables must be recorded as performed during welder and procedure testing.

(b) Written qualified welding procedures must be on site where welding is being performed.

(2) Written qualified joining procedures must be on site where joining is being performed by means other than welding.

(a) Personnel qualified to join gas pipeline facilities, by means other than welding, must be re-qualified each calendar year, not to exceed 15 months between qualifications.

(3) The operator must record and retain the qualification and requalification test results for each joiner and welder for a period of 5 years.

(4) Welders and joiners must carry appropriate identification and qualification cards showing the name of the welder or joiner, their qualifications, the date of qualification and the operator whose procedures were followed for the qualification. Welders' and joiners' qualification cards will be subject to commission inspection at all times when qualified personnel are working on facilities subject to commission jurisdiction.

[Order R-28, § 480-93-080, filed 7/15/71; Order R-5, § 480-93-080, filed 6/6/69, effective 10/9/69.]

WAC 480-93-100 ~~Automatic~~ Valves.

~~Automatic valves shall not be installed on any gas pipeline except where the particular circumstances are such as to show that such valves will contribute to safer operation.~~

All underground main or transmission line valves not covered under CFR 192.745 or CFR 192.747 and valves installed on service lines to buildings or places of public

assembly, or commercial buildings within business districts, must be accessible and maintained in proper working order.

Avista's Comment: The majority of valves installed in our system are not emergency valves necessary for the safe operation of the system. Many valves are redundant or are used only for operational convenience. The requirement to maintain all valves will require a substantial increase in maintenance cost and labor. Avista believes this requirement may in effect be counter productive as it might encourage operators to install fewer valves or remove existing valves.

[Order R-28, § 480-93-100, filed 7/15/71; Order R-5, § 480-93-100, filed 6/6/69, effective 10/9/69.]

WAC 480-93-110 Corrosion control.

(1) Operators must ensure that all of its metallic gas pipelines, except cast iron and ductile iron, are protected by a recognized method or combination of methods of cathodic protection.

(2) Operators must record and retain all cathodic protection test readings taken as required by CFR 49 Part 192.491 (c).

(3) Operators must complete remedial action within 90 days to correct any cathodic protection deficiencies known and indicated by the operator's records.

(4) Operators must have written procedures for the proper use, maintenance, and calibration of cathodic protection equipment and instrumentation and, at a minimum, must follow the manufacturer's recommended practices.

(5) Operators must have written procedures that detail how cathodic protection measurements will be conducted.

(6) Operators must conduct tests for electrical isolation between metallic pipeline casings and metallic pipelines annually not to exceed 15 months, but at least once each calendar year. This requirement does not apply to unprotected copper inserted in ferrous pipe.

(a) For each casing that does not have test leads installed, other testing methods may be acceptable if the operator can demonstrate that test lead wires are not necessary to monitor for electrical isolation and adequate cathodic protection levels.

(b) Whenever tests indicate that a shorted condition exists between metallic pipelines and metallic casings, the operator must evaluate the condition within 90 days to determine whether a potentially corrosive condition exists. The operator must keep records of this evaluation for the duration the facility is in service.

(c) The shorted condition must be cleared if practical.

(d) Where it is not practical to clear the shorted condition, operators must use other industry recognized methods of inhibiting any potentially corrosive conditions found under the requirements of subsection (4) (b).

(e) Whenever a short exists between a pipeline and casing, leak surveys must be performed within 30 days of discovery and thereafter twice each calendar year, not to exceed seven and one half months, until the shorted condition is eliminated or any potential corrosive condition has been inhibited.

(7) Operators that have metallic gas facilities that are not now, or have never been, under cathodic protection or are not under adequate cathodic protection must provide to the commission, upon request, drawings that show the location of such facilities, and a description of their size and material along with any associated leak history. The drawings and associated documentation must indicate the approximate date that cathodic protection will be applied or the facilities will be replaced. If the operator can prove, through electrical test data and other means, that the gas facilities are not in a corrosive environment, then neither cathodic protection nor replacement will be required. This requirement does not apply to cast iron or copper.

(a) Whenever an operator finds active corrosion that results in leakage on a non-cathodically protected facility, the operator must conduct an electrical survey within 30 days to determine whether other areas of corrosion are present on the segment of pipeline. Where it is not possible to conduct an electrical survey due to pavement or other considerations or where other areas of corrosion are found, the operator must cathodically protect the

segment of the pipeline within 90 days, or begin replacing the facility within six months.

(b) Short segment of the pipeline, less than 100 feet in length, that have been cathodically protected to meet the requirements of section (5) must be tested once each calendar year, not to exceed 15 months, to determine whether the facility has adequate levels of cathodic protection.

(c) For purposes of section (5) "segment" of a pipeline means a pipeline constructed of similar material, of similar age, located in similar soil conditions, and that is electrically continuous.

(6) Whenever an operator finds the presence of active corrosion on its pipeline facilities, the operator must investigate further to determine the extent of the corrosion. The operator must retain a record of this investigation for the life of the facility.

(a) The operator must record the condition of all underground metallic facilities each time the facilities are exposed.

(b) On all cathodically protected pipelines, the operator must take a cathodic protection test reading each time an employee or representative of the operator exposes the facility and the protective coating is removed.

(7) Operators must keep records of all tests, evaluations, investigations, surveys, and other requirements of this section in sufficient detail to provide evidence of compliance.

Avista's Comment: The numbering in this section needs to be reviewed. There are duplicate paragraph numbers (e.g., 6) which makes it difficult to comprehend. The existing numbering also changes the intent of some of these items.

WAC 480-93-115 Casing of pipelines.

(1) Whenever an operator installs a steel pipeline in a casing, the casing must be bare steel.

(2) Operators must attach a separate test lead wire to the casing and the steel gas pipeline to verify that no electric short exists between the two.

(3) Whenever an operator installs a pipeline in a casing or conduit of any type material, the operator must seal the casing ends to prevent the migration of gas.

Avista's Comment: On item (2), we recommend adding the words "On new installations" prior to the word Operators. On item (3) we have a concern about the broad scope of sealing conduits. We can understand the potential value in sealing a conduit opening near a building wall, but not at street crossings.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-115, filed 8/5/92, effective 9/5/92.]

WAC 480-93-124 Pipeline markers.

(1) Operators must place pipeline markers at all railroad, road, irrigation, and drainage ditch crossings, and at all fence lines where a pipeline crosses private property, or where a pipeline is exposed. Operators must place pipeline markers approximately 500 yards apart if practical, and at points of horizontal deflection of the pipeline.

Avista's Comment: Avista recommends the phrase "or where a pipeline is exposed." be changed to read as follows, "where a pipeline is exposed and their location presents an potentually hazardous situation."

As written, pipeline markers are required in Class 3 and Class 4 locations, as well as all service risers, which of course is highly impractical. We recommend the reference to 49 CFR, Part 192.707(b) Exceptions for buried pipelines, be put back into this code.

(2) Where gas pipelines are attached to bridges or otherwise span an area, operators must place pipeline markers at both ends of the suspended pipeline. Each operator must conduct inspections once each calendar year, not to exceed 15 months of suspended pipelines, and maintain the markers to ensure that they are visible and legible.

(3) Operators must place pipeline markers where practical, on all mains operating above 250 psig.

(4) Operators must replace markers that are reported damaged and missing within 45 days.

(5) Surveys of pipeline markers not associated with section (2) above must be conducted once every three calendar years, not to exceed 39 months between surveys. The survey records must be kept for a minimum of five years.

Avista Comments: Utility representatives are instructed to replace pipeline markers when the see them missing as part of their daily tasks. If Commission Staff believes it is necessary to mandate a special program relating to pipeline markers, we recommend a survey be conducted once every 5 years not to exceed 63 months. This way, the marker patrol can be done in conjunction with a leak survey patrol already walking along the same routes. Creating a separate program with a different frequency is overly burdensome.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-124, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-124, filed 8/5/92, effective 9/5/92.]

WAC 480-93-130 Multistage pressure regulation.

Where gas pressures are reduced in two or more stages, an operator must install the necessary regulators and equipment in such a manner as to provide maximum protection between regulator stages. The purpose is to minimize the potential dangers from the failure of one stage of regulator equipment due to fire, explosion, or damage of any kind from adversely affecting the operation of the other stage or stages of regulation. A minimum of 50 feet of separation must be provided between regulator stages when feasible.

[Order R-28, § 480-93-130, filed 7/15/71; Order R-5, § 480-93-130, filed 6/6/69, effective 10/9/69.]

WAC 480-93-140 ~~Meter~~ Service regulators.

(1) Operators must install, operate, and maintain service regulators in accordance with federal and state regulations, and in accordance with the manufacturer's recommended installation and maintenance practices.

(2) Operators must inspect and test service regulators and associated safety devices installed on services each time the regulators and devices are turned on, to determine whether they are in proper operating condition. Testing must include determining the gas regulator's outlet set pressure at a specified flow rate. Operators must use pressure gauges downstream of the regulator during testing. Safety devices such as fracture discs are not required to be tested each time the device is turned on.

Avista's Comment: We recommend the first sentence in (2) be modified to read "…each time the regulators and devices are initially turned on,…".

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-140, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-140, filed 7/15/71; Order R-5, § 480-93-140, filed 6/6/69, effective 10/9/69.]

Note: Staff recommends deleting this rule.

WAC 480-93-155 Increasing maximum allowable operating pressure.

(1) Each operator must submit to the commission for review complete written plans and drawings at least 45 days before uprating to a maximum allowable operating pressure (MAOP) greater than sixty pounds per square inch gauge (psig). The plan must include a review of the following:

(a) All affected gas facilities, including pipe, fittings, valves, and other affected equipment, with their manufactured design operating pressure and specifications;

(b) Original design and construction standards;

(c) All previous operating pressures and length of time at that pressure;

(d) All leaks, regardless of cause, and the date and method of repair;

(e) If the pipeline is being uprated to a specified minimum yield strength of over 20 percent then the original welding standards and records must be provided.

(f) All upstream and downstream regulators and relief valves;

(g) All cathodic protection readings on mains for the past three years or three most recent inspections, whichever is longer, and the most recent inspection on each attached service line, that is electrically isolated; and

(h) Records deemed necessary by commission staff to evaluate the pressure increase.

(2) Uprates must be based on a previous pressure test that would substantiate the maximum allowable operating pressure. When there is no documented history of a pressure test, an operator must conduct a pressure test in conjunction with the uprate.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-155, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-155, filed 8/5/92, effective 9/5/92.]

WAC 480-93-160 ~~Reports~~ <u>Reporting requirements</u> of proposed construction.~~.~~

(1) Every operator must file a proposed construction report at least 45 days prior to construction or replacement of any gas transmission pipeline. The report must describe the proposed route and the specifications for the pipeline and must include, but is not limited to, the following items:

(a) Description and purpose of the proposed pipeline;

(b) Route map showing the type of construction to be used throughout the length of the line, and delineation of class location and incorporated boundaries along the route;

(c) Location and specification of principal valves, regulators, and other auxiliary equipment to be installed as a part of the pipeline system to be constructed. The operator must submit aerial photographs upon request;

(d) Maximum allowable operating pressure for which the pipeline is being constructed;

(e) Location and construction details of all river crossings or other unusual construction requirements encountered en route, eg., places where pipe will be exposed or it is impractical to provide required cover, bridge crossings, lines to be laid parallel to railroads or state highways, including encroachments, and any other areas requiring special or unusual design and construction considerations;

(f) Proposed corrosion control program to be followed including specifications for coating and wrapping, and the method to ensure the integrity of the coating using holiday detection equipment;

(g) Welding specifications; and

(h) Bending procedures to be followed if needed.

[Order R-28, § 480-93-160, filed 7/15/71; Order R-5, § 480-93-160, filed 6/6/69, effective 10/9/69.]

Note: A portion of this rule is incorporated in the reporting rules and the remainder of the rule is incorporated in the new testing rules.

WAC 480-93-170 Tests and reports thereof for pipelines.

(1) Operators must notify the commission in writing at least two business days prior to the commencement of any pressure test of a gas pipeline operating at pressures in excess of 20 percent of the specified minimum yield strength of the pipe used.

(a) The pressure tests of any such gas pipeline built in Class 3 or Class 4 locations, within 100 yards of a building or place of public assembly, or within a business district, must be of at least 8 hours in duration.

(b) When the test medium is to be a gas or compressible fluid, each operator must notify the appropriate officials of all municipalities so that adequate public protection can be provided for during the test.

(c) The requirements of section (1) and subsection (1) (a) may be waived in an emergency where it is necessary to maintain continuity of service.

(2) Operators must perform pressure tests for all new or replacement pipeline installations.

(a) All services that are damaged during excavation must be pressure tested from the point of damage to the service termination valve prior to being placed back into service.

(b) Pre-tested pipe may only be used where it is not feasible to conduct a pressure test.

(c) Operators must soap test at tie-in joints at not less than the operating pressure to which the pipeline will be subjected.

(3) Records of all pressure tests performed must be kept for the life of the pipeline and must document the following information:

(a) Operator's name;
(b) Employee's name;
(c) Test medium used;
(d) Test pressure;
(e) Test duration;
(f) Pipe size and length;
(g) Date and times; and
(h) Test results.

(4) Where feasible, plastic pipe must be installed and backfilled prior to pressure testing to expose any potential damage that could have occurred during the installation process.

(5) If multiple pressure tests are performed on a single installation, then a record of each test must be recorded and maintained. For purposes of this section, a single installation is defined as any continuous on-going job or installation such as a new plat, or long main installation.

(6) Pressure testing equipment must maintained and calibrated according to the manufacturer's recommended schedule. If no manufacturer's schedule is available then a schedule must be determined by the operator and provided for in the operator's operations and maintenance procedures manual. Test equipment must be tagged with the latest calibration date.

[Order R-28, § 480-93-170, filed 7/15/71; Order R-5, § 480-93-170, filed 6/6/69, effective 10/9/69.]

WAC 480-93-175 Moving and lowering <u>metallic</u> gas pipelines.

(1) Every operator must prepare a study prior to moving or lowering any metallic gas pipeline to determine whether the proposed action will cause an unsafe condition. This study must be reviewed and approved by the operator's engineering department and retained in the operator's files for the life of the pipeline. This requirement does not apply to cast iron pipelines that may not be lowered, or to copper pipelines. The study must include, but is not limited to, the following criteria:

(a) The required deflection of the pipe;

(b) The diameter, wall thickness, and grade of pipe;

(c) The characteristics of the pipeline;

(d) The terrain and class location;

(e) The present condition of the pipeline;

(f) The anticipated stresses of the pipeline including the safe allowable stress limits; and

Avista's Comment: Avista believes the requirement to know the actual toughness of the steel being lowered, in effect, eliminates the ability to move or lower metallic gas pipelines other than the 2-inch mains exempted below. The only definitive way to know the toughness of the steel is to cut out a coupon and send

2) Pipelines with mechanical joints or pipelines for which the toughness of the pipeline is unknown must not be moved or lowered.

(3) Pipelines operating at 60 pounds per square inch gauge (psig) or less and having a nominal diameter of two inches or less may be moved or lowered without the required study, if the operator can certify that no undue stresses will be placed on the pipeline and that it can be moved or lowered in a safe manner. The operators must consider factors such as type of materials, proximity to fittings, joints, and welds, and any other factors that could place undue stress on the pipeline or create an unsafe condition.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-175, filed 8/5/92, effective 9/5/92.]

WAC 480-93-yyy Protection of plastic pipe.

(1) Every operator must have detailed written procedures for the storage, and handling of plastic pipelines. The procedures for storage, handling, and installation of all plastic pipelines other than joining procedures, must be in accordance with the latest applicable manufacturer's recommended practices. Unless the manufacturer specifies a more stringent requirement, the operator must adhere to the following requirements:

(a) The maximum cumulative ultraviolet light exposure limit for plastic pipe is 2 years or the manufacturer's recommended exposure limit; and

(b) When plastic pipe is pulled through the ground during the installation process and the pipe could potentially be exposed to excessive tensile

stresses, operators must use a weak link or other method of ensuring that the pipe will not be damaged.

(2) When installing plastic pipelines parallel to other underground utilities, an operator must maintain a minimum of 12 inches of separation from the other utilities. Where a minimum 12 inches of separation is not possible, operators must take adequate precautions to minimize any potential hazards resulting from the close proximity to the other utilities.

(3) When installing plastic pipelines perpendicular to other underground utilities, operators must maintain a minimum of six inches of separation from the other utilities. Where a minimum six inches of separation is not possible, an operator must take adequate precautions to minimize any potential hazards resulting from the close proximity to the other utilities.

(4) Operators must not install plastic pipe above ground. Where necessary to prevent customer outage and no other alternative exists, an operator may temporarily install plastic pipe above ground for a period of 30 days. During the temporary installation, the operator must take measures to protect the plastic pipe from damage.

(5) Operators must not backfill or bed plastic pipe with any rock, or debris larger than one-half inch in diameter, or any materials that could potentially cause damage to the pipe. Operators must take all efforts to provide a rock-free bedding material for plastic pipe.

(6) Operators must not squeeze plastic pipe more than one time in the same location.

(7) Plastic pipe must not be squeezed within twelve inches or 3 pipe diameters from any joint, whichever is greater.

(8) Every operator must develop procedures to ensure that whenever plastic pipe is encased, suitable precautions are taken to prevent crushing or shearing of the plastic pipe where it exits the casing.

WAC 480-93-180 Plan of operations and maintenance procedures; emergency policy; reporting requirements.

Each operator must have a manual of written plans and procedures for operations, maintenance, construction, inspection, and emergency response activities. The manual must comply with the provisions and general intent of the "Pipeline Safety Improvement Act of 2002." The manual must include plans and procedures for all requirements of Title 49 CFR, Part 192 and Chapter 480-93 WAC, and any plans or procedures used by operator associated contractors. Such plans, procedures and amendments must be filed with the commission as soon as practical for review and determination as to their adequacy, when properly executed, to achieve an acceptable level of safety. The commission may, after notice and opportunity for hearing, require that such plans and procedures be revised or amended. Applicable portions of the manual related to the procedures being performed on the pipeline must be retained on-site where the activity is being performed.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-180, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-180, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-180, filed 7/15/71; Order R-5, § 480-93-180, filed 6/6/69, effective 10/9/69.]

WAC 480-93-185 Gas leak investigation.

(1) The operator must promptly investigate any notification of a leak, explosion, or fire, which may involve gas pipelines or other gas facilities, received from any outside source such as a police or fire department, other utility, contractor, customer, or the general public. Where the investigation reveals a leak, the operator must grade in accordance with WAC 480-93-186, and take appropriate action.

(2) In the event of an explosion, fire, death, or injury, the operator must not remove any suspected gas facility until the commission or the lead investigative authority have designated the release of the gas facility. Once the situation is made safe, the operator must keep the facility intact until directed by the lead investigative authority.

(3) When leak indications are found to originate from a foreign source or facility, such as gasoline vapors, sewer or marsh gas, or customer-owned piping, the operator must take appropriate action to protect life and property. Leaks that represent an ongoing, potentially hazardous situation must be reported

promptly to the owner or operator of the source facility and, where appropriate, to the police department, fire department or other appropriate governmental agency. The operator must keep a record of all leak investigations. If the property owner or an adult person occupying the premises is not available, the operator must, within twenty-four hours of the leak investigation, send by first-class mail, addressed to the person occupying the premises, a letter explaining the results of the investigation. The operator must keep a copy of the letter with the corresponding leak investigation record. The operator must retain the letter and leak investigation record for the life of the pipeline. If the leak was found to originate from a foreign source and no pipeline facility is present, the leak investigation report must be kept for a period of five years.

Avista's Comment: Avista believes the requirement to keep the letter with the leak investigation is overly burdensome. Additionally, requiring how specific documents are to be stored impairs our ability to automate, and improve, our record keeping systems. We can access the information in regard to the letter through our customer account system; however, the leak investigation record is kept in hard copy.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-185, filed 8/5/92, effective 9/5/92; Order R-102, § 480-93-185, filed 5/18/77.]

WAC 480-93-186 Leakage classification and action criteria.

(1) Based on an evaluation of the location and/or magnitude of a leak, the operator must assign one of the leak grades in section (3) below, thereby establishing the leak repair priority. An operator may use an alphabetical grade classification, i.e., Grade A for Grade 1, Grade B for Grade 2, and Grade C for Grade 3 if it has historically used such a grading designation. Operators must apply the same criteria for initial leak grading and to re-inspected leaks.

(2) Gas leak classification and repair. Each operator must establish a procedure for evaluating the concentration and extent of gas leakage. When evaluating any leak, the operator must determine and document the perimeter of the leak area. If the perimeter of the leak extends to a building wall, the operator must extend the investigation inside the building. Where the reading is in an unvented, confined space, the operator must consider the rate of dissipation when the space

is ventilated and the rate of accumulation when the space is resealed. **(Moved from the reading definition WAC 480-93-005)**

(3) Leak grades.

(a) Grade 1 means a leak that represents an existing or probable hazard to persons or property, and requires immediate repair or continuous action until conditions are no longer hazardous.

(b) Grade 2 means a leak recognized as being non-hazardous at the time of detection but requiring scheduled repair based on potential future hazard.

(c) Grade 3 - means a leak that is non-hazardous at the time of detection and can reasonably be expected to remain non-hazardous.

(d) Grade 1 or Grade 2 leaks may not be downgraded to a Grade 3 leak without a physical repair made to the pipeline facility.

Avista's Comment: Avista believes leaks should be graded, as to what they are, based upon the existing guidelines in WAC 480-93-18601 code. If Commission Staff's intent is to prevent the improper behavior of some operators by suggesting operators not grade leaks as to what they actually are at time of re-check, isn't it to be expected that such an operator would just grade the leak lower initially to get around what you are trying to do? Staff has the ability to check a leak at any time in the field to determine if it is graded properly. Avista does not believe this approach will be effective.

(4) Leakage classification and control requirements are provided in section 18601 below. The examples of leakage provided in the table are guidelines and are not exclusive.

(5) Follow-up inspections. The operator must check the perimeter of the leak area with a combustible gas indicator. The operator must re-inspect all leaks with residual gas remaining in the ground as soon as practical but no later than 30 days following the repair.

Note: Staff recommends deleting table 18601 and representing the rule in a text format.

WAC 480-93-18601 ~~Table 1~~ **Leak classification and action criteria--Grade--Definition--Priority of leak repair--Examples.**

(1) A Grade 1 leak is a leak that represents an existing or probable hazard to persons or property and requiring prompt action, immediate repair, or continuous action until the conditions are no longer hazardous. Prompt action may require one or more of the following:

(a) Implementation of the operator's emergency plan pursuant CFR 49 part 192.615;

(b) Evacuating the premises;

(c) Blocking off an area;

(d) Rerouting traffic;

(e) Eliminating sources of ignition;

(f) Venting the area;

(g) Stopping the flow of gas by closing valves or other means; or

(h) Notifying police and fire departments.

(2) The following are examples of Grade 1 leaks requiring prompt action:

(a) Any leak which, in the judgment of operating personnel at the scene, is regarded as an immediate hazard;

(b) Escaping gas that has ignited unintentionally;

(c) Any indication of gas that has migrated into or under a building or tunnel;

(d) Any reading at the outside wall of a building or where the gas could potentially migrate to the outside wall of a building;

(e) Any reading of 80 percent L.E.L. or greater in a confined space;

(f) Any reading of 80 percent L.E.L., or greater in small substructures not associated with gas facilities where the gas could potentially migrate to the outside wall of a building; or

(g) Any leak that can be seen, heard, or felt and which is in a location that may endanger the general public or property.

(3) A Grade 2 leak is a leak that is recognized as being nonhazardous at the time of detection but justifies scheduled repair based on potential future hazard. Operators must repair or clear Grade 2 leaks within 15 months from the date the leak is reported. If a Grade 2 leak occurs in a segment of pipeline that is under consideration for replacement, an additional six months may be added to the 15 months maximum time for repair provided above. In determining the repair priority, operators should consider the following criteria:

(a) Amount and migration of gas;

(b) Proximity of gas to buildings and subsurface structures;

(c) Extent of pavement; and

(d) Soil type and conditions, such as frost cap, moisture and natural venting.

(4) Operators must re-evaluate Grade 2 leaks at least once every six months until cleared. The frequency of reevaluation should be determined by the location and magnitude of the leakage condition.

(5) Grade 2 leaks vary greatly in degree of potential hazard. Some Grade 2 leaks, when evaluated by the above criteria, will require prompt scheduled repair within the next five working days. Others will require repair within 30 days. These situations must be brought to the attention of the individual responsible for scheduling leakage repair at the end of the working day.

(6) Many Grade 2 leaks, because of their location and magnitude, can be scheduled for repair on a normal routine basis with periodic reinspection as necessary.

(7) The following should be considered when evaluating Grade 2 leaks:

(a) Leaks requiring action ahead of ground freezing or other adverse changes in venting conditions;

(b) Any leak, which under frozen or other adverse soil conditions, that could potentially migrate to the outside of a building.

(8) Grade 2 leaks requiring action within six months:

(a) Any reading of 40 percent L.E.L. or greater under a sidewalk in a wall-to-wall paved area that does not qualify as a Grade 1 leak where gas could potentially migrate to the outside wall of a building;

(b) Any reading of 100 percent L.E.L. or greater under a street in a wall-to-wall paved area that does not qualify as a Grade 1 leak where gas could potentially migrate to the outside wall of a building;

(c) Any reading less than 80 percent L.E.L. in small substructures not associated with gas facilities where gas could potentially migrate creating a probable future hazard;

(d) Any reading between 20 percent L.E.L. and 80 percent L.E.L. in a confined space;

(e) Any reading on a pipeline operating at 30 percent specified minimum yield strength or greater in Class 3 or 4 locations that does not qualify as a Grade 1 leak; or

(f) Any leak which in the judgment of operating personnel at the scene is of sufficient magnitude to justify scheduled repair.

(9) A Grade 3 leak is a leak that is nonhazardous at the time of detection and can reasonably be expected to remain nonhazardous.

(a) Operators should re-evaluate grade 3 leaks during the next scheduled survey, or within 15 months of the reporting date, whichever occurs first, until the leak is regraded or no longer results in a reading.

(10) The following are examples of grade 3 leaks requiring re-evaluation at periodic intervals:

(a) Any reading of less than 80% L.E.L in small gas associated substructures,

such as small meter boxes or gas valve boxes; or

(b) Any reading under a street in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-18601, filed 8/5/92, effective 9/5/92; Order R-103, Table 1 (codified as WAC 480-93-18601), filed 5/18/77.]

WAC 480-93-187 Gas leak ~~R~~records and self audit.

Each operator must prepare and maintain permanent gas leak records. The leak records must contain sufficient data and information to permit the commission to assess the adequacy of the operator's leakage program, and to provide the data and information required by RSPA F-7100.1, F-7100.1-1, F-7100.2, and F-7100.2-1 leak reports. Gas leak records must contain, at a minimum, the following information:

(1) Date and time the leak was detected, investigated, reported, and the name of the employee(s) conducting the investigation;

(2) Date and time the leak was reevaluated before repair, and the name of the employee(s) involved;

(3) Date and time of repair and the name of the employee(s) in charge of the repair;

(4) Date and time of any rechecks performed, and the employee(s) involved;

(5) Location of the leak (sufficiently described to allow ready location by other qualified personnel);

(6) Leak grade;

(7) Pipeline classification (e.g., distribution, transmission, service);

(8) If reported by an outside party, list the name and address of the reporting party;

(9) Component that leaked (e.g., pipe, tee, flange, valve);

(10) Size and material that leaked (e.g., steel, plastic, cast iron);

(11) Pipe condition;

(12) Type of repair;

(13) Leak cause;

(14) Date pipe installed (if known);

(15) If cathodically protected, type of protection and cathodic protection test reading;

Avista's Comments: Avista believes the requirement to keep cathodic protection information on a leak form is overly burdensome. Avista is already in the process of implementing and training its personnel on the requirements of the proposed WAC 480-93-110, as it relates to taking readings on exposed steel pipe in 6(b). Avista suggests it is far preferable to keep cathodic protection data on a form associated with cathodic protection only. Avista feels this requirement, as written, will create confusion and delay this data from getting to those responsible for dealing with it.

16) Magnitude and location of CGI readings left;

(17) Magnitude and location of CGI readings as found (show spread of gas); and

(18) Unique identification numbers (such as serial numbers) of leak detection equipment.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-187, filed 8/5/92, effective 9/5/92; Order R-104, § 480-93-187, filed 5/18/77.]

WAC 480-93-188 Gas leak surveys.

(1) Operators must perform gas leak surveys using a gas detection instrument covering the following areas:

(a) Over all mains, services, and transmission lines including the testing of the atmosphere near a utility (gas, electric, telephone, sewer, or water) and other underground structures;

(b) Through cracks in paving, in wall-to-wall paved areas, and in sidewalks;

(c) Along walls of businesses and buildings of public assembly that are within 100 feet of an active pipeline;

Avista's Comment: Avista believes the distance in (c) above conflicts with the distance in the definition of a "Place or building of public assembly".

(d) On all above ground piping (may be checked with either a gas detection instrument or with a soap solution);

(e) Where a gas service line exists, at the building wall point of entrance, using a bar hole where necessary (within business districts the entire service length must be surveyed); and

(f) Within all buildings where gas leakage has been detected at the outside wall, and, at all points where escaping gas could potentially migrate into and accumulate inside the building;

(2) Gas detection instruments must be maintained, calibrated, and operated in accordance with the manufacturer's recommendation. If there is no manufacturer's recommendation, then instruments must be calibrated monthly not to exceed 45 days but at least 12 times per year.

(3) Gas leak surveys must be conducted according to the following minimum frequencies:

(a) Business districts - once each calendar year, not to exceed 15 months between surveys;

(b) Residential areas - as frequently as necessary, but not to exceed 5 years between surveys;

(c) Places or buildings of public assembly - once each calendar year, not to exceed 15 months;

(d) Mains operating above 250 psig - once each calendar year, not to exceed 15 months between surveys;

(e) Where the gas system has cast iron, wrought iron, copper, or non-cathodically protected steel - twice each calendar year, not to exceed 7 1/2 months between surveys; and

(f) Bare pipeline segments that have been cathodically protected due to corrosion that resulted in leakage - twice each calendar year, not to exceed 7 1/2 months between surveys.

(4) Special leak surveys must be conducted under the following circumstances:

(a) Prior to paving or resurfacing, following street alterations or repairs where gas facilities are under the area to be paved, and where there is potential that damage could have occurred to gas facilities;

(b) In areas where substructure construction occurs adjacent to underground gas facilities, and there is potential that damage could have occurred to the gas facilities, operators must perform a gas leak survey following the completion of construction, but prior to paving;

(c) Unstable soil areas where active gas lines could be affected; and

(d) In areas and at times of unusual activity, such as earthquake, floods, and explosions.

(e) After third party excavation damage to services, operators must perform a gas leak survey from the point of damage to the service tie-in.

Avista's Comment: As written, Avista believes "excavation damage" would apply to any damage made by items such as post hole diggers or even superficial non-leaking nicks made to the service pipe by a hand shovel. Avista believes this should be worded to require a survey only after significant damage.

(5) Survey records must be kept for a minimum of five years. At a minimum, survey records must contain the following information:

(a) Description of the system and area surveyed (this could include maps and leak survey logs.);

(b) Survey results;

(c) Survey method;

(d) Name of the employee who performed the survey;

(f) Survey dates; and

(g) Instrument tracking or identification number.

(6) Each operator must perform self audits of the effectiveness of its leak detection and record keeping programs. Operators must maintain records of the self audits for five years. Self audits must be performed as frequently as necessary, but not to exceed three years between audits. At a minimum, self audits should ensure that:

(a) Leak survey schedules meet the minimum federal and state safety requirements for gas pipelines;

(b) Consistent evaluations of leaks are being made throughout the system;

(c) Repairs are made within the timeframe allowed;

(d) Repairs are effective; and

(e) Records are accurate and complete.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-188, filed 8/5/92, effective 9/5/92; Order R-105, § 480-93-188, filed 5/18/77.]

WAC 480-93-200 Reports associated with operator facilities and operations.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-200, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-200, filed 7/15/71; Order R-5, § 480-93-200, filed 6/6/69, effective 10/9/69.]

(1) Every operator must give notice to the commission by telephone within two hours of occurrence of every incident or hazardous condition arising out of its operations that:

(a) Results in a fatality or personal injury requiring hospitalization;

(b) Results in damage to the property of the operator and others of a combined total exceeding five thousand dollars (automobile collisions and other equipment accidents not involving gas or gas handling equipment need not be reported under this rule);

(c) Results in the evacuation of a dwelling, building, or area of public assembly;

(d) Results in the unintentional ignition of gas;

(e) Results from construction defects or material failure;~~(e) Results from construction defects or material failure;~~

Avista Comment: Based upon Avista's past experience, we believe we will not know whether a leak occurs, due to a construction defect or material failure, within 2 hours, and often not within 6 hours. Avista suggests this requirement be removed.

(f) Results in the un-controlled release of gas for more than two hours;

(g) Is significant, in the judgment of the operator, even though it does not meet the criteria of (a), (b), (c), (d), (e), (f) of this subsection;

(h) Results in the taking of a high pressure supply or transmission pipeline or a major distribution supply pipeline out of service or lowering its pressure fifty percent or more below its normal operating pressure;

(i) Results in the news media reporting the occurrence, even though it does not meet the criteria of (a) through (h) of this section;

(j) Results in a pipeline or system operating at low pressure dropping below the safe operating conditions of attached appliances and gas equipment;

(k) Whenever a pipeline, operating in excess of 250 psig, is taken out of service;

(l) Unscheduled interruptions to the service furnished by any operator to an industrial customer, a master meter customer, or 25 or more distribution customers; or

(m) Results in damage and leakage of a four-inch nominal diameter and larger pipeline.

Avista Comment: Avista suggests this item be deleted. As written, it appears that a small, insignificant, leak on a 4-inch pipeline will require a "notice" whereas a larger leak on a smaller pipeline may require none.

(2) The following are not reportable items under this section: Routine or planned maintenance and operational activities of the operator that result in operator-controlled plant and equipment shut downs, reduction in system pressures except as noted in section (1) above, flaring or venting of gas, and normal leak repairs. ~~are not reportable items under this section.~~

~~(3)~~(3) When a pipeline or system pressure exceeds the maximum allowable operating pressure or the maximum pressure allowed by proximity considerations outlined in WAC 480-93-020, the operator must notify the commission by telephone within two hours, to be followed by written explanation within thirty days.

~~the operator must notify the commission by telephone within two hours, to be followed by written explanation within thirty days;~~

Avista Comment: For better clarity, Avista suggests item (3) should be listed under item (1), such as (1) (n). Additionally, Avista suggests a deletion of the last part of the sentence that talks about "… operator must notify the commission by telephone within …".

(4) Operators must provide to the commission the reports required in section (1) above, verified in detail in writing within 30 days of the initial telephonic report. At a minimum, written reports must include the following:

(a) Name(s) and address(es) of any person or persons injured or killed or whose property was damaged;

(b) The extent of such injuries and damage;

(c) A description of the incident or hazardous condition including the date, time, and place;

(d) A description of the gas facilities involved in the incident or hazardous condition, the system operating pressure at that time, and the maximum allowable operating pressure of the facilities involved;

(e) The date and time the gas facility was made safe;

(f) The date, time, and type of any temporary or permanent repair made; and

(g) The cost of the incident to the operator.

(5) Operators must provide to the commission a written report within 30 days of receiving the failure analysis of any incident or hazardous condition that was due to construction or material failure.

(6) Operators must file with the commission a copy of every RSPA F-7100.1-1 and F-7100.2-1 annual report required by US Department of Transportation, Office of Pipeline Safety. In addition to the above required forms, operators must file with the commission the report titled, "Damage Prevention Statistics", with the corresponding RSPA fiscal year. The Damage Prevention Statistics report must include in detail the following information:

(a) Number of gas related One-Call locate requests completed in the field;

(b) Number of third-party damages incurred; and

(i) specific cause of damage.
(ii) locates not accurate;
(iii) operator failed to use reasonable care; or excavated prior to locates.

(7) Operators must file with the commission, and with appropriate officials of all municipalities where operators have facilities, the names, addresses, and telephone numbers of the responsible officials of the operator who may be contacted in the event of an emergency. In the event of any changes in operator personnel, the operator must notify immediately the commission and municipalities.

(8) Operators must send daily reports of construction and repair activities electronically to the commission. Operators may send reports either by facsimile or e-mail to the commission. The reports must be received no later than 10:00 AM each day of the scheduled work, and must include both operator and contractor construction and repair activities.

Avista's Comments: Avista recommends this information be available "upon request" rather than submitted on a daily basis. During the year that Avista has been submitting our daily reports, Staff auditors have only made a couple visits to our crews, and in most cases they "call to confirm" crew locations anyway since staff realizes that crews are often called off their scheduled locations due to emergency calls, etc. Avista belives the requirement, as it is written, has had, and will continue to have, a substantial administrative impact on its operations, especially in our small offices, without a corresponding improvement to pipeline safety.

(9) When an operator is required to file a copy of a RSPA Drug Testing and Alcohol Testing MIS "EZ" Data Collection Form with the Federal Office of Pipeline Safety, the operator must simultaneously submit a copy of the form to the commission.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-200, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-200, filed 7/15/71; Order R-5, § 480-93-200, filed 6/6/69, effective 10/9/69.]

WAC 480-93-223 Civil penalty for violation of RCW 80.28.210 and commission gas safety rules ~~regulations issued thereunder--Maximum amount~~.

(1) Any gas company that violates any provisions of chapter 480-93 WAC or WAC 480-93-303 has failed to construct and/or maintain its facilities in a safe and efficient manner in violation of RCW 80.28.210, and is subject to a civil penalty under RCW 80.28.212.

(b) The maximum civil penalty under RCW 80.28.212 for violations by a gas company of any provision of chapter 480-93 WAC (other than WAC 480-93-160 and WAC 480-93-200(1)(e)) or WAC 480-93-303 is five thousand dollars for each violation for each day that the violation persists up to a maximum civil penalty of five hundred thousand dollars for a related series of violations.

(c) The maximum civil penalty under RCW 80.28.212 for violations by a gas company of WAC 480-93-160 or WAC 480-93-200(1)(e) is one thousand dollars for each violation for each day that the violation persists, up to a maximum civil penalty of two hundred thousand dollars for a related series of violations.

(c) The commission may compromise any civil penalty issued under RCW 80.28.212.

(2) In addition to a civil penalty under RCW 80.28.212, any public service company that violates RCW 80.28.210 or any rule issued thereunder, may also be subject to civil penalties under RCW 80.04.405 and/or RCW 80.04.380.

(3) Any officer, agent, or employee of any public service company who aids or abets in the violations of RCW 80.24.210 or any rule issued thereunder, is subject to a civil penalty under RCW 80.04.405.

(4) Any officer, agent, or employee of any public service company violating RCW 80.28.210 or who procures or aids and abets such a violation, may be subject to civil penalties under RCW 80.04.385.

(5) Any corporation other than a public service company that is subject to RCW 80.28.210 and that violates any provision of chapter 480-93 WAC, has failed to construct and/or maintain its facilities in a safe and efficient manner in violation of RCW 80.28.210, and is subject to a civil penalty under RCW 80.04.387.

[Statutory Authority: RCW 80.01.040. 95-19-057 (Order R-433, Docket No. UG-950625), § 480-93-223, filed 9/15/95, effective 10/16/95.]

WAC 480-93-230 ~~Modification/waivers.~~ Exemptions from rules in chapter 480-93 WAC.

(1) The commission may grant an exemption from the provision of any rule in this chapter, if consistent with the public interest, the purposes underlying regulation, and applicable statutes.

(2) To request a rule exemption, an operator or other entity must file with the commission a written request identifying the rule for which an exemption is sought, giving a full explanation of the reason for requesting the exemption.

(3) The commission will assign a docket number, if it does not arise in an existing docket, and will schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other affected persons, of the date of the hearing or open meeting when the commission will consider the request.

(4) In determining whether to grant the request, the commission may consider whether application of the rule would impose undue hardship on the petitioner, of a degree or a kind different from hardship imposed on other similarly situated persons, and whether the effect of applying the rule would be contrary to the purposes of the rule.

(5) The commission will enter an order granting or denying the request or setting it for hearing, pursuant to Chapter 480-07 WAC.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-230, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-230, filed 7/15/71; Order R-5, § 480-93-230, filed 6/6/69, effective 10/9/69.]

WAC 480-93-240 Annual pipeline safety fee methodology.

(1) Every gas company and every interstate gas pipeline company subject to inspection or enforcement by the commission will pay an annual pipeline safety fee as established in the methodology set forth in section (2) below.

(2) The fee will be set by general order of the commission entered before July 1 of each year and will be collected in four equal installments payable on the first day of each calendar quarter, beginning July 1, 2001.

(a) The total of pipeline safety fees will be calculated to recover the costs of the legislatively authorized workload represented by current appropriations, less the amount received in federal funds through the Federal Department of Transportation's Natural Gas Pipeline Safety Program base grant. Federal grants, other than the federal base grant, received by the commission for additional activities not included or anticipated in the legislatively directed workload will not be credited against company pipeline safety fees, nor will the work supported by such grants be considered a cost for purposes of calculating such fees.

(b) Total pipeline fees as determined in subsection (a) will be divided between gas companies and interstate gas pipeline companies based on two components:

(i) The first component is direct assignment of average costs associated with a company's standard inspections, including the average number of inspection days per year, which will be determined annually. Standard inspections are conducted to comply with the state's participation requirement under the "Guidelines for States Participating in the Pipeline Safety Program" of the Federal Department of Transportation, Office of Pipeline Safety.

(ii) The second component is an allocation of the remaining program costs that are not directly assigned in (i). Distribution of these costs between gas companies and interstate gas pipeline companies will

be based on miles of transmission lines as defined in WAC 480-93-005(18) and miles of main as defined in WAC 480-93-005(12) operated within Washington state.

(c) The commission general order setting fees pursuant to this rule will detail the allocation of program costs between gas companies and interstate gas pipeline companies, and the specific calculation of each company's pipeline safety fee.

(3) By April 1 of each year every gas company and every interstate gas pipeline company subject to this section must file an annual report as prescribed by the commission that is necessary to establish the annual pipeline safety fee. By June 1 of each year the commission staff will mail to each company subject to this section an annual invoice showing an estimate of the quarterly amounts.

(4) All funds received by the commission for the pipeline safety program will be deposited to the pipeline safety account. For those companies subject to RCW 80.24.010, the portion of the company's total regulatory fee applicable to pipeline safety will be transferred from the public service revolving fund to the pipeline safety account.

(5) Any company wishing to contest the amount of the fee imposed under this section must pay the fee and, within 6 months of the due date of the fee, file a petition in writing with the commission requesting a refund. The petition must state the name of the petitioner; the date and the amount paid, including a copy of any receipt, if available; the amount of the fee that is contested; and any reasons why the commission may not impose the fee. The commission may grant the petition administratively or may set the petition for adjudication or for brief adjudication.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 2001 c 238 § 2. 02-03-016 (Docket No. UG-010522, General Order No. R-497), § 480-93-240, filed 1/4/02, effective 2/4/02.]

WAC 480-93-999 Adoption by reference.

In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission branch

of the Washington state library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) Title 49 Code of Federal Regulations, cited as 49 CFR, Parts 191, 192, 193, and 199 including all appendices and amendments, except for 192.1, 199.1, 193.2001, 193.2005 and 199.2, published by the United States Government Printing Office.

(a)The commission adopts the version in effect on October 1, 2002.

(b) This publication is referenced in WAC 480-93-005, 480-93-080, 480-93-100, 480-93-110, 480-93-180, and 480-93-18601.

(c) Copies of Title 49 Code of Federal Regulations are available from the Seattle office of the Government Printing Office and from various third-party vendors.

(2) The 2001 edition of Section IX of the ASME Boiler and Pressure Vessel Code.

(a) This publication is referenced in WAC 480-93-080

(b) Copies of Section IX of the ASME Boiler and Pressure Vessel Code are available from The American Society of Mechanical Engineers, Park Avenue New York, New York.

(3) The American Petroleum Institute (API) standard 1104 18th edition.

(a) This publication is referenced in WAC 480-93-080.

(b) Copies of API standard 1104 18th edition are available from the Office of API Publishing Services in Washington DC.