

Meeting Minutes – April 3, 2002
TO-000712 Hazardous Liquids Rulemaking Workshop
Location: Utilities and Transportation Commission (WUTC)
Olympia, WA

Steve King, WUTC staff, facilitated the hazardous liquids rulemaking workshop. Sondra Walsh, (Team Lead) Joe Subsits, Kuang Chu and Kim West, with the WUTC hazardous liquids rulemaking team, were also present. Steve explained the contents of the packet that was distributed at the meeting and overviewed the agenda. He explained the process of the rulemaking workshop, which was to discuss, in order, the draft rules. WUTC staff would also give an explanation of the intent of the draft rule and then discussions between staff and the stakeholders could take place. Steve would then summarize any suggested language from the workshop participants or any agreements that were reached.

WAC 480-75- (022 – 007) General Rules

No comments were made regarding this rule at the workshop.

WAC 480-75- 008 - Leak Detection

No comments were made regarding this rule at the workshop.

WAC 480-75- 009 – Geological Considerations

No comments were made regarding this rule at the workshop.

WAC 480-75- 010 – Overpressure Protection

No comments were made regarding this rule at the workshop.

WAC 480-75- 011- Overfill Protection

Suggested the term “High-High Alarm” or “Level Alarm” instead of overfill alarm. A workshop participant also suggested the phrase “High-level alarm protecting from tank overfill”.

WAC 480-75- 012 Cathodic Protection Test Station Locations

No comments were made regarding this rule at the workshop.

WAC 480-75- 013 – Design Specifications for New Pipeline Projects

The question was asked, “The ASME B31.4 1998 Edition that is referenced to in this rule could be modified. How will the Commission monitor any modifications?” Staff stated that the Commission reviews the adoption by reference every year. Other than this question, no new suggested language.

WAC 480-75- 014 – Class Locations

No comments were made regarding this rule at the workshop.

WAC 480-75- 015 Design factor (F) for Steel Pipe

No comments were made regarding this rule at the workshop.

CONSTRUCTION & REPAIR

WAC 480-75- 016 – Backfill

No comments were made regarding this rule at the workshop.

WAC 480-75- 017 – Coatings

No comments were made regarding this rule at the workshop.

WAC 480-75- 018 – Hydrostatic Test Requirements

No comments were made regarding this rule at the workshop.

WAC 480-75- 019 – Welding Procedures

No comments were made regarding this rule at the workshop.

WAC 480-75- 020 – Pipeline Repairs

No comments were made regarding this rule at the workshop.

WAC 480-75- 022 – Construction Specifications

The phrase “seamless pipe are excluded” was suggested as an addition to this rule.

WAC 480-75- 023 Welding Inspection Requirements

“100% of girth welds” was suggested as an addition to this rule.

WAC 480-75- XXX – Location of Pump Stations and Breakout Tanks

The word “new” before the word pipeline was suggested in the first sentence when referring to pump stations.

WAC 480-75- 024 –Moving and Lowering Pipelines

Stakeholders suggested rewriting sentence two to eliminate “company’s senior engineer”.

WAC 480-75- 027 – Remedial Action for Corrosion

Rewrite sentence to eliminate “company’s senior engineer”.

WAC 480-75- 029 – Inspections During Excavation

No comments were made regarding this rule at the workshop.

WAC 480-75- 032 – Valve Spacing and Rapid Shutdown

No comments were made regarding this rule at the workshop.

WAC 480-75- 034 – Right-of-Way Inspections

The word “scheduled” was suggested instead of the word “conducted” in the first sentence. Also, a phrase that would document if a fly over of a pipeline is not possible due to weather conditions. The language suggested was “If weather impeded the ability to conduct a fly over inspection for a consecutive two week period, the weather conditions must be noted and a drive by right-of-way inspection must be conducted within the two week period.

WAC 480-75- 035 – Above Ground Facilities

No comments were made regarding this rule at the workshop.

WAC 480-75- XXX – Change in Class Location

No comments were made regarding this rule at the workshop.

REPORTING

WAC 480-75- 037 – Maps, Drawings and Records of Hazardous Liquid Facilities

Workshop participants wanted language added to this section that would clarify the purpose of the request, which is “to determine compliance”. Within section three of 037, participants asked that staff look into changing the language to state “when pipeline facilities are modified”.

WAC 480-75- 038 – Reporting Requirements for Proposed Construction

BP Olympic will submit to Commission staff Federal Form-48 for review.

WAC 480-75- 039 – Pressure Testing Reporting Requirements

Workshop participants requested the word “increase” be replaced with the word “test”. They also suggested a separate sentence be made at the end of the word “test”. The second sentence would start out with “The report will include information such as the change in the...”

WAC 480-75- 040 – Incident Reporting

Workshop participants suggested the words “of discovery” before the word “occurrence”. Also the phrase “a hazardous liquid pipeline which leads to” was suggested within the first sentence. Staff will also look into having different reporting time requirements for section (f), for instance “when the company becomes aware of the media report” or some language similar. Staff will look into they type of written report requirements, whether it will be form or a narrative.

WAC 480-75- 041 – Depth-of-Cover Survey

Staff will review the federal rule and bring in the portions that are applicable. Staff reviewed the federal regulations and has determined that this rule applies to pipelines constructed after April 1970 Pipeline Safety Act. Federal regulation table will be included in the state rules.

WAC 480-75- 042 – Annual Reporting

Within section (1) the date “May 1” will be changed to “April 1”.

WAC 480-75- 043 – Operating Safety Plan Requirements

No comments were made regarding this rule at the workshop.

General Comments

1. Staff needs to clarify rules that apply to new construction and those that apply to existing pipelines.
2. Clarification on the difference between a) new/replacement, b) construction/extension of existing, c) repair/new.

Next Steps

The Small Business Economic Impact Statement (SBEIS) questionnaire will be sent to the Washington State intrastate hazardous liquid pipeline companies. Staff explained that the SBEIS is a survey that will help the Commission determine if the rules are economic to the companies. The SBEIS is based on the draft rules. The SBEIS will be sent out the first part of the week of April 8, 2002 with a turn around time being three weeks.

Steve King explained the next steps in the rulemaking process:

- Revise draft based on April 3, 2002 workshop.
- Issue SBEIS questionnaire (by April 10, 2002).
- Commission will receive the SBEIS and will analyze the responses. The draft rules will be revised accordingly.
- CR-102 Commission Open Meeting (Either during the May 24 or June 14, 2002 Open Meeting) Stakeholders may make oral comments at the Open Meeting.
- Comment on CR-102 draft (Two week written comment period).
- Adoption hearing (June or July) – Stakeholders may comment at the adoption hearing.