



December 30, 2003

Carole J. Washburn, Secretary  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

Attn: Sondra Walsh

**Subject: Docket UG-011073 Follow-up Comments**

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STATE OF WASH.  
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COMMISSION

Dear Ms. Walsh:

Thank you for the opportunity to discuss the proposed rules for Chapter 480-93 WAC at the December 9<sup>th</sup> Stakeholder Workshop in Olympia. Puget Sound Energy (PSE) noted at this workshop that Staff would welcome suggested alternate language for WAC 480-93-186(3)(d). Please find enclosed PSE's proposed language for this rule subsection. Refer to Attachment A.

In addition, as promised, PSE is submitting grammatical edits in hard-copy format for the following (Refer to Attachment B):

1. WAC 480-93-186 *Leakage classification and action criteria.*
2. WAC 480-93-18601 *Leak classification and action criteria—Grade—Definition—Priority of leak repair—Examples.*
3. WAC 480-93-200 *Reports associated with operator facilities and operations.*

PSE looks forward to continue working with the Commission to develop the proposed rules.

Sincerely,

Kaaren Daugherty, PE  
Consulting Engineer, Standards and Compliance

Cc: Kimberly Harris  
Karl Karzmar  
Sue McLain  
Greg Zeller  
Jim Hogan

Enclosures

**Attachment A**  
**Proposed alternate language for WAC 480-93-186(3)(d)**

**Option 1:**

A Grade 1 or Grade 2 leaks may not be downgraded to a Grade 3 leak without a physical repair made to the pipeline facility; shall be reviewed by operator supervisory personnel to ensure consistency with leak grading requirements.

**OR**

**Option 2:**

Grade 1 or Grade 2 leaks may not be downgraded to a Grade 3 leak without a physical repair made to the pipeline facility; unless the operator has a written procedure for internal review of downgraded leaks.

PSE believes the proposed rule, as worded in the October 10, 2003 draft, severely limits an operator's flexibility in grading and re-evaluating leaks. PSE agrees that some control over downgrading of leaks is appropriate but to say a leak can never be downgraded without a permanent repair is unreasonable for many reasons, including the following:

1. Leak grading is subjective;
2. Data entry errors occur;
3. Adverse conditions, such as water in a hole, may prevent accurate reads initially and conservative leak grading may be done intentionally to trigger a quick re-evaluation date.

The Staff has stated their objective for the proposed rule is to, "disallow the Grade 2 repair time to continually be restarted by downgrading leaks." PSE feels this problem is less prevalent than may be perceived by Staff and while the stated objective may be met by the proposed rule, the rule is restrictive to the point of being burdensome to operators. PSE believes that either alternative suggested above will meet Staff's objective by:

- a) Providing documentation for Staff to review an operator's leak downgrading practices;
- b) Improving consistency in leak reevaluations/downgrading.

PSE also recommends that WAC 480-93-186(3)(d) be removed from subsection (3), which defines leak grades, and placed into a separate subsection for clarity.

**Attachment B**  
**Grammatical edits for WAC 480-93-186, -18601, and -200**

**WAC 480-93-186**

(1) Based on an evaluation of the location and/or magnitude of a leak, <sup>each</sup> 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 <sup>used</sup> for initial leak grading ~~and~~ to re-inspected leaks. X

(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) X

(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. X

(4) Leakage classification and control requirements are provided in section 18601. ~~below.~~ The examples of leakage provided in ~~the table~~ <sup>that section</sup> are guidelines and are not exclusive. X

(5) ~~Each operator shall check the adequacy of leak repairs while the excavation is open.~~ <sup>Follow-up inspections</sup> 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.~~ <sup>a follow-up inspection shall be made</sup> X

(b) In the case of a leak repair where there is

except if the <sup>39</sup> repair was made by replacing the pipeline, no follow-up inspection is required.

Move to it's own sub section. See proposed alternate language.

**WAC 480-93-18601**

**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.**

This is restating 186(3)(a) so make wording identical.

(1) A Grade 1 leak is a leak that represents an existing or probable hazard to persons or property, and <sup>requires</sup> ~~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:

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(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:

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(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;

- indent*
- (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.

*See 1863(b)* (3) A Grade 2 leak is a leak that is recognized as being nonhazardous at the time of detection but <sup>requires</sup> ~~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:

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- indent*
- (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.

X

(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.

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- (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 Rrecords and self audit.**

- ~~(1) Gas leak records. Every gas company shall prepare and maintain permanent gas leak repair records. Sufficient data and information shall be included in leak repair records to permit the commission to assess the adequacy of the company maintenance programs and to provide the data and information needed to complete every required RSPA F 7100.1, F 7100.1 1, F 7100.2, and F 7100.2 1 leak report.~~
- ~~(2) The following data and information shall be recorded and maintained. Every gas company which by law must report leaks to a regulatory agency charged by law with environmental protection shall file copies of those reports with the commission. Data and information which cannot reasonably be expected to be available under the particular circumstances of a leak situation need not be reported, but at a minimum will include the following:
  - ~~(a) Date and time detected, date and time reported, date and time and name of employees dispatched, and the date and time the leak was investigated;~~
  - ~~(b) Date and time the leak was reevaluated before repair, and the name of the employee involved;~~
  - ~~(c) Date and time of repair, when a Grade 1 leak is involved, and the name of the employee in charge of the repair;~~
  - ~~(d) Date and time the leak was rechecked after repair and the employee involved;~~
  - ~~(e) If leak was reportable to an environmental agency, date and time report made to regulatory authority and name of reporting employee;~~
  - ~~(f) Location of leak (sufficiently described to allow ready location by other competent personnel);~~
  - ~~(g) Leak grade;~~~~

**WAC 480-93-200**

~~\_\_\_\_\_ (2) Such reports shall be verified in detail in writing if not so reported initially and shall include at least 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 accident, incident, or hazardous condition to include date, time, and place;~~

~~\_\_\_\_\_ (d) A description of the gas facilities implicated in the accident, incident, or hazardous condition and the system operating pressure at that time, and the maximum operating pressure of the facilities implicated;~~

~~\_\_\_\_\_ (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) A report shall be available to the commission within three months, upon request, of the failure analysis of any accident, incident, or hazardous condition which was due to construction or material failure.~~

~~\_\_\_\_\_ Routine or planned maintenance and operational activities of the company which result in company controlled plant and equipment shut-downs, reduction in system pressures except as noted above, flaring or venting of gas, and normal leak repairs are not to be considered reportable items under this section.~~

~~\_\_\_\_\_ (3) Every gas company shall file a copy of every required RSPA F 7100.1-1 and F 7100.2-1 leak report with the commission. Names and telephone numbers of commission personnel authorized to take telephonic leak reports will be furnished and kept current under a separate letter to every company.~~

~~\_\_\_\_\_ (4) All gas companies shall file with the commission, and with appropriate officials of all municipalities within which such gas companies have facilities, the names, addresses, and telephone numbers of responsible officials of such gas companies who may be contacted in the event of an emergency. In the event of any changes in gas company personnel, immediate notification thereof shall be given to the commission and municipalities.~~

[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) <sup>Each</sup> ~~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 <sup>place</sup> ~~area~~ of public assembly;

(d) Results in the unintentional ignition of gas;

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

(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 <sup>main operating in excess of 60 psig or a</sup> ~~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;

*Per workshop* (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,~~ <sup>operator</sup> or 25 or more distribution customers; or

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

(2) 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) When a pipeline or system pressure exceeds the maximum allowable operating pressure or the maximum pressure allowed by ~~proximity considerations outlined~~ <sup>Commission authorization under</sup> ~~WAC 480-93-020~~, the operator must notify the commission by telephone within two hours, to be followed by written explanation within thirty days; X

(4) Operators must provide to the commission <sup>a written</sup> ~~the~~ reports <sup>for all notifications</sup> required in section (1) above, ~~provided in detail in writing~~ within ~~30~~ <sup>45</sup> days of the initial telephonic report. At a minimum, written reports must include the following: sub X

- (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 <sup>upon request</sup> a written report <sup>summarizing</sup> ~~within 30 days of~~ receiving the failure analysis of any incident or hazardous condition that was due to construction or material failure. X

(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 X

(7)

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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~~, including the specific cause of damage (such as inaccurate locates, excavator failed to use reasonable care, or excavated prior to locates).  
(i) ~~specific cause of damage.~~  
(ii) ~~locates not accurate;~~  
(iii) ~~operator failed to use reasonable care, or excavated prior to locates.~~

Is this what staff wants?  
Existing format is confusing.

(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.

(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.]