

General and Definitions

1. WAC 480-75-100 Definitions – “New Pipeline” requires further discussion. Including replacement of existing pipelines in this definition would require excessive administrative burden on the part of the operator, while inadvertently incorporating line segments, including mainlines, into other sections (class locations, pump station location, and valve spacing sections) of the proposed regulations. Such rules would undoubtedly impact system operations and throughput without direct improvement in public and operational safety.

Design

2. WAC 480-75-360 Class locations – We would reiterate our concern that there are no equivalent requirements in CFR 49 Part 195 for liquid pipelines. Class location as described in the proposed rule are normally reserved for gas pipeline service. Liquid pipeline design is based on sound engineering practice specific to the properties of liquids pipelines, such as those described in ASME B31.4 and referenced in proposed WAC 480-75-350. We ask that the commission revisit this section with special sensitivity to its application to the liquid pipelines industry and pipeline systems that are currently designed and operated in a manner compliant with 49 CFR Part 195. While BP has not thoroughly evaluated the impacts of this requirement, such a rule would impact our ability to operate without direct benefit to safe and environmentally sound operations. It is recommended that the commission take into consideration the newly promulgated regulations concerning High Consequence Areas and Integrity Management as the vehicle for improving pipeline integrity.
3. WAC 480-75-370 Design factor (F) for steel pipe – This proposed requirement diverges significantly from the standard set forth in CFR 49 Part 195. As stated in our letter concerning economic impacts of this rule, the proposed class-location and associated design-factor criteria could require a reduction in the pipeline system pressures and throughput having major economic impact and supply disruption. This proposed requirement also appears to conflict with the ASME B31.4 requirements imposed in other sections of the proposed regulations.
4. WAC 480-75-380 Location of pump stations and breakout tanks for hazardous liquid pipelines – As previously stated, this requirement could be a severe and extremely onerous requirement causing route selection, pipeline length and cost-to-build to increase by orders of magnitude without appreciable benefit to public and environmental safety. The 500’ limitation imposed by this regulation could result in significantly different route selection and pipeline length and therefore increase the cost to build by orders of magnitude. It also depreciates the value of the property within the delineated corridor. We urge the commission to revisit this proposed rule.
5. WAC 480-75-390 Valve Spacing for Rapid Shutdown - Additional information is needed to fully understand the implications of the proposed section. Based on historical data and current budget, any required valve installations would average \$150,000 per site and involve other administrative costs. Valves also require maintenance and protection from vandalism. This is a conservative average for constructing such facilities.

Construction and Repairs

6. WAC 480-75-400 Backfill requirements - needs to be clarified. One-line states “rock and hard lumps” may be acceptable provided a “mechanical shield material” is used to “protect the pipe and coating”. It is recommended this section be shortened to include paragraph 1 and 6.
7. WAC 480-75-420 Hydrostatic test requirements - As written, this regulation appears to dictate procedural parameters that are most often engineering decisions based on the specific location, facilities, topography and environmental factors of the particular hydrotest. The current version of the proposed rule could make achievement of successful testing of piping very difficult. For

example, requirements for valving in hydrotest equipment setup should also allow for isolation means such as blinds or end caps to minimize in service line modifications. Pipeline operators are required to have specifications and procedures for hydrotesting. Developing the content of such procedures is an engineering function that needs to be performed for the specific environment and situation. Under the proposed rule the costs for performing such tests, as well as system downtime, could be greatly increased. Administrative costs could also be significant.

8. WAC 480-75-460 Welding inspection requirements - As written, applying a 100% weld inspection criteria to *existing systems* would be impractical. Most pipelines are buried underground, and satisfaction of this requirement would mean additional permitting, excavation and construction to unearth and inspect the existing system. For this reason, no cost estimate could be provided in our SBEIS. This section should be written to apply to *new* pipeline systems. 49 CFR 195.234 currently specifies non-destructing testing criteria and requires pipeline operators to develop procedures for performing such inspections.

Operations and Maintenance

9. WAC 480-75-550 Change in class location – We would appreciate further explanation and discussion of this section. The proposed section of this rulemaking governing class locations (WAC 480-75-360) is of particular concern given the effects of such changes to integrally connected interstate and lateral systems. Industry standards and practices for existing systems make commingling of 49 CFR Part 192 and 195 regulation designed systems extremely problematic, if not prohibitive. The effects on upstream and associated equipment are, at this time, not quantifiable if subject to the proposed changes. BP believes that this issue deserves extensive review prior to adopting of such requirements.

Reporting

10. WAC 480-75-600 Maps Drawing and Records – Due to concerns on the part of industry and the general public surrounding facility security and availability of information, BP has provided revision to the draft language. Please keep in mind that information concerning pipelines is available to the WUTC during inspection, but would not necessarily be “provided” to the Commission as proposed. This recommended change would also be consistent with paragraph 2 of this section. If provided to the WUTC, this information is readily available to the general public through the Freedom of Information Act and could pose a threat to state lifeline security. We would also appreciate further discussion on the safety benefit that would be derived from such changes and request that the information stay as it is now, available for WUTC review at company facilities.
11. WAC 480-75-620 - Reporting Requirements for Proposed Construction – BP would welcome further discussion on this issue. 49 CFR 195.1 “Applicability” provides guidance on the subject of notification for construction activities. We would also request further discussion of the draft language describing “major reconstruction (or reconditioning)”. To help simplify the process of such information submission, BP previously offered “Form (PS-48)” as one possible method of providing such information, streamlining such processes and minimizing any burden on the Commission or the operator. We would welcome the opportunity to discuss this option. Use of this type of tool would also address security concerns about making facility location and design public. More detailed information would be available for review during facility and records inspections.
12. WAC 480-75-630 Pressure Testing Reporting Requirements – No specific comments are offered at this time. We would, however, still welcome the opportunity to discuss and further understand this proposed requirement.
13. WAC 480-75-640 Incident Reporting – The Office of Pipeline Safety has recently issued new requirements for incident reporting. BP would propose that the WUTC consider the new criteria for incident reporting. In our previous comments, we offered language that would include WUTC

in the reporting of intrastate incidents using the new DOT Form 7000-1. This method of reporting would provide the WUTC with more in-depth information (as it becomes available) than is proposed. This would also streamline the process for interstate pipeline operators and limit duplicity and potential confusion in the reporting process.

14. WAC 480-75-640 Depth-of-cover survey - BP would welcome the opportunity to discuss this proposed requirement. We would like to better define and understand the term “subsoiling” and discuss the reasoning for the scope and rationale of the 5 year survey requirement, with 3 year requirement for areas subject to erosion and subsoiling. Another area of concern is the definition of “level of cultivation” as many excavating activities such as installation of drain tile, deep tilling and terracing could be considered part of “cultivation. A differentiation between new and existing pipelines must also be considered when discussing this topic.
15. WAC 480-75-650 Reporting requirements - BP would like to better understand how the inclusion of already performed federal reporting for interstate systems would positively impact pipeline safety standards. As stated in our SBEIS letter, this would only increase administrative costs and public health and safety benefits should be better understood.
16. WAC 480-75-660 Operations Safety Plan – As stated in the WUTC draft language, Operations Safety Plans are incorporated in existing plans required under 49 CFR 195.402. Because the information required by such a rule already exists in many forms, we would like to understand the safety related benefits that would be derived by the public, the operator or the commission through such administrative requirements. BP is also concerned that such redundancy would cause confusion and greatly impact our ability to comply with pipeline safety regulations. The information described in the proposed rule would, of course, remain available for review during routine WUTC or OPS inspection.