

## Summary of Written Comments

### Gas Pipeline Safety Rulemaking For August 27, 2004 Comments **UG-011073**

**Revised Date: January 10, 2005**

ISSUE	INTERESTED PERSON	COMMENTS	STAFF RESPONSE
1) WAC 480-93-005 Definitions.	Bruce L. Paskett, Chief Engineer Northwest Natural Gas (NWN)	<p>3) <b><i>"Business district"</i></b> <b><u>NWN comment:</u></b> Overly broad definition. It would be nearly impossible to identify all instances pertaining to this broad definition. Further, this definition would result in a significant increase in costs without a corresponding improvement in pipeline safety.</p> <p>16) <b><i>"Building of public assembly"</i></b> <b><u>NWN comment:</u></b> The proposed definition is overly broad and would include a large number of unintended "buildings of public assembly." We suggest that the definition incorporated in the Gas Piping Technology Committee (GPTC) Guide Material be considered.</p> <p>GPTC Guide Material 192.3 Definitions (Amendment 192.93, 10/15/03):</p> <p><i>Public place</i> is a place that is generally open to all persons in a community as opposed to being restricted to specific persons. A public place includes churches, schools, and commercial property, as well as any publicly owned right-of-way or property that is frequented by people.</p>	<p>Staff has redrafted the definition for "Business District". It is based on PSE's comments for 480-93-005 Section (a).</p> <p>Staff has deleted this definition. It is no longer used in any of the draft rules.</p>

	<p>Raymond A. Allen PE Master Meter Service Provider Natural Gas Engineering Spokane, Washington</p>	<p>21) <b><i>“Sniff Test”</i></b> <b><u>Comments:</u></b> I question the use of the term "<b>SNIFF TEST</b>" as defined in the proposed changes in Gas Pipeline Safety Rule Making - Chapter 480-93 WAC.</p> <p>A SNIFF TEST has been defined as an odorant level test made without the use of an odorometer. Ed Ondak, DOT Western Regional Director, in a Pipeline Safety Seminar (March 1997) described the SNIFF TEST as follows: <i>with a small stream of gas venting to the atmosphere the gas is pulled by hand to one's nose. The tester would make an odorant level determination.</i></p> <p>This SNIFF TEST procedure as described above was approved by T. A. Bell, WUTC representative on April 16, 1997 for Master Meter Operators. Also, WUTC recommended Form 10 for Master Meter Operators to recorded odorant level for quarterly test. Form 10 is titled "SNIFF TEST" and/or "ODOROMETER TEST, ODORIZATION CHECK REPORT."</p> <p>Please consider reserving the term SNIFF TEST for Master Meter operations.</p> <p>The proposed changes appears to require Master Meter Operators to make monthly checks with an odorometer. This would require operators to purchase an odorometer costing hundreds of dollars and maintain a trained operator or hire a trained person to make monthly odorant tests. In either case, it would cost each operator about \$500 per year.</p>	<p>While the proposed rule will require monthly odorant checks of everyone, operators of Master Meter systems would be considered in compliance if they follow the requirements as outlined in CFR 192.625(f) which requires them to (1) receive written verification from their gas source that the gas has the proper concentrations of odorant and (2) perform sniff tests at the extremities of their systems.</p> <p>In this context, staff would recognize the method you described for performing monthly sniff tests and would not require the use of an odorometer.</p>
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		<p>I contend Master Meter Operators have no control over the odorant injection and additionally that the gas supplier is required by OPS to supply odorized gas. Some form of exemption is recommended for the Master Meter Operators from making their questionable test.</p>	
	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>3) <b><i>“Business District”</i></b> <b>PSE Comment:</b> PSE would like to reiterate previous comments submitted to the docket regarding the proposed definition for business district. This definition expands the historical understanding of a business district, namely an area generally with <b>wall to wall paving</b> and a series of attached, high occupancy buildings.</p> <p>The Gas Piping Technology Committee (GPTC) offers the following guide material for operators regarding identification of business districts for purposes of complying with the requirements set forth in CFR Part 192. In determining business districts, the following should be considered:</p> <p>(a) Areas where the public regularly congregates or where the majority of the buildings on either side of the street are regularly utilized, for industrial, commercial, financial, educational, religious, health or recreational purposes.</p>	<p>Staff disagrees with this comment. The definition as proposed does not reference “wall to wall paving” as an area.</p> <p>Staff has redrafted the definition for “Business District”. It is based on PSE’s comments for 480-93-005 Section (a).</p>

		<p>(b) Areas where gas and other underground facilities are congested under continuous street and sidewalk paving that extends to the building walls on one or both sides of the street.</p> <p>(c) Any other area that, in the judgment of the operator, should be so designated.</p> <p>Similarly, in interpretations of Part 192, DOT offers definitions of a business district as, “an area containing shops and offices where persons engage in the purchase and sale of commodities or in related financial transactions”, or “an area marked by the distinguishing characteristic of being used in the conducting of buying and selling commodities and service, and related transactions. A ‘business district’ would normally be associated with the assembly of people in shops, offices and the lie and in the conduct of such business”.</p> <p>The definition as proposed by Staff is overly broad and prescriptive. By specifying proximity of buildings, operators will be forced to measure the relative positions of numerous structures, therefore making compliance management difficult and burdensome, particularly in areas with significant growth and construction. PSE disagrees with the prescriptive nature of the definition and believes it is an unnecessary for purposes of complying with Part 192.</p> <p>9) <b>“Gas Associated Substructures”</b>  <b>PSE Comment:</b> PSE recommends the deletion of “vented” as it modifies ‘casing pipe’ in the proposed definition. Not all casing pipe is vented and PSE assumes that it is not the intent to excluded non-vented</p>	<p>Staff disagrees with deleting the term “vented” . If the term vented is deleted then the definition would include casings that are inaccessible</p>
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		<p>casing pipe from the definition.</p> <p>15) <b><i>“Operator”</i></b>  <b><u>PSE Comment:</u></b> PSE would like to reiterate previous comments submitted to the docket regarding the proposed definition for “operator”. In 192.3 operator is simply defined as “a person who engages in the transportation of gas.” PSE is concerned that the broad definition of operator as proposed in WAC 480-93-005, specifically the language in subsection (a)(iii), would have far-reaching affects on a contractor providing construction or maintenance activities for a natural gas distribution company.</p> <p>Staff previously responded that they did not agree that the definition would classify a construction company as an operator if it’s principal purpose is not operating a pipeline. Staff also indicated in the December 9, 2003 stakeholder workshop that they would look at how to reword the definition so a contractor would be excluded. No such change has occurred.</p> <p>PSE understands that the wording of the definition is based upon statutory language contained in RCW 80.28.210, but it appears this language is not binding. Therefore, PSE recommends changes to the definition of operator in WAC 480-93-005(15).</p>	<p>to take a read.  A “non-vented” casing precludes taking a read.</p> <p>As explained by Don Trotter, Assistant Attorney General (AAG), at the Dec 9, 2003 stakeholder workshop, the term “gas company” was changed to “operator” because a gas company is a defined term in Title 80, which means almost exclusively public service company. In RCW Title 80.28.210, the definition is broader which will encompass all pipeline companies under Commission jurisdiction not just a company classified as a public service company.</p> <p>In addition, staff has had discussions with the Commissions AAG and continues to disagree with PSE that the proposed definition includes contractors.</p>
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		<p>17) <b><i>“Prompt Action”</i></b>  <b><u>PSE Comment:</u></b> Staff agreed at the December 9, 2003 stakeholder workshop to remove the word “consistently” from the definition of ‘Prompt action.</p>	<p>Staff agrees, the word “consistently” has been deleted.</p>
<p>2) WAC 480-93-015 Odorization of Gas.</p> <p>WAC 480-93-015 (3) WAC 480-93-110 (4) WAC 480-93-170 (10)</p>	<p>Paula Pyron Executive Director Northwest Industrial Gas Users (NWIGU)</p>	<p><b>The Commission Should Require a Minimum of Six Times per Year Rather than Twelve as Sufficient for Periodic Testing.</b>  Federal mandates require operators to perform “periodic testing” to insure the proper concentration of odorant (49 CFR Part 192.625). In the proposed rule, the Staff has proposed that sniff tests must be performed at least once monthly using odorant testing instrumentation. NWIGU requests that the Commission establish a minimum requirement of every other month rather than monthly testing as testing downstream gas a minimum of six times per year rather than twelve satisfies federal requirements and strikes a better balance of cost and safety, particularly for the smaller operators subject to the rules with customer-owned transmission lines. NWIGU understands that different operators within the state interpret the “periodic” nature of the federal requirement with different frequencies of testing and that the Staff wants a set minimum, but would submit that a minimum six times a year should be sufficient for a state definition of periodic.</p> <p><b>Clarification of the Meaning of Calibration in WAC, 480-93-015 (3), WAC 480-93-110 (4), 480-93-170 (10) and WAC 480- 93-188 (2)– The Commission Should Allow</b></p>	<p>Staff disagrees. Staff believes that the more stringent requirement will provide additional safety to the pipelines in Washington state and incurs very little additional cost to a company. Removing the current rule as “periodic” to twelve times per year provides consistency among all companies and allows the public and company personnel to detect leaks. Based on one reply to the Small Business Economic Impact Statement, (SBEIS) an additional \$1,800 in cost for the additional six test would be incurred.</p>

<p>WAC 480-93-188 (2)</p>		<p><b>Testing for Accuracy with Calibration Required Only When Needed.</b></p> <p>In all of these proposed rules, the Staff has used the word “calibrate” which could be interpreted in the engineering sense to require a resetting of the subject instrument/equipment or its removal for instrument reconfiguration when in fact the public purpose is appropriately served by testing for accuracy, which may be sufficient without any calibration of the involved equipment. For example, NWIGU recommends that the calibration requirement for gas detection instruments in WAC 480-93-188 (2) Gas Leak Surveys be modified as follows:</p> <p>?? Gas detection instruments must be maintained, tested for accuracy, and operated in accordance with the manufacturer’s recommendation. If there is no manufacturer’s recommendation, then instruments must be tested for accuracy at least once monthly, but not to exceed forty-five days between testing and include testing at least twelve times per year. Any instrument that fails its applicable tolerances shall be calibrated or removed from service.</p> <p>Each of the other referenced sections should be similarly modified to require an accuracy test, with calibration or replacement of equipment only when required.</p>	<p>Staff agrees with the proposed wording. Rule has been redrafted to reflect the new proposed language.</p>
	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>It appears that this rule applies only to natural gas as opposed to the requirements in 192.625 that cover “combustible gas”. PSE would like clarification on the scope of 480-93-015.</p>	<p>Rule has been redrafted</p>

		Regarding subsection (3) of this section, PSE is concerned about the use of the term “calibration”. The instruments should be checked for accuracy, what PSE refers to as a calibration check in our O&M manual, and if the instrument falls outside of a specified tolerance then it gets calibrated. PSE recommends that this distinction be made clear here and in all other sections of this chapter dealing with calibration of instruments.	As replied to in the comment from NWIGU above, rule has been redrafted.
3) WAC 480-93-018 Maps, Drawings, and Records of Gas Facilities.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	Under subsection (2) of this section, Staff added “reports” to the list of information an operator must make available to the commission. It is unclear why this addition was made. RCW 80.28.207 provides the commission statutory authority to “inspect any record, map, or written procedure required by federal law to be kept by a gas pipeline company concerning the reporting of gas releases, and the design, construction, testing, or operation and maintenance of gas pipelines.” PSE requests that Staff delete “reports” from this section, in order to maintain consistency with the RCW.	Staff disagrees.
4) WAC 480-93-020 Proximity Considerations.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	PSE believes the language in this rule section could be revised for clarity. For instance, “pounds per square inch gauge” is used when “psig” is a defined term under section – 005 of this chapter. “Intended for human occupancy” is used to modify building when this is evident from the definition in section –005 of this chapter. Also, “building” is used unmodified in (a)(i) and (b)(i), and modified in (a)(ii) and (b)(ii). In comparison to the existing rule, it appears that	Staff agrees. Rule has been redrafted.



		Staff intends that a building within a certain distance, regardless of the number of people occupying it, shall be a restriction to the proximity of certain pipelines. Therefore, it is only outside areas that should be modified by the numbers of persons that occupy the outside area.	
5) WAC 480-93-040 Location of Gas Compressor Stations on Gas Pipelines.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	PSE recommends the following revisions to 480-93-040 for consistency: 1) After the phrase "...five hundred feet...", PSE recommends adding the word "away". 2) After the phrase "...fifty feet away from...", PSE recommends adding the word "any".	Staff agrees with including the word "away" in section 1, and adding the word "any" in section 2.
6) WAC 480-93-080 Welder and Plastic Joiner Identification and Qualification.	Bruce L. Paskett, Chief Engineer Northwest Natural Gas (NWN)	2c) This requirement, (2)(c), would impose an extraordinary recordkeeping burden on operators with no corresponding safety benefit. NW Natural suggests that (2) and (2)(b) are redundant, and (2)(c) is unnecessary and burdensome since, under (2), personnel are to be qualified annually regardless of whether or not they have performed a production fuse (fusion).	The proposed language in Section 2(c) is written to clarify and ensure compliance with CFR Part 192.285 (c). If section 2 (c) is removed, then re-qualification would have to occur every year as opposed to allow for up to 15 months. Staff proposes to maintain the current proposed language.
	Paula Pyron Executive Director Northwest Industrial Gas Users (NWIGU)	<b>The Commission Should Allow the Continued Use of Current Qualification Certificates as Well as New Cards.</b> The new proposed rule properly adds plastic joiner identification and qualification, but eliminates current welder qualification certificates as adequate qualification	The intent of the proposed language is that the document identifying a welders qualification provides 1. the

		<p>documentation and instead requires the creation of new cards. NWIGU requests this WAC rule allow either welder qualification certificates or new cards, along with appropriate identification.</p>	<p>qualifications, 2. and their corresponding expiration dates. It does not matter if the qualifications are in the form of a certificate or a card. Rule has been redrafted.</p>
	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>PSE recommends deleting subsections (1)(b) and (1)(c) of this section. These subsections are not necessary by virtue of the requirements under subsection (1). These are not more stringent than federal rules or the cited standards, rather they are duplicative and affect the clarity of this section.</p> <p>PSE also finds the language in subsection (2) and (2)(b) confusing. What is the distinction between “requalification” used in subsection (2) and “requalification” used in (2)(b)? PSE’s O&amp;M plan distinguishes between an annual test and a requalification test. The former requires fewer test joints than the latter, which has the same requirements as an initial qualification. PSE requests that Staff clarify their intent.</p> <p>Assuming Staff intends for there to be a distinction between subsection (2) and (2)(b), with subsection (2) pertaining to a less stringent annual test for personnel who have made joints in the course of their work in the past 12 months, PSE believes that the proposed documentation required under subsection (2)(c) would apply only when a plastic joiner wants to perform the less stringent annual test. If an operator</p>	<p>Staff disagrees. The proposed language clarifies the requirements that operators must use proper equipment, and that the actual welding variables are measured and recorded.</p> <p>The intent of the proposed rule language is the allowance of up to 15 months between tests, as opposed to the CFR which requires re-qualification if a joiner has not used a procedure in 12 months then re-qualification must occur.</p> <p>Section (2) pertains to requalifying personnel who have continually used procedures and section 2(b) refers to personnel who have not used procedures in a given 12 months (per</p>

		chooses to always requalify plastic joiners under the more stringent requirements of the initial qualification then tracking of production fuses would not be required.	192.285(c)) It is not the intent of the rule to track 100% of the production fuse. It is to demonstrate that the joiner followed the required process.
7) WAC 480-93-100 Valves.	Bruce L. Paskett, Chief Engineer Northwest Natural Gas (NWN)	<p>3a,b) As previously commented, the proposed definition of "business district" in WAC 480-93-005 (3) is overly broad, nearly impossible to identify, and will result in an excessively large inventory of commercial buildings within "business districts." This large inventory will require an extensive number of valves that are not, and were never intended to be, used to isolate segments of pipe during emergency situations.</p> <p>The proposed new requirement to make the inventory of nonessential valves accessible and maintained will have a material impact on the operation and maintenance costs for operators with a negligible safety benefit. Suggest that only key emergency operating valves, as designated by the operator, "be accessible and maintained in proper working order," as required by CFR 192.745 and 192.747.</p> <p>If this rule is adopted as proposed, NW Natural strongly suggests that the requirement be limited to new services installed after the effective date of the rule.</p>	<p>Rule has been re-drafted to delete "Business District" from 480-93-100.</p> <p>By removing the term "Business District" staff believes that this will eliminate some valves, though valves on services to churches, schools, hospitals and high occupancy structures are essentials to ensure public safety.</p> <p>The rule is not intended to be retroactive, and does not eliminate servicing the existing valves on current facilities from being operated on an annual basis.</p>

	<p>Kathy Keolker-Wheeler Mayor City of Renton</p>	<p>5) This section deals with requirements for a written valve maintenance program. The effective date of the rule is January 1, 2008. This gives the pipeline companies more than three years to comply, which seems like an extended period of time for a program that should already be in place. We feel that the time frame should be reduced to 2006 or 2007 at the latest.</p>	<p>The rule has been redrafted to allow companies time to evaluate their system and comply one year after adoption of the rule.</p>
	<p>Mike Faulkenberry, Chief Gas Engineer Avista Utilities Corp. (Avista)</p>	<p>Avista would like to propose that WAC 480-93-100 “Valves” be amended to allow for alternate valve selection and maintenance procedures. Perhaps a new line item, “Alternative valve installation and maintenance procedures may be approved as agreed upon between the Commission and the Operator.”</p> <p>For example, Avista believes that the requirement to install emergency valves on <u>all</u> commercial buildings within business districts as required in 3(b) may not substantially increase public safety as quick egress is not a problem at most commercial establishments. We might suggest that a viable alternative to this requirement would be our existing procedures to install them <u>only</u> on services to churches, schools, and hospitals as required in 3(a). We would continue to maintain these annually. In addition, we would propose to adopt a maintenance program for our secondary (non-emergency) valves.</p> <p>We believe that for Avista Utilities, maintaining secondary valves more directly enhances public safety. We would prefer to apply our resources toward this effort rather than mandatory construction and maintenance of valves on all commercial services.</p>	<p>The proposed rule has been redrafted to remove the term “Business District”</p>

	<p>Paula Pyron Executive Director Northwest Industrial Gas Users (NWIGU)</p>	<p><b>The Commission Should Either Narrow the Scope of the New WAC Valve Maintenance Requirements or Establish a Separate Docket to Evaluate a More Appropriate Scope.</b></p> <p>In this proposed rule, the Staff has created a new broad sweeping program of valve maintenance for which NWIGU is concerned at two different levels. Staff has attempted to recognize the burden of this proposed program by delaying the effective date of this rule for three years, but yet Staff is still seeking its approval at this time. NWIGU recommends that the Commission instead narrow the program before any approval of the WAC 480-93-100 proposal, or establish a new separate docket for its further evaluation rather than acting upon it at this time.</p> <p>Basically the proposed rule requires operators to develop and maintain a detailed written maintenance program that outlines how emergency valves required by 49 CFR Parts 192.747 and 192.745 would be selected and maintained. The Staff proposal also requires that valves be installed on services lines to churches, schools, hospitals and commercial buildings within business districts and that they be maintained and operated annually.</p> <p>NWIGU is concerned first that small operators of customer-owned transmission lines already have valve maintenance programs adequately covered in their Operator Qualification training program and in their Operations and Maintenance Manuals. The proposed rules create new written program requirements for valve maintenance in selection, inspection, maintenance and operating procedures, which seem duplicative of existing requirements and costly in requiring a separate, new written program. Small operators should be exempted from these requirements if existing program and materials address these issues. The same is true for any new</p>	<p>The proposed rule has been redrafted to remove the term “Business District”</p> <p>Staff believes that the level of detail and specificity of the valve program should reflect the complexity and extent of the operators system. For small operators this should have little to no impact.</p>
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		<p>corrosion control program in proposed WAC 480-93-110—a new written program should not be required if current programs and manuals cover the issues of concern.</p> <p>Of even greater concern to NWIGU, however, is the scope of these new valve maintenance program requirements for the LDCs as all of their respective ratepayers, including industrials who are LDC sales and transportation customers, will be the parties ultimately paying for the new requirements, which appear significantly more burdensome in sheer volume and cost for the LDCs. Coupled with the scope of the Business District definition (requiring specific physical measurements between two buildings under the proposed WAC 480-93-105(3) to determine when valves must be installed), Cascade and Puget have provided annual compliance cost estimates of \$567,000 and \$2.7 million respectively. Rather than implement such an extremely expensive proposal that will ultimately burden the ratepayers, NWIGU recommends that the Commission eliminate the measurement requirement between buildings in the definition of “Business District” as suggested by the LDCs in their previous comments and narrow the scope of service lines required to be included in the proposed valve program.</p>	
	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>PSE would like to reiterate comments previously submitted under this docket pertaining to the requirements proposed under section 480-93-100. PSE believes the prescriptive nature of this section pertaining to service line valve maintenance imposes an unjustifiable burden on operators. Staff recognizes the extraordinary administrative and economic burden of this proposed section by offering to extend the effective date of this rule for three years.</p>	<p>The proposed rule has been redrafted to remove the term “Business District”</p>

		<p>Subsection (1) of this section requires operators to have a written program and subsection (2) gives guidance on selection of valves to include under the program. Given this, subsection (3) is unnecessary. Operators should use the selection criteria under subsection (2) to identify appropriate service valves to include under their written program rather than have these valves dictated through regulation.</p> <p>In the Small Business Economic Statement (SBEIS), Staff cites excessive duration of blowing gas during an emergency as justification for the rule, although the number of cases in which this occurred, whether on services or mains, is not specified. It is customary for operators to give priority to the safety of the persons and then property over shut down of the gas. The burden of maintaining additional service valves is unlikely to address Staff’s concern.</p> <p>Under subsection (1), PSE finds the circular cross-reference to the section confusing and recommends deletion. PSE requests clarification on what/whose construction projects are referred to under this subsection.</p> <p>Under subsection (2)(i) the undefined term “high occupancy structures” is used. PSE recommends deletion of this.</p>	<p>Staff disagrees that subsection 3 is the prescriptive portion of the rule that identifies those facilities that must have valves on services.</p> <p>In many instances cited by staff on a reportable incident was due to valves that were inaccessible.</p> <p>The intent of this section is to assure that valves are not paved over during a construction project.</p> <p>Staff disagrees with deleting the term “high occupancy structures” . The proposed rule has been redrafted.</p>
<p>8) WAC 480-93-110 Corrosion Control.</p>	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>Regarding subsection (1) of this section, it is unclear whether the requirements apply to new construction only or also to existing pipelines installed before August 1, 1971 as allowed under 192.457.</p>	<p>This requirement has not changed from the current rule. Based on stakeholder comments and discussion rule has been redrafted.</p>

		<p>Regarding subsection (2) of this section, this duplicates 192.491 and for clarity to operators it should be removed from this section.</p> <p>Regarding subsection (4) of this section, the reference to calibration of instruments should distinguish between checking an instrument for accuracy and calibrating the instrument as noted under comment #5 above.</p> <p>Regarding subsection (7) of this section, PSE disagrees with the requirements to increase the inspection interval to an annual cycle from a 10-year cycle. The unprotected bare steel pipelines affected by this section are subject to leak surveys twice per year. PSE requests technical justification for the 10-fold increase in inspections at these locations.</p> <p>Regarding subsection 9 of this section, PSE disagrees with imposing regulations for monitoring of internal corrosion on distribution companies when internal corrosion is not a threat to the pipeline integrity of our facilities. In the SBEIS, Staff cites the New Mexico incident as a basis for this new requirement. The pipeline in said incident was a transmission line operating at high pressure, under high stress and with known electrolytes in the gas stream. PSE disagrees with the correlation between that pipeline and the pipelines under the jurisdiction of the WUTC. PSE believes that requirements beyond those specified in 192.475 are</p>	<p>The proposed language in sub (2) adds the state record keeping requirement.</p> <p>Staff disagrees. The current CFR states ...where it's not feasible to test annually.... the test can be performed on a 10% basis. Staff believe that bare steel pipelines are more susceptible to corrosion, this proposed requirement helps ensure that bare steel is protected.</p> <p>Staff disagrees. CFR 192.475 says (b) whenever "any" pipe is removed..... The proposed rule language applies to distribution systems as well as all other pipelines under the Commission jurisdiction.</p>
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		unreasonable and recommends that this subsection be deleted from this section.	
9) WAC 480-93-124 Pipeline Markers.	Kathy Keolker-Wheeler Mayor City of Renton	We feel that there should be a time frame for an initial survey of pipeline markers and then a corrective action schedule to install new markers or replace missing or damaged markers. By conducting an initial survey, the pipeline company can verify the locations of existing markers and update maps that are required in section (6).	The proposed rule requires that operators replace damaged or missing markers within 45 days of discovery. This is an ongoing activity by operators that allows for markers to continually be maintained.
	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	PSE recommends revising the language in this section for clarity and ease of understanding by operators. The requirement to place markers approximately five hundred yards apart does not make sense for crossing locations or single point locations such as exposed pipe. The current language in WAC 480-93-124 specifically states that markers required by 192.707(a) shall be placed 500 yards apart. It appears that this requirement would only apply to long sections of a pipeline where damage or interference could possible occur [192.707(a)(2)]. PSE suggest revising the proposed rule to make the intent clear.	The proposed language includes “if practical”. In addition, the proposed rule language includes “buried pipeline”.
10) WAC 480-93-130 Multistage Pressure Regulation.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	Staff indicated they would remove “maximum” from the text of this section. In addition, the term “where feasible” was added to this section in replacement of “when practical to do so.” PSE is concerned that it is not always practical for above ground installations to meet the separation requirement although it might technically be feasible. PSE requests that the term feasible be removed and replace with	Staff agrees. The word “maximum” has been deleted.  Staff believes the rule as proposed with the term “feasible” is clear.

		existing wording in the rule. PSE also believes this section should include exceptions for meter set assemblies and for other above ground facilities that are controlled by the operator, such as enclosed regulator stations.	
11) WAC 480-93-155 Increasing Maximum Allowable Operating Pressure.	Kathy Keolker-Wheeler Mayor City of Renton	In addition to submitting a written plan to the Commission prior to increasing the maximum allowable operating pressure (MAOP), local fire and building officials should also be notified. If the increase in MAOP causes problems down the line, the fire departments will be the first ones to respond. It would be beneficial to know that the system has been checked thoroughly before pressures are increased.	As part of its initial review, Commission Staff will communicate with the operator that the local governments and fire depts. should be notified.
	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	Regarding subsection (1) of this section, PSE would like clarification on the change in the rule language from “written plans and drawings” to “a written plan of procedures including all applicable specifications with drawings”. Is Staff seeking documents they currently are not getting with the written plan? Subsection (j) of this section allows for addition records to be provided upon request. Rather than burden operators with providing copies of unnecessary documents, PSE recommends simplifying the language in subsection (1).  Subsection (1) and (1)(a) are unclear whether an operator is simply reviewing design, operation and maintenance records or including a list of items with the written plan. As written, “the plan must include a review of . . . (a) A list . . . “ PSE requests that this language be revised to match the existing rule language.	Staff believes the proposed rule language clearly identifies what is required from an operator prior to an uprate. The intent of this section identifies that an operator must identify the procedure on how the uprate will be conducted.  Staff will delete the word “review” from the last sentence in section 1.

		Regarding subsection (2) of this section, The CFR reference is incorrect (it should be 192.555(c)) and is redundant. Because uprating is defined as increasing the MAOP, this can be accomplished by conducting a pressure test on the pipeline. The requirement that a pressure test be conducted if there is no documented history of a test is the same as conducting a pressure test in conjunction with the uprate.	Staff disagrees. The CFR reference is correctly identified by staff in the proposed rule language. This requirement specifically relates to the use of natural gas as the test median and if used it can't exceed the hoop stress outlined in 503 (c). This requirement would be done in conjunction with the requested uprate. The second pressure test would be to shut down the line and test with air, nitrogen or H2o.
12) WAC 480-93-160 Reporting Requirements of Proposed Construction.	Kathy Keolker-Wheeler Mayor City of Renton	The amendatory section does not state to whom the gas companies must report. It is assumed that the report must be submitted to the commission, but it should also be submitted to the local building and fire departments. The section includes exemptions for emergency repairs. This exemption is understandable, but local fire and building officials should be notified of every repair, either in writing or verbally.	The rule has been redrafted to state that the report must be submitted to the Commission. Local governments can request a copy be sent to them from the operator or from the Commission through public disclosure.
13) WAC 480-93-170 Tests and Reports for Pipelines.	Steve Prue City of Ellensburg	4) I suggest that any service that has been damaged in the manner indicated, may suffer some damage at the service to main connection in addition as any potential damage between point of damage and the meter set/termination valve. This damage may not be	The intent of the proposed rule as written will provide adequate safety measures and it is the operators discretion to determine if

		<p>sufficient to cause a leak at the time of the incident but rather would create a weak spot, being susceptible to either fatigue or corrosion failure. The disturbed service would then create a leakage path for the escaping gas from this leak to the termination device/meter set.</p> <p>Item 4 may well be ok for PE services but for other materials? I would suggest adding the following</p> <p>“Consideration should be given to replacing the full service length if there is any doubt regarding the integrity of the service between the main and point of damage.”</p>	<p>replacement is necessary. The proposed rule language also requires a pressure test from point of damage to the meter set</p> <p>In addition, this comment supports staffs proposed language that includes leak tests with CGI over the service to the main</p>
	<p>Kathy Keolker-Wheeler Mayor City of Renton</p>	<p>1b) Section 1(b) states that the operator must notify the appropriate public officials when the test medium is to be a gas or compressible fluid. We feel that it is important to name the officials, such as building or fire, so that there is no confusion about who should be notified. It would also be advisable to notify the local 911 dispatch in case calls are received during the test.</p>	<p>Operator facilities are found in many various jurisdictions, therefore it would be difficult to name all appropriate officials. Staff believes that each operator can identify who the public officials are in their jurisdictions.</p>

	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>Regarding subsection (2) of this section, PSE is unclear why Staff has selected eighty-two psig as a threshold for testing in accordance with 192.619. The draft proposal originally stated a pressure of 60 psig and it appeared the intent was to capture steel mains and services that operate between 60 psig and 99 psig and apply the same design factor as steel pipelines operating at 100 psig or greater.</p> <p>Regarding subsection (3) of this section, this is redundant to Part 192 and PSE recommends it be deleted for that reason.</p> <p>Regarding subsection (10) of this section, PSE would like to reiterate earlier comments regarding calibration and checking for accuracy. Instruments should be checked for accuracy on</p>	<p>The proposed rule language requires a minimum of 110% of maop test, in accordance with 192.509(b) and 192.511(c). 82 psig is the highest maop that could be attained at 90 psig test would meet the 110% goal.</p> <p>This requirement may appear to be redundant, but because pressure test have not been performed on broken services, staff is proposing to include the language in rule 480-93-170. In addition, it has been found that some operators are not pressure testing broken services. Proposed section (3) clarifies that broken services must be pressure tested.</p>

		a scheduled basis and calibrated if they fall outside a specified tolerance. In some cases, the instruments cannot be calibrated and are therefore disposed of. If an instrument is within tolerance, calibration is not necessary. PSE requests that this distinction be made in this section.	
14) WAC 480-93-175 Moving and Lowering Metallic Gas Pipelines.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	PSE recommends the following revisions to WAC 480-93-175 for clarity and consistency: 3) PSE suggests abbreviate “pounds per square inch gauge” as “psig”.	Staff agrees. Change will be made.
15) WAC 480-93-178 Protection of Plastic Pipe.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	Regarding, subsection (4) of this section, PSE disagrees with the minimum twelve-inch parallel separation from all utilities. This requirement is very broad and makes no distinction between direct buried and cased/conduited facilities, between power and non-power facilities, between joint-trench and non-joint trench, nor between services and mains. In 2003, the Common Ground Alliance approved Best Practice 2-12 for underground utility separation that recommends, in part, “When installing new direct buried supply facilities in a common trench, a minimum of 12 inch radial separation should be maintained between supply facilities such as steam lines, plastic gas lines, other fuel lines, and direct buried electrical supply lines.” PSE recommends either deleting this subsection or revising it to limit the requirement to proximity to direct buried power.  Regarding subsection (7) of this section, PSE disagrees with the requirement that bedding material must be rock-free unless otherwise specified by the manufacturer. Operators	Staff disagrees. The proposed rule language provides an operator the opportunity to identify if it is not possible other means of protection can be used. Conduit lines would meet the intent of the proposed rule.  Staff disagrees. Rock free bedding or a manufacturers specifications is believed to

		should be given flexibility to establish appropriate backfill requirements based upon industry practice in absence of guidance from the manufacturer. Specifying rock-free material is too prescriptive and unwarranted given the physical characteristics of today’s polyethylene resins.	provide the safest protection for a pipeline.
16) WAC 480-93-180 Plan of operations and maintenance procedures; emergency policy; reporting requirements.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	Regarding subsection (1) of this section, PSE notes that “construction” was added to otherwise existing rule language. PSE believes that construction plans are covered by the requirements set forth in 480-93-017 and is not necessary to include in this section. PSE is also unclear on Staff’s intent with the addition of “any plans or procedures used by an operator’s associated contractors” required to be in an operator’s operations manual. PSE requests clarity on this requirement because it is unclear what plans and procedures Staff is referring to.	The proposed rule has been redrafted to delete the term “construction” from section (1).  If an operator contracts with an outside contractor, the plans and or procedures must be available for review.
17) WAC 480-93-185 Gas Leak Investigation.	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	PSE recommends the following changes to WAC 480-93-185 for clarity: 3) PSE recommends deleting the words “...such as gasoline vapors, sewer or marsh gas,..”.	The proposed rule language has been redrafted to delete the language “.. such as gasoline vapors...”.
18) WAC 480-93-186 Leakage Classifications	Bruce L. Paskett, Chief Engineer	2) If the leak does not extend to a building wall, documenting the perimeter of every leak area would	Staff disagrees. The intent of the proposed rule language is

and Action Criteria.	Northwest Natural Gas (NWN)	<p>be a significant burden that does not materially contribute to pipeline safety. During any follow-up inspection, NW Natural evaluates a previously identified Class B or Class C leak on an absolute basis, not a comparison basis. Each inspection is based on a new review of current conditions such as the CGI reading, distance from structures, and odor.</p> <p>4d) NW Natural believes this proposed requirement is unnecessary. Under some circumstances, improved or additional information will legitimately support changing a Grade 1 or 2 leak to a Grade 3 leak without a physical repair. Federal regulations do not require repair of Grade 3 leaks. Alternatively, if this rule is adopted as proposed, NW Natural suggests that the maximum 21-month repair time is defined from the date the leak is downgraded to Grade 3.</p>	<p>to have the leak pattern documented. WAC 480-93-187(2)(f) and (s) currently requires the CGI reads and location of a leak to be documented. Knowing the perimeter helps determine if the leak is stable or growing.</p> <p>Staff disagrees that the requirement is unnecessary. The intent of the proposed rule language clarifies that the 21 months starts at the time of the downgrade.</p>
	Kathy Keolker-Wheeler Mayor City of Renton	We understand the need to classify leaks and prioritize repairs, but it is our feeling that no leaks are acceptable. The local fire department should be notified when leaks are identified and, in addition, should be supplied with the plans and schedule for repair of these leaks.	Washington State has adopted the Gas Pipeline Technology Committee (GPTC) guidelines for leak classification. These guidelines are more stringent than the Federal rules.
	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	Comments are mostly grammatical – word structure, etc...	Staff has reviewed the editorial comments and for any information that may be duplicative.



<p>19)WAC 480-93-18601 Leak Classification and Action Criteria-Grade- Definition-Priority of Leak Repair.</p>	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>Comments are mostly grammatical – word structure, etc...</p>	<p>Staff has reviewed the editorial comments and for any information that may be duplicative.</p>
<p>20) WAC 480-93-187 Gas Leak Records.</p>	<p>Bruce L. Paskett, Chief Engineer Northwest Natural Gas (NWN)</p>	<p>15&amp;16) If the leak does not extend to a building wall, documenting the perimeter of a leak area and the magnitude and location of CGI readings would be a significant recordkeeping burden that does not materially contribute to pipeline safety.</p> <p>If a follow-up inspection is performed before a leak is repaired, NW Natural evaluates a previously identified Class B or Class C leak on an absolute basis, not a comparison basis. Each inspection is based on a new review of current conditions such as the CGI reading, distance from structures, and odor.</p> <p>(17) This proposed requirement is unnecessary. Operators have programs in place to ensure the ongoing accuracy and calibration of all equipment used for leakage detection.</p>	<p>The proposed rule language has been redrafted.</p> <p>Staff disagrees. The intent of the proposed rule language is to have the leak pattern documented. WAC 480-93- 187(2)(f) and (s) currently requires the CGI reads and location of a leak to be documented. Knowing the perimeter helps determine if the leak is stable or growing</p> <p>Staff disagrees. In past inspections, staff have continually found gaps in calibration records which operators contributed to non- usage.</p>
	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy</p>	<p>Comments speak to clarity.</p>	<p>The proposed rule language has been redrafted.</p>

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21) WAC 480-93-188 Gas Leak Surveys.	Bruce L. Paskett, Chief Engineer Northwest Natural Gas (NWN)	1a,c) The proposed new requirements in (1)(a) and (c) are exceptionally burdensome without adding a corresponding improvement in pipeline safety. The logistics of performing leakage inspections on the property of non-customers is untenable. Company personnel will likely not have access to all walls of buildings, especially for non-customers.  4a,b,e) Suggest that the proposed new requirements are broad, unnecessary, costly, and burdensome.	Staff disagrees that the proposed requirement is “broad, unnecessary, costly and burdensome.” Section (e) is necessary to ensure no other breaks between obvious break and tie-in are present.
	Kaaren Daugherty, P.E. Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	Based upon PSE’s comments under 480-93-005(3) for the definition of business district, PSE recommends deleting the delayed effective date for subsection (a)(a) in this section.	After additional discussions with stakeholders, Staff has redrafted the rule and changed the effective date from three years to two years.
22) WAC 480-93-200 Reports Associated with Operator Gas Company Facilities & Operations.	Bruce L. Paskett, Chief Engineer Northwest Natural Gas (NWN)	1c) Notification related to the evacuation of every dwelling, building, or area of public assembly will result in a untenable number of notifications to Staff.  2a) Suggest that this provision be limited to only significant construction defects or material failures.	Staff disagrees. Evacuations are a rare occurrence.  Staff disagrees.

	<p>Kaaren Daugherty, P.E.  Consulting Engineer  Standards &amp; Compliance  Puget Sound Energy  (PSE)</p>	<p>PSE would like to note that the title of this section is incorrect as printed in the docket.</p> <p>PSE would like to reiterate comments previously submitted under this docket pertaining to certain reporting requirements set forth in this section. PSE disagrees with the inclusion of subsection (1)(c) regarding evacuation of dwellings. Local emergency response officials frequently evacuate structures as a precautionary measure, even though the actual risk to occupants may be insignificant. A legitimate evacuation of a building due to an incident caused by the operation of the gas facilities is likely to trigger a separate requirement under this section which then reduces or eliminates the importance of reporting all evacuations.</p> <p>Regarding subsection (1)(e), PSE disagrees with the reduction in the number of customers to trigger a notification. PSE would like to know the justification for this change.</p> <p>Regarding subsection (1)(g), PSE disagrees with this requirement for the same reason stated above. Namely, a reportable incident that warrants news media attention and reporting to the commission is likely to trigger a separate requirement under this section. The decision by media to cover an event is often subjective and not based on any credible evaluation of the magnitude of the event. Furthermore, it is burdensome to operators with geographically large service territories to be aware of all media coverage of their systems.</p>	<p>Staff disagrees. The rule title in the index matches the rule in the detail.</p> <p>Staff disagrees. Staff believes that evacuations are rare, and reporting evacuations would not be burdensome to a company.</p> <p>This is an error. The number of customers should be 25 as stated in the original rule. The error will be fixed in the next version of the draft rules.</p> <p>Staff disagrees. Staff does not believe it to be burdensome to a company to notify the Commission if the media is covering an event. This is a requirement in the current rule.</p>
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		<p>Regarding subsection (2)(a), PSE maintains that this is a cause, not an effect and as such may be difficult to report on within the required time frame. In addition, as defined in 49 CFR Part 191.3, an incident is a specific event i.e. it is the effect of some abnormal operation or external factor. Therefore, where does the reporting on a cause begin and end? If a construction defect or material failure causes an incident that results in any of the other conditions described in this section then it will get reported. Additionally, this rule requires a follow-up report for such incidents that are caused by a construction defect or material failure. This subsection should be deleted from this section.</p> <p>Regarding subsection (4), there is already a 24-hour notification requirement pertaining to exceedance of MAOP under subsection (2)(e). PSE recommends a revision to (2)(e) that allows for the 10% over the MAOP and a revision to subsection (4) so that it only covers the additional written report information. The 10% should also apply to an MAOP established under the requirements of 480-93-020.</p> <p>Regarding subsection (5) of this section, there is a reference to reports required in subsection (1) but there are no reports required under that subsection. PSE recommends revision of subsection (5) for clarity on what telephonic reports require written follow-up.</p> <p>PSE would also like to reiterate comments previously submitted to the docket regarding the requirements to send daily reports of construction and repair activities electronically to the commission as set forth in subsection (9) of this section. PSE currently, upon request of commission staff, sends daily reports for contractor crews. Staff is permitted this authority under other sections of this chapter</p>	<p>Staff disagrees. The proposed rules states that an incident or hazardous conditions which would include leaks.</p> <p>Staff disagrees. There is two different reporting requirements due to two different levels of hazards.</p> <p>Section 5 of the rule will be re-written for clarity in the next version of the draft rules. The intent is to file a written report with the Commission in 30 days following the telephonic report.</p>
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		<p>and PSE fully complies. PSE opposes formally regulating this specific activity because it is not safety related. Rather it is a convenience afforded Staff for random field inspections of operator crews. It is very likely that these daily reports frequently go unused, yet under this subsection operators would be non-compliant and possibly subject to formal enforcement action if they either do not send a report or do not send within the required time frame. This is an unnecessary burden on operators and PSE requests that this subsection be deleted.</p> <p>Finally, PSE requests that staff consider raising the property damage threshold above \$5,000. This same threshold has been in place for at least 10 years and is ten times LESS than the federal reporting limit. PSE recommends a minimum threshold of \$25,000 but would like staff to consider matching the \$50,000 federal limit.</p>	<p>Staff disagrees. The ability to know where crews are working, gives staff the opportunity to randomly pick areas to perform unannounced inspections and verify that an operator or an operators contractors are performing work in compliance with state and federal rules. Staff does not believe this is a burdensome requirement on companies.</p> <p>Staff disagrees.</p>
<p>23) WAC 480-93-223 Civil penalty for violation of RCW 80.28.210 and commission gas safety rules.</p>	<p>Kaaren Daugherty, P.E. Consulting Engineer Standards &amp; Compliance Puget Sound Energy (PSE)</p>	<p>Subsection (1) and (1)(a) refer to WAC 480-93-303. PSE is unable to find such a section number within this chapter.</p> <p>Subsections (1)(a) and (b) refer to subsection (1)(e) of 480-93-200. This reference should correctly cite (1)(g) – although this will change again depending on revisions to 480-93-200.</p>	<p>Staff agrees, 303 was an error. The error has been corrected.</p> <p>The correct reference will be cited prior to the draft rules finalized for adoption.</p>
<p>24) WAC 480-93-999</p>	<p>Kaaren Daugherty, P.E.</p>	<p>Regarding subsection (1)(a) of this section, the commission</p>	<p>Staff disagrees. October 1,</p>

Adoption by Reference.	Consulting Engineer Standards & Compliance Puget Sound Energy (PSE)	<p>adopts the October 1, 2003, version of CFR Part 192. This version is out of date as certain sections of Part 191 and 192 were amended as identified in a final rule issued in June 2004. PSE recommends updating the effective date in this subsection.</p> <p>PSE notes that the commission has removed the proposed definition of “Covered task” from WAC 480-93-005 and is alternatively proposing to regulate an interpretation of covered task under subsection (1)(a) of this section. PSE would like to reiterate comments previously submitted under this docket pertaining to the operator qualification rule. PSE recommends that staff allow the revisions of OQ at the federal level to take shape rather than imposing a separate state regulation. Current OQ regulatory activities at the federal level are being coordinated with both industry groups and state regulators (via input from both NAPSR and NARUC). It would be counter-productive to national pipeline safety improvement efforts for Washington State to ignore the collaborative efforts underway to develop comprehensive and effective rules at the federal level.</p> <p>Regarding subsection (3)(a) and (c) of this section, the 18<sup>th</sup> edition of AI 1102 is referenced. This section should correctly cite the 19<sup>th</sup> edition as incorporated by reference into Part 192.</p>	<p>2003 is the most recent version released by the Federal Office of Pipeline Safety.</p> <p>Staff disagrees. As stated in prior summary of comment replies ASME B31Q will address training, evaluating, qualifying, documenting etc. for operation and maintenance activity it will not include “new construction”. Staff believe that including covered task in new construction provides additional safety to pipelines in Washington State.</p> <p>The current CFR references the 18<sup>th</sup>. Edition. When the CFR is updated to reference the 19<sup>th</sup>. edition, the Commission’s rules will be updated to reference to current edition.</p>
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