

**Summary of Written Comments**  
**Rulemaking to Consider Amending WAC 480-75-630, Relating to Hazardous Liquids Pipeline Companies**  
**For August 17, 2012 Comments**  
**Docket PL-120350**

**Revision Date: 10/9/12**

ISSUE	INTERESTED PERSON	COMMENTS	STAFF RESPONSE
<p><b>Question 1:</b> What concerns do you have about using the DIRT report system, which was designed to use to report damage information anonymously, in this manner?</p>	<p>Kinder Morgan Canada Inc. (KMC)</p>	<p>KMC supports the Commission’s efforts to create a system of reporting where the Commission receives timely, detailed and complete information in circumstances of damage to facilities due to excavation activities.</p> <p>In addition to Puget, KMC operates several pipeline systems located in both the United States and Canada. KMC has developed a standardized method of reporting unauthorized activities, or events involving unreported ground disturbance within a defined distance of the pipeline, whether or not such events result in damage to the pipeline.<sup>1</sup> The Unauthorized Activity Reporting form contains much of the same information contained in the DIRT form, but also allows for qualitative observations, drawings, actions taken by KMC personnel, and corrective action plans. In KMC’s experience, the collection of this level of detailed information is important to understand trends in activities and putting plans in place to prevent such activities going forward.</p> <p>KMC would appreciate the option of using the KMC form, which has been proven to be a very useful reporting tool in other regulatory jurisdictions. The KMC Unauthorized Activity Form is attached to this letter as Appendix A.</p>	<p>Staff appreciates KMC’s past efforts to provide the UTC with detailed reports of unauthorized activities involving the Trans-Mountain (Puget Sound) interstate pipeline system. Staff finds that these reports already contain the information the UTC seeks as part of this rulemaking.</p> <p>KMC can continue to use the KMC form since this rulemaking only applies to operators of <u>intrastate</u> pipelines facilities.</p>

<p><b>Question 2:</b> If you have concerns about providing specific documentation of violations of RCW 19.122 via the DIRT system, how would you prefer to report this information?</p>	<p>Kinder Morgan Canada Inc. (KMC)</p>	<p>Please see KMC’s response to question 1.</p> <p>In addition to submitting the report to the Commission, KMC will also send a letter to the offending party describing the unauthorized activity, the date and location of the activity, notification that such activity has been provided to state and/or federal authorities, and information on safe excavation practices in and around pipelines. A pro forma letter that would be sent to an offending party is attached to this letter as Appendix B.</p>	<p>Please refer to staff’s response to question 1.</p>
<p><b>Question 3:</b> Staff’s proposal for the information a company must report and retain when a facility is damaged without the excavator first obtaining a locate information appears in the draft at WAC 480-75-630(4). Please comment on this proposal. Also what new costs would this impose on your company?</p>	<p>Kinder Morgan Canada Inc. (KMC)</p>	<p>KMC would have no issue providing annual reports containing damage prevention statistics; as such information is currently tracked and compiled. KMC would not expect to incur additional costs to comply</p>	
<p><b>Question 4:</b> At the May workshop, pipeline company representatives had questions about whether it was staff’s</p>	<p>Kinder Morgan Canada Inc. (KMC)</p>	<p>KMC generally supports the draft rule as stated, but would like the opportunity to use its own Unauthorized Activity Reporting form as it adheres to the reporting requirements of multiple regulatory jurisdictions, and allows for additional information</p>	<p>KMC can continue to use the KMC form since this rulemaking only applies to operators of <u>intrastate</u></p>

<p>expectation that companies patrol their rights of way to identify excavators digging within 35 feet of a transmission pipeline without a locate and to identify people who might damage or remove pipeline marks. Staff responded that we were looking for companies to report these events to the extent they are aware of these.</p> <p>Please see the proposed language in WAC 480-75-630(6). What additional clarification would operators like to see included in the draft rule?</p>		<p>such as qualitative observations, drawings, actions taken by KMC personnel, and corrective action plans.</p>	<p>pipelines facilities.</p>
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