



6 **REFERENCE TO AFFECTED RULES:** This Order amends the following sections of the Washington Administrative Code:

- Amend 480-93-005 Definitions.
- Amend 480-93-007 Application of rules.
- Amend 480-93-008 Additional requirements.
- Amend 480-93-013 Covered tasks.
- Amend 480-93-015 Odorization of gas.
- Amend 480-93-017 Filing requirements for design, specification, and construction procedures.
- Amend 480-93-018 Records.
- Amend 480-93-020 Proximity considerations.
- Amend 480-93-040 Location of gas compressor stations on gas pipelines.
- Amend 480-93-080 Welder and plastic joiner identification and qualification.
- Amend 480-93-100 Valves.
- Amend 480-93- 110 Corrosion control.
- Amend 480-93-115 Casing of pipelines.
- Amend 480-93-124 Pipeline markers.
- Amend 480-93-130 Multistage pressure regulation.
- Amend 480-93-140 Service regulators.
- Amend 480-93-155 Increasing maximum allowable operating pressure.
- Amend 480-93-160 Reporting requirements of proposed construction.
- Amend 480-93-170 Tests and reports for pipelines.
- Amend 480-93-175 Moving and lowering metallic gas pipelines.
- Amend 480-93-178 Protection of plastic pipe.
- Amend 480-93-180 Plans and procedures.
- Amend 480-93-185 Gas leak investigation.
- Amend 480-93-186 Leak evaluation.
- Amend 480-93-18601 Leak classification and action criteria—Grade—  
Definition—Priority of leak repair.
- Amend 480-93-187 Gas leak records.
- Amend 480-93-188 Gas leak surveys.
- Amend 480-93-200 Reporting requirements for operators of gas facilities.
- Amend 480-93-223 Civil penalty for violation of RCW 80.28.210 and commission gas safety rules.

Amend	480-93-230	Exemptions from rules in chapter 480-93 WAC.
Amend	480-93-240	Annual pipeline safety fee methodology.
Amend	480-93-250	Damage prevention.
Amend	480-93-999	Adoption by reference.

7 **PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS**

**THEREUNDER:** The Commission filed Preproposal Statements of Inquiry (CR-101) on July 26, 2007, at WSR # 07-16-060 and on October 24, 2007, at WSR# 07-21-147.

8 The statements advised interested persons that the Commission was considering entering a rulemaking for WAC 480-93 Gas Companies - Safety amending the rules to reflect changes in RCW Title 81 resulting from the passage of Substitute Senate Bill 5225 during the 2007 legislative session. The Commission also informed persons of this inquiry by providing notice of the subject and the CR-101 to everyone on the Commission's list of persons requesting such information pursuant to RCW 34.05.320(3) and by sending notices to all regulated pipeline companies and the Commission's list of regulatory attorneys. Pursuant to the notices, the Commission received written comments.

9 **NOTICE OF PROPOSED RULEMAKING:** The Commission filed a notice of Proposed Rulemaking (CR-102) on March 19, 2008, at WSR #08-07-081. The Commission scheduled this matter for oral comment and adoption under Notice WSR #08-07-081 at 1:30 P.M., Thursday, May 15, 2008, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The Notice provided interested persons the opportunity to submit written comments to the Commission.

10 **WRITTEN COMMENTS:** The Commission received written comments from the Northwest Gas Association suggesting several clerical changes and questioning the retention of a cross-reference to a federal regulation. The Commission finds these suggested changes appropriate and includes the changes in the rules contained in Appendix A, attached to, and made part of, this Order.

11 **RULEMAKING HEARING:** The Commission considered the proposed rules for adoption at a rulemaking hearing on May 15, 2008, before Chairman Mark H. Sidran,

Commissioner Patrick J. Oshie, and Commissioner Philip B. Jones. No oral comments were made at the hearing.

12 **COMMISSION ACTION:** After considering all of the information regarding this proposal, the Commission finds and concludes that it should amend and adopt the rules as proposed in the CR-102 with changes from the text noticed at WSR # 08-07-081, as discussed in this Order.

13 **CHANGES FROM PROPOSAL:** The Commission adopts the proposal with the following changes from the text noticed at WSR #08-07-081:

- WAC 480-93-005 Definitions: Revised the last sentence of the definition of “Gas Pipeline Company” as follows: “that contract with a gas pipeline company”
- WAC 480-93-185 Gas leak investigation: Revised Section 3 as follows: When leak indications are found to originate from a foreign source (for example, a gasoline tank, a sewer, a marsh, or customer-owned piping), and the situation is ongoing and potentially hazardous, the gas pipeline company must: 1) take appropriate action regarding its own facilities to protect life and property; and 2) report the leak promptly to the source facility owner or operator and, where appropriate, to the police department, fire department, or other appropriate governmental agency.
- WAC 480-93-240 Annual pipeline safety fee: Revised section 1) as follows: This rule sets forth the commission's fee methodology for the annual regulatory fee paid by a gas pipeline company as that term is defined in RCW 81.88.010 ~~and hazardous liquid pipelines as that term is defined in RCW 81.88.010.~~ For the purposes of this section, a gas pipeline company is called "company" or "companies" and the "commission's pipeline safety program" means the pipeline safety program that includes each company.

14 **STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** After reviewing the entire record, the Commission determines that WAC 480-93 should be amended to read as set forth in Appendix A, as rules of the Washington Utilities and

Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the Code Reviser.

**ORDER**

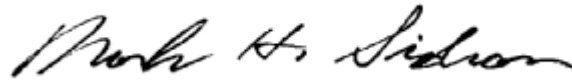
15 **THE COMMISSION ORDERS:**

16 The Commission amends WAC 480-93 to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after the date of filing with the Code Reviser pursuant to RCW 34.05.380(2).

17 This Order and the rules set out below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the Code Reviser for filing pursuant to RCW 80.01 and RCW 34.05 and WAC 1-21.

DATED at Olympia, Washington, May 29, 2008.

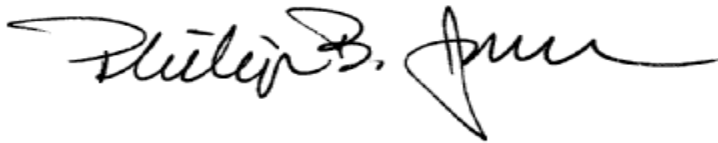
WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION



MARK H. SIDRAN, Chairman



PATRICK J. OSHIE, Commissioner



PHILIP B. JONES, Commissioner

*Note: The following is added at Code Reviser request for statistical purposes:*

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 2, repealed 0; or Recently Enacted State Statutes: New 0, amended 30, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.