



CONCISE EXPLANATORY STATEMENT

Agenda Date: June 17, 1992
Item Number: 3B

Docket Number: UG-911261, Rulemaking

Amends chapter 480-93 WAC, Rules Relating to: Gas Companies-Safety, viz.: ~~480-93-002;~~ 480-93-005; 480-93-010; 480-93-015; 480-93-017; 480-93-018; 480-93-020; 480-93-030; 480-93-082; 480-93-110; 480-93-111; 480-93-112; 480-93-115; 480-93-120; 480-93-124; 480-93-140; 480-93-161; 480-93-175; 480-93-180; 480-93-183; 480-93-185; 480-93-187; 480-93-188; 480-93-190; 480-93-200; 480-93-210; 480-93-230.

Staff: Ray Colby, Utilities Engineer - Gas 
Jaime Ramirez, Gas Program Manager 
Terrence Stapleton, Regulatory Affairs Administrator

Recommendation:

Adopt rulemaking.

Discussion:

On February 12, 1992, the Commission issued a notice of proposed rulemaking to revise and update chapter 480-93 WAC, relating to rules for the safe operation of natural gas facilities. The rulemaking was filed with the Code Reviser on March 4, 1992; was published in the Washington Register on March 18, 1992; written comments were received by April 17, 1992; and oral comments were presented to the Commissioners at the open meeting of May 13, 1992. Pursuant to a recommendation of the Commissioners, Commission staff convened a meeting on May 19, 1992, to further discuss the proposed rulemaking with all parties that have submitted comments in this proceeding. The meeting was attended by all parties except the City of Buckley. Following the aforementioned meeting, Commission staff circulated a new draft of the rule on June 2, 1992, incorporating comments discussed in the May 19 meeting, and accepted additional written comments through June 9, 1992.

Commission staff reviewed the additional written comments and made additional revisions to further define and clarify the proposed rule. The comments were generally favorable. However, several comments reiterated previously noted concerns about various sections of the proposed rule. The following amendments are revisions to the draft of the rule that was presented at the open meeting of May 13, 1992:

1. WAC 480-93-005 Definitions

Staff added definition "(13) Maximum operating pressure" to help clarify it's use and interpretation in the rules.

In item (16) Service line -Added "Service lines shall include gas pipelines extended from a main to provide service to one building, which traverse a public right of way or an easement immediately adjacent to a public right of way or another easement." This language clarifies the definition for specific situations.

2. WAC 480-93-017 Design, specification and construction procedures.

This section was rearranged to further establish that only those construction projects which do not conform with currently filed procedures are affected by this section.

3. WAC 480-93-020 Proximity considerations.

Deleted the word "allowable." This word was deleted in order to clarify the definition of operating pressure.

4. WAC 480-93-030 Proscribed areas.

Deleted the word "allowable." This word was deleted in order to clarify the definition of operating pressure.

5. WAC 480-93-082 Qualification of employees

Staff added the requirement that at least one or more employee working in this state be collectively knowledgeable and qualified in all aspects of gas pipeline construction, operation, maintenance, safety procedures, and state and federal rules on same.

Staff changed the records requirements to include all employees performing duties listed above.

6. WAC 480-93-111 Non-cathodically protected gas facilities.

Staff removed the sentence "Gas companies with fewer than 30,000 customers shall provide such information to the commission every two years, upon request." The inclusion of this sentence was originally requested by small operators. Upon further discussion, all operators, including the small operators, agreed that in the interest of safety this sentence should be removed.

7. WAC 480-93-115 Casing of pipelines

Staff deleted the word "alleviated" and replaced it with the word "evaluated."

Staff added "to determine whether a hazardous condition exists."

8. WAC 480-93-155 Increasing maximum operating pressure

Staff deleted from the title of this section the word "allowable," in order to comply with the definition included in section 480-93-005.

Staff added the statement "Notwithstanding the requirements of any other section of this chapter," because the companies observed that this section overlapped with WAC 480-93-020 and -030.

9. WAC 480-93-161 Passage of instrumented internal inspection devices

This rule has been dropped due to current lack of knowledge as to the exact requirements necessary to allow passage of this device. When more definite information is available a rule change may be proposed.

10. WAC 480-93-180 Plan of operation and maintenance procedure

Remove a sentence requiring the companies to provide procedures to appropriate federal agency.

11. WAC 480-93-183 Pipeline and system pressure reporting.

Staff added "at low" in order to clarify the operating pressure.

12. WAC 480-93-185 Gas leak investigation

Staff clarified this section by requiring that a letter explaining the results of an investigation should be sent to the person occupying the premises where an investigation took place, instead of a copy of the investigation report and odor sniff card.

13. WAC 480-93-200 Reports associated with gas company facilities and operations

Staff agreed to drop two requirements of the existing rule, items (c) and (d). Both of these requirements were dropped from the federal reporting requirements. In addition, new item (d) will include essentially the same requirements included in the deleted item (c).

14. WAC 480-93-230 Modifications/waivers.

The staff has revised this rule to require all waiver requests be filed and approved with this Commission prior to filing with another agency.

It is our belief that this Commission, after expert advice from staff and the gas companies, can determine what safety condition should be allowed to be modified or waived in this state. Since on some instances the state of Washington's rules are more rigorous than the minimum federal safety standards, approved federal waivers could be in conflict with state requirements.