

Exhibit No. _____ (DMC-7)

Docket No. TO-011472

Witness: Dan Cummings

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Washington Utilities and
Transportation Commission,

Complainant,

v.

Olympic Pipe Line Company, Inc.

Respondent.

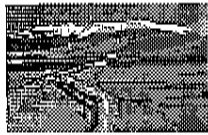
DOCKET NO. TO-011472

EXHIBIT TO
REBUTTAL TESTIMONY OF
DAN CUMMINGS

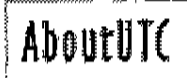
OLYMPIC PIPE LINE COMPANY

June 11, 2002

This page may be also be accessed via the URL address: www.wutc.wa.gov/pipeline:
wutc.wa.gov/pipeline



Pipeline Safety



UTC Pipeline Safety Program

[History of Pipeline Safety at the UTC](#) / [Mission Statement](#) / [Pipeline Safety Organizational Chart](#) / [Contact List - UTC Pipeline Safety Staff](#)

Authority/Rules

[SSB 5182 Pipeline Safety Funding Bill](#) / [E2SHB 2420 Pipeline Safety Act](#) / [R WACs](#) / [Newly Adopted UTC Pipeline Safety Funding Rules-WAC 480-93-240 & WAC 240](#)
[Interstate Agreement](#) / [State and Federal Agency Responsibilities](#)

New Pipeline Construction

Federal Energy Regulatory Commission (FERC)

[Georgia Strait Crossing Williams Gas Pipeline-West](#)



Link to [Damage Prevention Webpage](#)

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1 - 800 - 424 - 5555



Link to [State of Washington Citizens Commit On Pipeline Safety Webpage](#)

Rulemakings

State - WUTC

[Natural Gas Docket No. UG-011073](#)

[Operation & Maintenance Draft Language & Notice to File Comments](#)

[General Design & Construction Draft Language & Notice to File Comments](#)

[Summary of Written Comments \(General Design & Construction\)](#)

Washington Administrative Code (WAC) 480-93 Gas Companies - Safety Liquids Docket No. TO-000712
Small Business Economic Impact Statement (SBEIS)
Minutes - April 3, 2002 Workshop
Draft Rule Language 480-75
Reporting Requirements Draft Language and Notice to File Comments
Summary of Written Comments-March 2002 (Reporting Requirements)
Operation & Maintenance Draft Language and Notice of File Comments
Summary of Written Comments-January 2002(Operation & Maintenance)
General Rules Draft Language and Notice to File Comments
Summary of Written Comments-December 2001(General Rules)
Washington Administrative Code (WAC) 480-75 Petroleum Pipeline Compan

Federal

Federal Rulemaking Comments Docket No. RSPA-91-2762
2002 Federal Register Activities / 2001 Federal Register Activities

Resources

Clockspring Installation / Fact Sheet / Master Meter Annual Report Form
Annual Report No. 224-225 for Hazardous Liquids Operators
Pipeline News Information Services /
Agenda for Hazardous Liquids Seminar May 15 & 16

Links

Office of Pipeline Safety (OPS) / Washington Utilities Coordinating Council (W
Department of Ecology / SAFE Bellingham

News Articles

May 3, 2002 Olympian

Thurston County hearings examiner denies two permits to Northwest Pipeline
 And information on the May 8, 2002 meeting of the Citizens Committee
<http://www.theolympian.com/home/news/20020503/southsound/17626.shtml>

April 25, 2002 Olympian

FERC approve natural gas line from Rainier to Satsop:
<http://www.theolympian.com/home/news/20020425/frontpage/12519.shtml>

April 2, 2002 Olympian

Opposition to Williams natural gas pipeline Satsop
 extension:<http://www.theolympian.com/home/news/20020402/southsound/138>

March 25, 2002 Toledo Blade

Pipeline risks, concerns run deep (Part 2 of 2)
[http://www.toledoblade.com/apps/pbcs.dll/artikkel?](http://www.toledoblade.com/apps/pbcs.dll/artikkel?Avis=TO&Dato=20020325&Kategori=NEWS06&Lopenr=103250041&Ref=AR)
[Avis=TO&Dato=20020325&Kategori=NEWS06&Lopenr=103250041&Ref=AR](http://www.toledoblade.com/apps/pbcs.dll/artikkel?Avis=TO&Dato=20020325&Kategori=NEWS06&Lopenr=103250041&Ref=AR)

March 24, 2002 Toledo Blade

Pipelines link nation and are largely unnoticed -- until someone dies (Part 1 of
[http://www.toledoblade.com/apps/pbcs.dll/article?
Site=TO&Date=20020324&Category=NEWS06&ArtNo=103240052&Ref=AR](http://www.toledoblade.com/apps/pbcs.dll/article?Site=TO&Date=20020324&Category=NEWS06&ArtNo=103240052&Ref=AR)

March 7, 2002 Olympian

Natural gas pipeline gets environmental approval from FERC:
<http://news.theolympian.com/stories/20020307/HomePageStories/30379.shtml>

February 14, 2002 Seattle PI

Marlene Robinson testifies before a House subcommittee urging stronger pipe
regulations: http://seattlepi.nwsource.com/local/58221_pipe14.shtml

January 5, 2002 Seattle Post-Intelligencer

Weakest pipeline bill may end up going the furthest in Congress:
http://seattlepi.nwsource.com/national/53346_pot05.shtml

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Pipeline Safety Section - Natural Gas Leak History

Washington Utilities and Transportation Commission
Pipeline Safety Section
Natural Gas Leak History

Authority:

The Washington Utilities and Transportation Commission (Commission) initiated a pipeline safety program for natural gas companies in 1955. The Commission adopted the American Standard Association Code for Pressure Pipeline (ASA B31.8). This was a standard that required gas companies to have operating and maintenance plan provisions for making periodic leak surveys.

Congress passed the Natural Gas Pipeline Safety Act in 1968 (now called the Pipeline Safety Law 49 U.S.C. Section 60101 et seq). The Law gives the federal government authority over pipeline safety for transporting hazardous liquids, natural, and other gases. The intent of the Law is for states to assume responsibility for intrastate pipeline safety, while the federal government [U.S. Department of Transportation, Research and Special Programs Administration, Office of Pipeline Safety (OPS)] retains responsibility for interstate pipeline safety. OPS used the ASA B31.8 Code now called the American Society of Mechanical Engineers ASME B31.8 Code in developing the minimum pipeline safety regulations. The minimum standard that OPS adopted is Title 49 Code of Federal Regulations (CFR) 49 Part 192 for gas transportation. In 1969, the Commission adopted the 49 CFR 192 regulation and the Washington Administrative Code (WAC) 480-93. The Commission participates with OPS through the certification program for intrastate gas companies.

Leak Surveys:

The Commission maintains an active interest in pipeline safety through the economic and public safety authority. The Commission rules Part 192.706, 192.723, and WAC 480-93-188

Pipeline Safety Section - Natural Gas Leak History

require periodic gas leak surveys including:

- Once each calendar year for *transmission lines*.
- Once each calendar year for *business areas*.
- Twice each calendar year for *cast iron, wrought iron, and noncathodically protected steel pipe*.
- Intervals not exceeding once each calendar year for *public buildings*.
- As frequently as necessary, but at intervals not exceeding five years for *residential areas*.
- Special surveys, for example: earthquake, flood, unstable soil, and other conditions.

Leak Classification:

Gas leaks are required to be classified, repaired, or scheduled for repair or elimination according to WAC 480-93-186. Leaks are classified by grade 1 through 3 as follows:

- **Grade 1** A hazardous leak that requires immediate repair or continuous action until the conditions are no longer hazardous.
- **Grade 2** A nonhazardous leak requiring repairs within one year.
- **Grade 3** A nonhazardous leak that is expected to remain nonhazardous, requires reevaluation at the next leak survey, but no later than 15 months.

Leak History:

There are five major reasons why pipelines leak or fail:

- Third Party Excavation Damage,
- Corrosion,
- Construction Defects,
- Material Defects and
- Outside Forces. Outside forces is damage resulting from earth movement, including earthquakes, washouts, landslides, frost, lightning, ice, snow, and damage done by operator's personnel or contractor.

Other causes of failure include cast iron bell joint leaks and human error.

There have been four *interstate gas transmission* incidents in Washington caused by *outside forces (landslides)* due to the increase in rain and ground water on Northwest Pipeline

Pipeline Safety Section - Natural Gas Leak History

Corporation facilities:

- On March 6, 1995, near Castle Rock, the 26 inch pipeline failed.
- On February 8, 1997, near Everson, the 26 inch pipeline failed.
- On February 9, 1997, near Kalama, the 26 inch pipeline failed.
- On February 26, 1999, near Stevenson, the 22 inch pipeline failed.

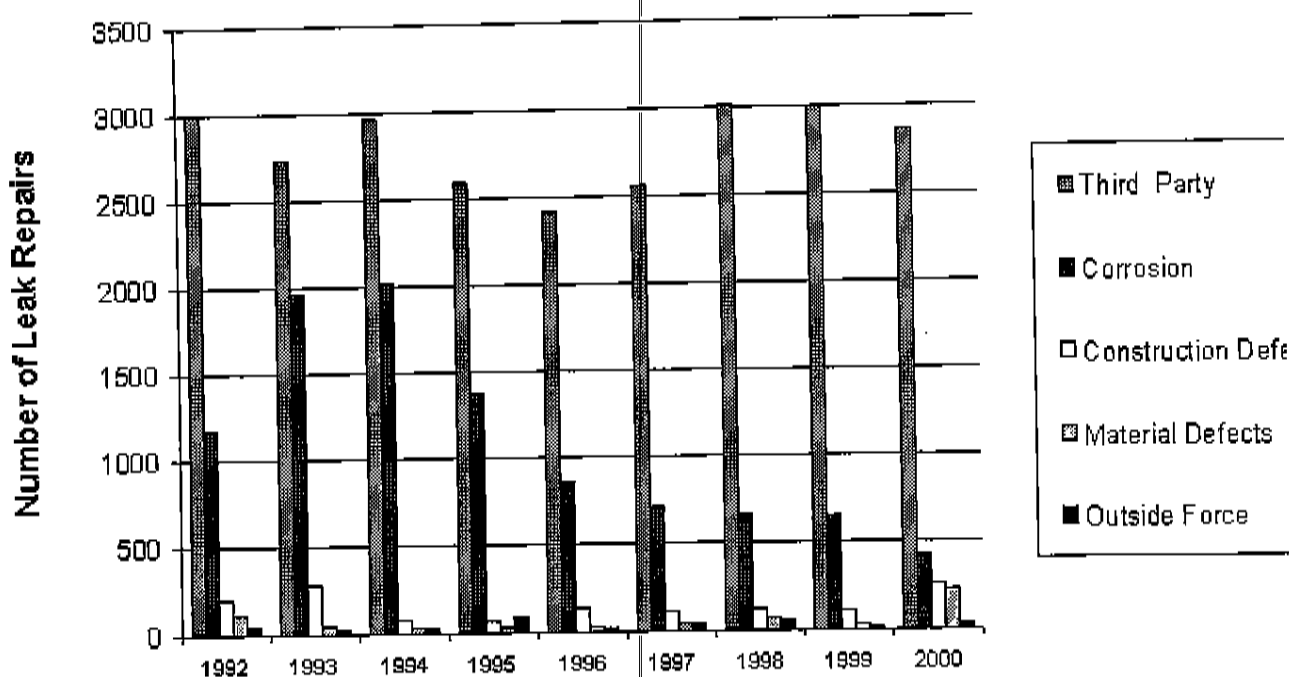
Other incidents occurring at Northwest Pipeline Corporation facilities:

- On June 28, 1997, human error caused a valve to leak near Woodinville
- On January 3, 1998, a *weld defect* located on a fitting caused the 22 inch pipeline to rupture at a location east of Pendleton, Oregon, resulting in the loss of gas service to 10,000 customers in the Walla Walla area.

The leading cause of gas distribution pipeline failures is **excavation damage causing 58% of leaks that occurred in Washington State in 1998**. Construction equipment can create pipe gouges, dents, scrapes, and cracks in pipeline. This type of damage may appear benign, but over time can grow and lead to a catastrophic failure. The attached chart shows third party excavation leaks in comparison to other major causes of pipeline leaks.

The state has an excavation damage prevention law that requires pipeline companies, underground facility owners, and excavators to participate in protecting the public health and safety when excavating. **No state agency has been given the authority to enforce this underground excavation utility law, chapter 19.122 RCW**. A person may be subject to civil penalties up to \$1000.00 for each violation of the utility law. The law also provides that any excavator that willfully or maliciously damages a field-marked underground facility may be liable for treble the cost incurred in repairing or relocating the facility. The Commission has investigated a few gas pipeline incidents that were caused by underground facility owners failure to mark or excavators failure to call or precisely locate gas pipeline facilities. The Commission has referred violations to the State Attorney General Office for enforcement. The Commission recommendation for enforcement has included provisions for technical assistance, education, training, and penalties.

Number of Leak Repairs by Category Mains & Services for Calendar Year 1992 - 2000



Staff contact: Kim West

Last modified on 05/06/2002

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WUTC Pipeline Safety Division Mission

The primary mission of the Pipeline Safety Division is to ensure public safety by conducting inspections of hazardous liquid and natural gas pipeline companies operating within Washington. The purpose of the inspection program is to ensure pipeline companies are operating in compliance with established state and federal pipeline safety laws and rules. This mission is accomplished through three primary means: 1) Development and maintenance of appropriate rules requiring pipeline companies to establish risk and integrity management programs; 2) A commitment to maintaining a workforce of well qualified, trained, and equipped pipeline safety inspectors; and 3) Working with community organizations, local governments, and citizens to ensure they are informed of pipeline issues in their community.

Last modified on 05/06/2002

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2002 Pipeline Safety Division Organizational Chart

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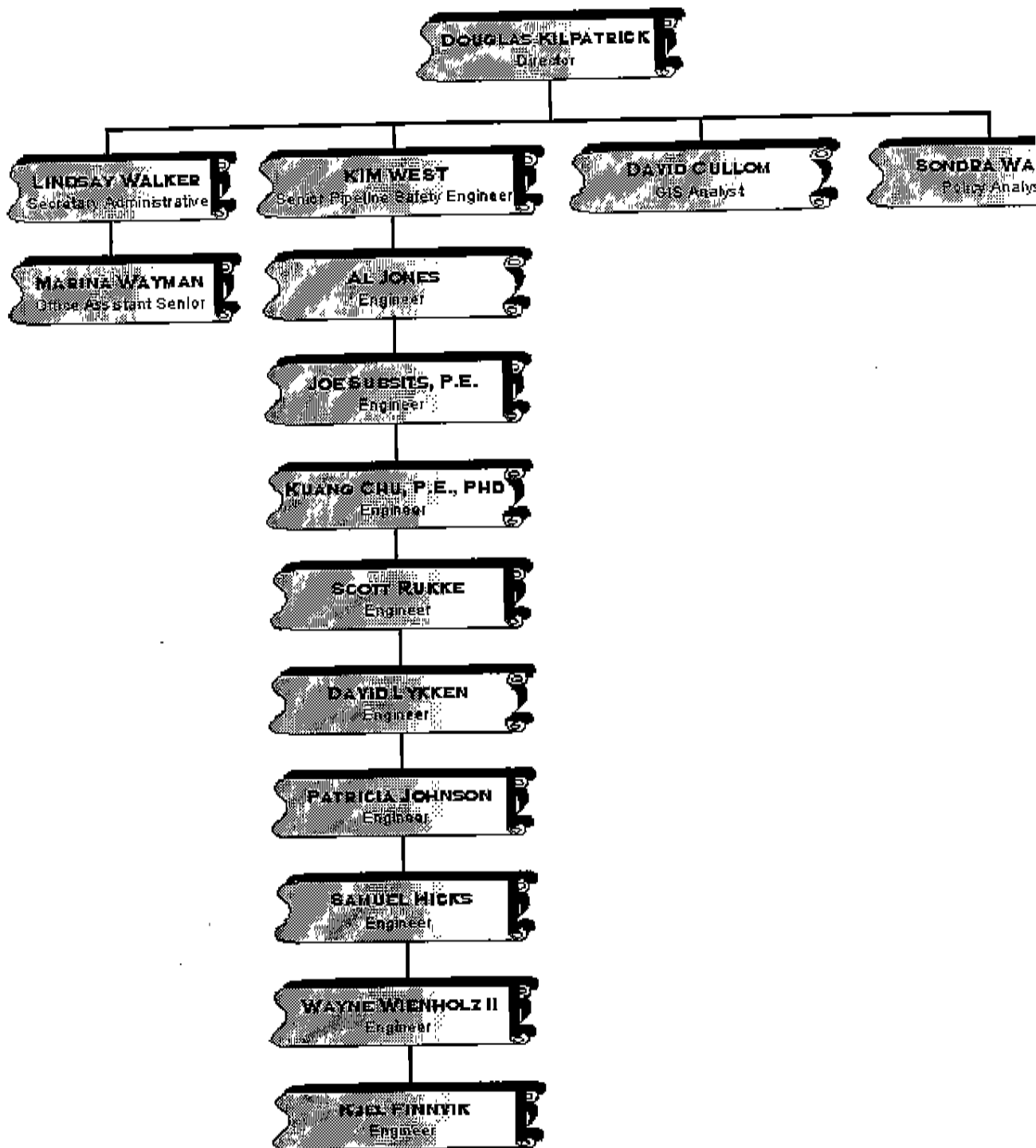
Online Document

▼ General Info

Document Name: 2002 Pipeline Safety Division Organizational Chart
 Description: Staff Level Detail of UTC Pipeline Safety Division

▼ Body

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION PIPELINE SAFETY DIVISION



Pipeline Org.ChartFeb2002.pdf

► **Creation Info**

Marina Wayman was the last to edit this document, on 02/07/2002.

2002 Pipeline Safety Division Organizational Chart

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Pipeline Safety Staff Contact Phone List

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Online Document

▼ General Info

Document Name: Pipeline Safety Staff Contact Phone List

Description: Pipeline Safety Staff Phone List Revised January 2002

▼ Body

Utilities and Transportation Commission

Pipeline Safety Division

Staff Contact List

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Olympia, WA 98504-7250
Fax Number: (360) 586-1172

Name	Title	Office Phone Number
<u>Douglas Kilpatrick</u>	Director	(360) 664-1154
<u>Lindsay Walker</u>	Secretary Administrative	(360) 664-1302
<u>Marina Wayman</u>	Office Assistant Senior	(360) 664-1305
<u>Sondra Walsh</u>	Policy Strategist	(360) 664-1286
<u>Dave Cullom</u>	GIS Analyst	(360) 664-1141
<u>Kim West</u>	Senior Pipeline Safety Engineer	(360) 664-1319
<u>Al Jones</u>	Pipeline Safety Engineer	(360) 664-1321
<u>David Lykken</u>	Pipeline Safety Engineer	(360) 664-1219
<u>Scott Rukke</u>	Pipeline Safety Engineer	(360) 664-1241
<u>Joe Subsits</u>	Pipeline Safety Engineer	(360) 664-1322
<u>Kjel Finnvik</u>	Pipeline Safety Engineer	(360) 664-1320
<u>Kuang Chu</u>	Pipeline Safety Engineer	(360)664-1182
<u>Samuel Hicks</u>	Pipeline Safety Engineer	(360) 664-1344
<u>Wayne Wienholz</u>	Pipeline Safety Engineer	(360) 664-1239
<u>Patricia Johnson</u>	Pipeline Safety Engineer	(360) 664-1266

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CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5182

Chapter 238, Laws of 2001

57th Legislature
2001 Regular Session

PIPELINE SAFETY--FUNDING

EFFECTIVE DATE: 7/1/01

Passed by the Senate April 16, 2001
YEAS 47 NAYS 0

BRAD OWEN
President of the Senate

Passed by the House April 5, 2001
YEAS 97 NAYS 0

FRANK CHOPP
Speaker of the
House of Representatives

CLYDE BALLARD
Speaker of the
House of Representatives

Approved May 11, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5182** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

May 11, 2001 - 9:06 a.m.

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5182

AS AMENDED BY THE HOUSE

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Senate Committee on Environment, Energy & Water (originally sponsored by Senators Spanel, McDonald, Fraser, Morton, Eide, McAuliffe and Kohl-Welles; by request of Utilities & Transportation Commission)

READ FIRST TIME 02/26/01.

1 AN ACT Relating to funding hazardous liquid and gas pipeline
2 safety; amending RCW 19.122.055, 81.88.010, 81.88.050, 80.01.080,
3 81.88.060, 81.88.090, and 81.88.140; adding a new section to chapter
4 80.24 RCW; adding a new section to chapter 81.24 RCW; adding a new
5 section to chapter 81.88 RCW; creating a new section; repealing RCW
6 81.88.130; providing an effective date; and declaring an emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** The intent of this act is to ensure a
9 sustainable, comprehensive, pipeline safety program, to protect the
10 health and safety of the citizens of the state of Washington, and
11 maintain the quality of the state's environment. The legislature finds
12 that public safety and the environment are best protected by securing
13 permanent funding for this program through establishment of a
14 regulatory fee imposed on hazardous liquids and gas pipelines.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 80.24 RCW
16 to read as follows:

17 (1) (a) Every gas company and every interstate gas pipeline company
18 subject to inspection or enforcement by the commission shall pay an

1 annual pipeline safety fee to the commission. The pipeline safety fees
2 received by the commission shall be deposited in the pipeline safety
3 account created in RCW 81.88.050.

4 (b) The aggregate amount of fees set shall be sufficient to recover
5 the reasonable costs of administering the pipeline safety program,
6 taking into account federal funds used to offset the costs. The fees
7 established under this section shall be designed to generate revenue
8 not exceeding appropriated levels of funding for the current fiscal
9 year. At a minimum, the fees established under this section shall be
10 sufficient to adequately fund pipeline inspection personnel, the timely
11 review of pipeline safety and integrity plans, the timely development
12 of spill response plans, the timely development of accurate maps of
13 pipeline locations, participation in federal pipeline safety efforts to
14 the extent allowed by law, and the staffing of the citizens committee
15 on pipeline safety.

16 (c) Increases in the aggregate amount of fees over the immediately
17 preceding fiscal year are subject to the requirements of RCW
18 43.135.055.

19 (2) The commission shall by rule establish the methodology it will
20 use to set the appropriate fee for each entity subject to this section.
21 The methodology shall provide for an equitable distribution of program
22 costs among all entities subject to the fee. The fee methodology shall
23 provide for:

24 (a) Direct assignment of average costs associated with annual
25 standard inspections, including the average number of inspection days
26 per year. In establishing these directly assignable costs, the
27 commission shall consider the requirements and guidelines of the
28 federal government, state safety standards, and good engineering
29 practice; and

30 (b) A uniform and equitable means of estimating and allocating
31 costs of other duties relating to inspecting pipelines for safety that
32 are not directly assignable, including but not limited to design review
33 and construction inspections, specialized inspections, incident
34 investigations, geographic mapping system design and maintenance, and
35 administrative support.

36 (3) The commission shall require reports from those entities
37 subject to this section in the form and at such time as necessary to
38 set the fees. After considering the reports supplied by the entities,

1 the commission shall set the amount of the fee payable by each entity
2 by general order entered before July 1st of each year.

3 (4) For companies subject to RCW 80.24.010, the commission shall
4 collect the pipeline safety fee as part of the fee specified in RCW
5 80.24.010. The commission shall allocate the moneys collected under
6 RCW 80.24.010 between the pipeline safety program and for other
7 regulatory purposes. The commission shall adopt rules that assure that
8 fee moneys related to the pipeline safety program are maintained
9 separately from other moneys collected by the commission under this
10 chapter.

11 (5) Any payment of the fee imposed by this section made after its
12 due date must include a late fee of two percent of the amount due.
13 Delinquent fees accrue interest at the rate of one percent per month.

14 (6) The commission shall keep accurate records of the costs
15 incurred in administering its gas pipeline safety program, and the
16 records are open to inspection by interested parties. The records and
17 data upon which the commission's determination is made shall be prima
18 facie correct in any proceeding to challenge the reasonableness or
19 correctness of any order of the commission fixing fees and distributing
20 regulatory expenses.

21 (7) If any entity seeks to contest the imposition of a fee imposed
22 under this section, that entity shall pay the fee and request a refund
23 within six months of the due date for the payment by filing a petition
24 for a refund with the commission. The commission shall establish by
25 rule procedures for handling refund petitions and may delegate the
26 decisions on refund petitions to the secretary of the commission.

27 (8) After establishing the fee methodology by rule as required in
28 subsection (2) of this section, the commission shall create a
29 regulatory incentive program for pipeline safety programs in
30 collaboration with the citizens committee on pipeline safety. The
31 regulatory incentive program created by the commission shall not shift
32 costs among companies paying pipeline safety fees and shall not
33 decrease revenue to pipeline safety programs. The regulatory incentive
34 program shall not be implemented until after the review conducted
35 according to section 4 of this act.

36 NEW SECTION. Sec. 3. A new section is added to chapter 81.24 RCW
37 to read as follows:

1 (1) (a) Every hazardous liquid pipeline company as defined in RCW
2 81.88.010 shall pay an annual pipeline safety fee to the commission.
3 The pipeline safety fees received by the commission shall be deposited
4 in the pipeline safety account created in RCW 81.88.050.

5 (b) The aggregate amount of fees set shall be sufficient to recover
6 the reasonable costs of administering the pipeline safety program,
7 taking into account federal funds used to offset the costs. The fees
8 established under this section shall be designed to generate revenue
9 not exceeding appropriated levels of funding for the current fiscal
10 year. At a minimum, the fees established under this section shall be
11 sufficient to adequately fund pipeline inspection personnel, the timely
12 review of pipeline safety and integrity plans, the timely development
13 of spill response plans, the timely development of accurate maps of
14 pipeline locations, participation in federal pipeline safety efforts to
15 the extent allowed by law, and the staffing of the citizens committee
16 on pipeline safety.

17 (c) Increases in the aggregate amount of fees over the immediately
18 preceding fiscal year are subject to the requirements of RCW
19 43.135.055.

20 (2) The commission shall by rule establish the methodology it will
21 use to set the appropriate fee for each entity subject to this section.
22 The methodology shall provide for an equitable distribution of program
23 costs among all entities subject to the fee. The fee methodology shall
24 provide for:

25 (a) Direct assignment of average costs associated with annual
26 standard inspections, including the average number of inspection days
27 per year. In establishing these directly assignable costs, the
28 commission shall consider the requirements and guidelines of the
29 federal government, state safety standards, and good engineering
30 practice; and

31 (b) A uniform and equitable means of estimating and allocating
32 costs of other duties relating to inspecting pipelines for safety that
33 are not directly assignable, including but not limited to design review
34 and construction inspections, specialized inspections, incident
35 investigations, geographic mapping system design and maintenance, and
36 administrative support.

37 (3) The commission shall require reports from those entities
38 subject to this section in the form and at such time as necessary to
39 set the fees. After considering the reports supplied by the entities,

1 the commission shall set the amount of the fee payable by each entity
2 by general order entered before July 1st of each year.

3 (4) For companies subject to RCW 81.24.010, the commission shall
4 collect the pipeline safety fee as part of the fee specified in RCW
5 81.24.010. The commission shall allocate the moneys collected under
6 RCW 81.24.010 between the pipeline safety program and for other
7 regulatory purposes. The commission shall adopt rules that assure that
8 fee moneys related to the pipeline safety program are maintained
9 separately from other moneys collected by the commission under this
10 chapter.

11 (5) Any payment of the fee imposed by this section made after its
12 due date must include a late fee of two percent of the amount due.
13 Delinquent fees accrue interest at the rate of one percent per month.

14 (6) The commission shall keep accurate records of the costs
15 incurred in administering its hazardous liquid pipeline safety program,
16 and the records are open to inspection by interested parties. The
17 records and data upon which the commission's determination is made
18 shall be prima facie correct in any proceeding to challenge the
19 reasonableness or correctness of any order of the commission fixing
20 fees and distributing regulatory expenses.

21 (7) If any entity seeks to contest the imposition of a fee imposed
22 under this section, that entity shall pay the fee and request a refund
23 within six months of the due date for the payment by filing a petition
24 for a refund with the commission. The commission shall establish by
25 rule procedures for handling refund petitions and may delegate the
26 decisions on refund petitions to the secretary of the commission.

27 (8) After establishing the fee methodology by rule as required in
28 subsection (2) of this section, the commission shall create a
29 regulatory incentive program for pipeline safety programs in
30 collaboration with the citizens committee on pipeline safety. The
31 regulatory incentive program created by the commission shall not shift
32 costs among companies paying pipeline safety fees and shall not
33 decrease revenue to pipeline safety programs. The regulatory incentive
34 program shall not be implemented until after the review conducted
35 according to section 4 of this act.

36 NEW SECTION. Sec. 4. A new section is added to chapter 81.88 RCW
37 to read as follows:

1 The joint legislative audit and review committee shall review staff
2 use, inspection activity, fee methodology, and costs of the hazardous
3 liquid and gas pipeline safety programs and report to the appropriate
4 legislative committees by July 1, 2003. The report shall include a
5 comparison of interstate and intrastate programs, including but not
6 limited to the number and complexity of regular and specialized
7 inspections, mapping requirements for each program, and allocation of
8 administrative costs to each program.

9 Sec. 5. RCW 19.122.055 and 2000 c 191 s 24 are each amended to
10 read as follows:

11 (1) Any person who fails to notify the one-number locator service
12 and causes damage to a hazardous liquid or gas pipeline is subject to
13 a civil penalty of not more than ten thousand dollars for each
14 violation.

15 (2) All civil penalties recovered under this section (~~relating to~~
16 ~~hazardous liquid pipelines~~) shall be deposited into the (~~hazardous~~
17 ~~liquid~~) pipeline safety account created in RCW 81.88.050. (~~All civil~~
18 ~~penalties recovered under this section relating to gas pipelines shall~~
19 ~~be deposited in the general fund and expended for the purpose of~~
20 ~~enforcement of gas pipeline safety laws~~)

21 Sec. 6. RCW 81.88.010 and 2000 c 191 s 2 are each amended to read
22 as follows:

23 The definitions in this section apply throughout this chapter
24 unless the context clearly requires otherwise.

25 (1) "Commission" means the utilities and transportation commission.

26 (2) (~~"Department" means the department of ecology.~~

27 ~~(3)~~) "Failsafe" means a design feature that will maintain or
28 result in a safe condition in the event of malfunction or failure of a
29 power supply, component, or control device.

30 (~~(4)~~) (3) "Gas" means natural gas, flammable gas, or toxic or
31 corrosive gas.

32 (~~(5)~~) (4) "Gas pipeline" means all parts of a pipeline facility
33 through which gas moves in transportation, including, but not limited
34 to, line pipe, valves, and other appurtenances connected to line pipe,
35 pumping units, fabricated assemblies associated with pumping units,
36 metering and delivery stations and fabricated assemblies therein, and

1 breakout tanks. "Gas pipeline" does not include process or transfer
2 pipelines.

3 ~~((+6))~~ (5) "Gas pipeline company" means a person or entity
4 constructing, owning, or operating a gas pipeline for transporting gas.
5 A "gas pipeline company" does not include: (a) Distribution systems
6 owned and operated under franchise for the sale, delivery, or
7 distribution of natural gas at retail; or (b) excavation contractors or
8 other contractors that contract with a gas pipeline company.

9 ~~((+7))~~ (6) "Hazardous liquid" means: (a) Petroleum, petroleum
10 products, or anhydrous ammonia as those terms are defined in 49 C.F.R.
11 Part 195 in effect March 1, 1998; and (b) carbon dioxide.

12 ~~((+8))~~ (7) "Local government" means a political subdivision of the
13 state or a city or town.

14 ~~((+9))~~ (8) "Person" means an individual, partnership, franchise
15 holder, association, corporation, a state, a city, a county, or any
16 political subdivision or instrumentality of a state, and its employees,
17 agents, or legal representatives.

18 ~~((+10))~~ (9) "Pipeline," "pipeline system," or "hazardous liquid
19 pipeline" means all parts of a pipeline facility through which a
20 hazardous liquid moves in transportation, including, but not limited
21 to, line pipe, valves, and other appurtenances connected to line pipe,
22 pumping units, fabricated assemblies associated with pumping units,
23 metering and delivery stations and fabricated assemblies therein, and
24 breakout tanks. "Pipeline" or "pipeline system" does not include
25 process or transfer pipelines.

26 ~~((+11))~~ (10) "Pipeline company" or "hazardous liquid pipeline
27 company" means a person or entity constructing, owning, or operating a
28 pipeline for transporting hazardous liquid. A "pipeline company" does
29 not include: (a) Distribution systems owned and operated under
30 franchise for the sale, delivery, or distribution of natural gas at
31 retail; or (b) excavation contractors or other contractors that
32 contract with a pipeline company.

33 ~~((+12))~~ (11) "Reportable release" means a spilling, leaking,
34 pouring, emitting, discharging, or any other uncontrolled escape of a
35 hazardous liquid in excess of one barrel, or forty-two gallons.

36 ~~((+13))~~ (12) "Safety management systems" means management systems
37 that include coordinated and interdisciplinary evaluations of the
38 effect of significant changes to a pipeline system before such changes
39 are implemented.

1 ((~~14~~)) (13) "Transfer pipeline" means a buried or aboveground
2 pipeline used to carry oil between a tank vessel or transmission
3 pipeline and the first valve inside secondary containment at the
4 facility provided that any discharge on the facility side of that first
5 valve will not directly impact waters of the state. A transfer
6 pipeline includes valves, and other appurtenances connected to the
7 pipeline, pumping units, and fabricated assemblies associated with
8 pumping units. A transfer pipeline does not include process pipelines,
9 pipelines carrying ballast or bilge water, transmission pipelines, or
10 tank vessel or storage tanks.

11 ((~~15~~)) (14) "Transmission pipeline" means a gas pipeline that
12 transports gas within a storage field, or transports gas from an
13 interstate pipeline or storage facility to a distribution main or a
14 large volume gas user, or operates at a hoop stress of twenty percent
15 or more of the specified minimum yield strength.

16 Sec. 7. RCW 81.88.050 and 2000 c 191 s 4 are each amended to read
17 as follows:

18 (1) The ((~~hazardous liquid~~)) pipeline safety account is created in
19 the custody of the state treasurer. All fees received by the
20 commission for the pipeline safety program according to sections 2 and
21 3 of this act and all receipts from the federal office of pipeline
22 safety and any other state or federal funds provided for ((~~hazardous~~
23 liquid)) pipeline safety ((~~must~~)) shall be deposited in the account,
24 except as provided in subsection (2) of this section. Any fines
25 collected under this chapter, or otherwise designated to this account
26 must be deposited in the account. Moneys in the account may be spent
27 only after appropriation. Expenditures from the account may be used
28 only for funding pipeline safety.

29 (2) Federal funds received before June 30, 2001, shall be treated
30 as receipt of unanticipated funds and expended, without appropriation,
31 for the designated purposes.

32 Sec. 8. RCW 80.01.080 and 1961 c 14 s 80.01.080 are each amended
33 to read as follows:

34 The transportation revolving fund and the public utilities
35 revolving fund are abolished as of April 1, 1949, and as of such date
36 there is created in the state treasury a "Public Service Revolving
37 Fund" to which shall be transferred all moneys which then remain on

1 hand to the credit of the transportation revolving fund and the public
2 utilities revolving fund, subject, however, to outstanding warrants and
3 other obligations chargeable to appropriations made from such funds.
4 From and after April 1, 1949, regulatory fees payable by all types of
5 public service companies shall be deposited to the credit of the public
6 service revolving fund. Except for expenses payable out of the
7 pipeline safety account, all expense of operation of the Washington
8 utilities and transportation commission shall be payable out of the
9 public service revolving fund.

10 **Sec. 9.** RCW 81.88.060 and 2000 c 191 s 5 are each amended to read
11 as follows:

12 (1) A comprehensive program of hazardous liquid pipeline safety is
13 authorized by RCW 81.88.010, 81.88.040, 81.88.050, 81.88.090,
14 81.88.100, (~~(81.88.130,)~~) 48.48.160, and this section to be developed
15 and implemented consistent with federal law. (~~(Except as provided in~~
16 ~~subsection (6) of this section,)~~) The commission shall administer and
17 enforce all laws related to hazardous liquid pipeline safety.

18 (2) The commission shall adopt rules for pipeline safety standards
19 for hazardous liquid pipeline transportation that:

20 (a) Require pipeline companies to design, construct, operate, and
21 maintain their pipeline facilities so they are safe and efficient;

22 (b) Require pipeline companies to rapidly locate and isolate all
23 reportable releases from pipelines, that may include:

24 (i) Installation of remote control shut-off valves; and

25 (ii) Installation of remotely monitored pressure gauges and meters;

26 (c) Require the training and certification of personnel who operate
27 pipelines and the associated systems;

28 (d) Require reporting of emergency situations, including emergency
29 shutdowns and material defects or physical damage that impair the
30 serviceability of a pipeline; and

31 (e) Require pipeline companies to submit operations safety plans to
32 the commission once every five years, as well as any amendments to the
33 plan made necessary by changes to the pipeline system or its operation.
34 The safety plan shall include emergency response procedures.

35 (3) The commission shall approve operations safety plans if they
36 have been deemed fit for service. A plan shall be deemed fit for
37 service when it provides for pipelines that are designed, developed,
38 constructed, operated, and periodically modified to provide for

1 protection of public safety and the environment. Pipeline operations
2 safety plans shall, at a minimum, include:

3 (a) A schedule of inspection and testing within the pipeline
4 distribution system of:

5 (i) All mechanical components;

6 (ii) All electronic components; and

7 (iii) The structural integrity of all pipelines as determined
8 through pressure testing, internal inspection tool surveys, or another
9 appropriate technique;

10 (b) Failsafe systems;

11 (c) Safety management systems; and

12 (d) Emergency management training for pipeline operators.

13 (4) The commission shall coordinate information related to pipeline
14 safety by providing technical assistance to local planning and siting
15 authorities.

16 (5) The commission shall evaluate, and consider adopting, proposals
17 developed by the federal office of pipeline safety, the national
18 transportation safety board, and other agencies and organizations
19 related to methods and technologies for testing the integrity of
20 pipeline structure, leak detection, and other elements of pipeline
21 operation.

22 ~~((6) The authorities of RCW 81.88.010, 81.88.040, 81.88.050,~~
23 ~~81.88.090, 81.88.100, 81.88.130, 48.48.160, and this section relating~~
24 ~~to hazardous liquid pipeline safety shall be transferred from the~~
25 ~~commission to the department pursuant to RCW 81.88.130 upon the~~
26 ~~occurrence of either:~~

27 ~~(a) Amendments to federal pipeline safety laws to eliminate~~
28 ~~preemption of state authority to regulate safety requirements for such~~
29 ~~pipelines, or~~

30 ~~(b) The granting of federal authority to the state to enforce or~~
31 ~~adopt any safety requirements for interstate hazardous liquid~~
32 ~~pipelines.))~~

33 **Sec. 10.** RCW 81.88.090 and 2000 c 191 s 9 are each amended to read
34 as follows:

35 (1) The commission ~~((and the department))~~ shall apply for federal
36 delegation for the state's program for the purposes of enforcement of
37 federal hazardous liquid pipeline safety requirements. If the
38 secretary of transportation delegates inspection authority to the state

1 as provided in this subsection, the ((department)) commission, at a
2 minimum, shall do the following:

3 (a) Inspect hazardous liquid pipelines periodically as specified in
4 the inspection program;

5 (b) Collect fees;

6 (c) Order and oversee the testing of hazardous liquid pipelines as
7 authorized by federal law and regulation; and

8 (d) File reports with the United States secretary of transportation
9 as required to maintain the delegated authority.

10 (2) The commission ((and the department)) shall also seek federal
11 authority to adopt safety standards related to the monitoring and
12 testing of interstate hazardous liquid pipelines.

13 (3) Upon delegation under subsection (1) of this section or under
14 a grant of authority under subsection (2) of this section, to the
15 extent authorized by federal law, the ((department)) commission shall
16 adopt rules for interstate pipelines that are no less stringent than
17 the state's laws and rules for intrastate hazardous liquid pipelines.

18 **Sec. 11.** RCW 81.88.140 and 2000 c 191 s 14 are each amended to
19 read as follows:

20 (1) The citizens committee on pipeline safety is established to
21 advise the state agencies and other appropriate federal and local
22 government agencies and officials on matters relating to hazardous
23 liquid and gas pipeline safety, routing, construction, operation, and
24 maintenance. The committee shall serve as an advisory committee for
25 the commission on matters relating to the commission's pipeline safety
26 programs and activities. The commission shall consult with and provide
27 periodic reports to the committee on matters related to the
28 commission's pipeline safety programs and activities, including but not
29 limited to the development and regular review of funding elements for
30 pipeline safety programs and activities.

31 (2) The committee shall have thirteen total members who shall be
32 appointed by the governor to staggered three-year terms and shall
33 consist of: (a) Nine members representing local government, including
34 elected officials and the public; and (b) four nonvoting members,
35 representing owners and operators of hazardous liquid and gas
36 pipelines. All members of the committee, voting and nonvoting, may
37 participate fully in the committee's meetings, activities, and

1 deliberations and shall timely receive all notices and information
2 related to committee business and decisions.

3 (3) The committee shall review and comment on proposed rules and
4 the operation of the state pipeline safety programs.

5 ~~((2))~~ (4) The committee may create one or more technical advisory
6 committees comprised of gas and hazardous liquid pipeline owners or
7 operators, agency representatives, natural resource and environmental
8 interests, or other interested parties.

9 ~~((3))~~ (5) The committee established in ~~((subsection (1) of))~~ this
10 section constitutes a class one group under RCW 43.03.220. Expenses
11 for this group, as well as staff support, shall be provided by the
12 utilities and transportation commission ~~((and, if additional pipeline~~
13 ~~authority is transferred to it, the department of ecology))~~.

14 NEW SECTION. Sec. 12. RCW 81.88.130 (Transfer of powers, duties,
15 and functions of commission to department--Delegation of federal
16 authority--Determination by office of financial management) and 2000 c
17 191 s 13 are each repealed.

18 NEW SECTION. Sec. 13. This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of the
20 state government and its existing public institutions, and takes effect
21 July 1, 2001.

Passed the Senate April 16, 2001.

Passed the House April 5, 2001.

Approved by the Governor May 11, 2001.

Filed in Office of Secretary of State May 11, 2001.

Chapter 81.88 RCW
GAS AND HAZARDOUS LIQUID PIPELINES

(Formerly Gas and oil pipelines)

To view this chapter you can:

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Document Name: WAC 480-93 Gas Companies - Safety

Description: May 1, 2001, modified to link the index to specific rules.

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CODIFIED IN THIS CHAPTER**

480-93-001	Definitions. [Order R-28, § 480-93-001, filed 7/15/71.] Repealed by Order R-98, filed 5/18/77. Later promulgation, see WAC 480-93-005.
480-93-050	Pipelines and mains under or along highways and railroads. [Order R-5, § 480-93-050, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.
480-93-060	Minimum cover and clearances. [Order R-5, § 480-93-060, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.
480-93-070	Welding inspection. [Order R-5, § 480-93-070, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.
480-93-090	Bends. [Order R-5, § 480-93-090, filed 6/6/69, effective 10/9/69.] Repealed by Order R-28, filed 7/15/71.

WAC 480-93-002 Application of rules.

These rules shall apply to every gas company, as that term is defined by WAC 480-93-005, and shall apply to the construction, operation, maintenance, and safety of gas facilities used in the gathering, storage, distribution, and transmission of gas in this state, except those gas facilities exclusively under federal jurisdiction for compliance with pipeline safety regulations.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-002, filed 8/5/92, effective 9/5/92; Order R-99, § 480-93-002, filed 5/18/77.]

WAC 480-93-005 Definitions.

WAC 480-93-005 Definitions. (1) **Bar hole** - a hole that has been made in the soil or paving for the specific purpose of testing the subsurface atmosphere with a combustible gas indicator.

(2) **Building** - any structure which is normally or oc-ca-sion-al-ly entered by humans for business, residential, or other purposes and within which gas could accumulate.

(3) **Combustible gas indicator (CGI)** - a device capable of detecting and measuring gas

concentrations of the gas being transported.

(4) **Confined space** - any subsurface structure of sufficient size which could accommodate a person and within which gas could accumulate, e.g., vaults, catch basins, manholes, etc.

(5) **Follow-up inspection** - an inspection performed after a repair has been completed in order to determine the effectiveness of the repair.

(6) **Gas** - natural gas, flammable gas, or gas which is toxic or corrosive.

(7) **Gas associated substructures** - those devices or facilities utilized by a gas company which are not intended for storing, transporting, or distributing gas, such as valve boxes, vaults, test boxes, and vented casing pipe.

(8) **Gas company** - the term "gas company" shall mean:

(a) Every gas company otherwise subject to the jurisdiction of the commission under Title 80 RCW as to rates and service; and

(b) Every person, corporation, city, or town which owns or operates a pipeline transporting gas in this state, even though such person, corporation, city, or town is not a public service company under chapter 80.28 RCW, and even though such person, corporation, city, or town does not deliver, sell, or furnish gas to any person or corporation within this state.

(9) **Gathering line** - a gas pipeline which transports gas from the outlet of a well and any associated compressor to the connection with a second gathering line or with a transmission line.

(10) **Indication** - a response indicated by a gas detection instrument that has not been verified as a reading.

(11) **L.E.L.** - the lower explosive limit of the gas being transported.

(12) **Main** - a gas pipeline, not a gathering or transmission line:

(a) Which serves as a common source of gas for more than one service line;

(b) Which crosses a public right of way; or

(c) Which crosses property not owned by the customer or the gas company.

(13) **Master meter system** - a pipeline system for distributing gas to more than one building within, but not limited to, a definable area, such as a mobile home park, housing project, or apartment complex, where the operator purchases metered gas from an outside source for distribution to ultimate consumers other than the system operator's immediate family through a gas distribution pipeline system.

(14) **Maximum operating pressure** - a maximum pressure selected by a gas company for operation of a pipeline or segment of a pipeline, which is equal to or less than the maximum allowable operating pressure derived pursuant to 49 CFR, Part 192 on the date specified in WAC 480-93-999.

(15) **Prompt action** - shall consist of dispatching qualified personnel without undue delay for the purpose of evaluating and where necessary abating an existing or probable hazard.

(16) **Reading** - a repeatable deviation on a combustible gas indicator or equivalent instrument expressed in percent L.E.L. or gas-air ratio. Where the reading is in an unvented, confined space, consideration shall be given to the rate of dissipation when the space is ventilated and the rate of accumulation when the space is resealed.

(17) **Service line** - a gas pipeline, not a main, gathering or transmission line, which provides service to one building. 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.

(18) **Transmission line** - a gas pipeline which connects to an existing transmission line without pressure regulation to lower the pressure; which is downstream of the connection of two or more gathering lines; and as defined in 49 CFR, Part 192, section 192.3 on the date specified in WAC 480-93-999.

(19) **Tunnel** - a subsurface passageway large enough for a person to enter and within which gas could accumulate.

(20) Other terms which correspond to those used in 49 CFR, Parts 191, 192 and 199 (Minimum Federal Safety Standards for Gas Pipelines) shall be construed as used therein on the date specified in WAC 480-93-999.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-005, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040 and 80.28.210. 95-13-082 (Order R-427, Docket No. UG-950061), § 480-93-005, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-005, filed 8/5/92, effective 9/5/92; Order R-100, § 480-93-005, filed 5/18/77. Formerly WAC 480-93-001.]

WAC 480-93-010 Compliance with federal standards. Gas companies' gathering, storage, distribution, and transmission facilities must be designed, constructed, maintained, and operated in compliance with the provisions of Title 49 Code of Federal Regulations (CFR), Parts 191, 192, 193 and 199 in effect on the date specified in WAC 480-93-999. The provisions of this chapter shall govern to the extent that the standards in the state regulations are compatible with the federal standards.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-010, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 34.05.310, 34.05.356, 80.01.040, 80.04.160 and 80.04.160 [81.04.160]. 99-20-013 (Order R-465, Docket No. A-980247), § 480-93-010, filed 9/24/99, effective 10/25/99. Statutory Authority: RCW 80.01.040. 99-02-037 (Order 457, Docket No. UG-980962), § 480-93-010, filed 12/30/98, effective 1/30/99. Statutory Authority: RCW 80.01.040 and 80.28.210. 96-13-022 (Order R-437, Docket No. UG-951453), § 480-93-010, filed 6/10/96, effective 7/11/96; 95-13-082 (Order R-427, Docket No. UG-950061), § 480-93-010, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 80.01.040. 93-18-097 (Order R-396, Docket No. UG-930243), § 480-93-010, filed 9/1/93, effective 10/2/93; 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-010, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-010, filed 7/15/71; Order R-5, § 480-93-010, filed 6/6/69, effective 10/9/69.]

WAC 480-93-015 Odorization of gas.

All gas being transported by pipeline in this state, and all gas consumed by an end use customer, shall be odorized in accordance with 49 CFR, Part 192.625 in effect on the date specified in WAC 480-93-999 unless waiver is approved in advance of such transportation, in writing, by the commission.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061

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(Docket No. A-010827, General Order No. R-491), § 480-93-015, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-015, filed 8/5/92, effective 9/5/92.]

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

The design, specification, and construction procedures for all gas facilities in this state must be on file with the commission. All proposed construction plans which do not conform with a gas company's existing and accepted design, specification, and construction procedures on file with the commission, must be submitted to the commission at least thirty days prior to the initiation of construction activity. Written commission acceptance or rejection of the design, specification, and construction procedures to be utilized will be made within thirty days of receipt.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-017, filed 8/5/92, effective 9/5/92.]

WAC 480-93-018 Maps, drawings, and records of gas facilities.

All gas companies shall prepare, maintain, and provide to the commission, upon request, copies of maps, drawings, and records of the company's gas facilities. The maps, drawings, and records shall be of such scale and detail as is necessary to show the size and type of material of all facilities, whether or not the facilities are cathodically-protected, and the maximum operating pressure. The maps and drawings shall indicate all district regulator stations and gate stations and the approximate location of all valves, identifying those valves classified as emergency valves in the company's emergency procedures. The gas company shall provide key sheets for ready reference as needed.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-018, filed 8/5/92, effective 9/5/92.]

WAC 480-93-020 Proximity considerations.

Gas facilities having a maximum operating pressure greater than five hundred psig shall not be operated within five hundred feet of the places described below without prior written authorization of the commission, unless a waiver previously approved by the commission continues in effect:

- (1) A building intended for human occupancy which is in existence or under construction prior to the date authorization for construction is filed with the commission, and which is not owned and used by the petitioning gas company in its gas operations;
- (2) Property which has been zoned as residential or commercial prior to the date authorization for construction is filed with the commission;
- (3) A well-defined outside area, such as a playground, recreation area, outdoor theater, or other place of public assembly, which is occupied by twenty or more people, sixty days in any twelve-month period which is in existence or under construction prior to the date authorization for construction is filed with the commission; and

(4) A public highway, as defined in RCW 81.80.010(3).

In requesting prior written authorization of the commission, the petitioning gas company shall certify that it is not practical to select an alternative route which will avoid such locations and further certify that management has given due consideration to the possibility of the future development of the area and has designed its facilities accordingly. The petition shall include, upon request of the commission, an aerial photograph showing the exact location of the pipeline in reference to places listed above that are within five hundred feet of the pipeline right of way.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-020, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-020, filed 7/15/71; Order R-5, § 480-93-020, filed 6/6/69, effective 10/9/69.]

WAC 480-93-030 Proscribed areas.

Gas facilities having a maximum operating pressure between two hundred fifty-one psig and four hundred ninety-nine psig shall not be operated within 100 feet of the places described below without prior written authorization of the commission, unless a waiver previously approved by the commission continues in effect:

- (1) A building intended for human occupancy which is in existence or under construction prior to the date authorization for construction is filed with the commission, and which is not owned and used by the petitioning gas company in its gas operations; and
- (2) A well-defined outside area, such as a playground, recreation area, outdoor theater, or other place of public assembly which is occupied by twenty or more people, sixty days in any twelve-month period, which is in existence or under construction prior to the date authorization for construction is filed with the commission.

The petition shall include, upon request of the commission, an aerial photograph showing the exact location of the pipeline in reference to the places listed above that are within one hundred feet of the pipeline right of way.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-030, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-030, filed 7/15/71; Order R-5, § 480-93-030, filed 6/6/69, effective 10/9/69.]

WAC 480-93-040 Location of compressor stations on gas pipelines.

No compressor station to be located on any gas pipeline shall be constructed in any zoned area without prior approval of the appropriate zoning authority and acquisition of required permits. In other areas the distance between any compressor station designed to operate at pressures in excess of 250 psig and any existing building intended for human occupancy and not under the control of the gas company shall not be less than 500 feet, except for compressor stations having an installed capacity of less than 1,000 horsepower, in which case such distance shall not be less than 250 feet.

[Order R-28, § 480-93-040, filed 7/15/71; Order R-5, § 480-93-040, filed 6/6/69, effective 10/9/69.]

WAC 480-93-080 Welder identification and qualification certificates.

Welders will carry appropriate identification and qualification certificates showing name of welder, his welding qualifications, and date of last qualification test, the results thereof, and the company whose procedures were followed for the qualification. Welders certificates will be subject to commission inspection at all times when welder is working on construction projects which are subject to the commission's authority.

[Order R-28, § 480-93-080, filed 7/15/71; Order R-5, § 480-93-080, filed 6/6/69, effective 10/9/69.]

WAC 480-93-082 Qualification of employees.

Every gas company that operates a gas facility in this state shall have one or more employees working in this state that are collectively knowledgeable and qualified in all aspects of gas company construction, operation, maintenance, and state and federal gas safety rules and regulations. Every gas company shall prepare, maintain, and provide to the commission, upon request, evidence of the qualifications of employees to perform all duties assigned in the operation, maintenance, inspection, and construction of gas facilities. This evidence of an employee's qualifications shall specify the type of all training received, when and where such training was received, and the length of time the employee has performed the specific duties assigned. On the job training, under the supervision of personnel qualified by training and experience, in a company-certified, company-sponsored training program, may satisfy the requirements of this section.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-082, filed 8/5/92, effective 9/5/92.]

WAC 480-93-100 Automatic valves.

Automatic valves shall not be installed on any gas pipeline except where the particular circumstances are such as to show that such valves will contribute to safer operation.

[Order R-28, § 480-93-100, filed 7/15/71; Order R-5, § 480-93-100, filed 6/6/69, effective 10/9/69.]

WAC 480-93-110 Corrosion control.

Every gas company must ensure that all of its metallic gas pipelines, except cast iron and ductile iron, are protected by a recognized method or combination of methods of cathodic protection. Every gas company shall record and retain all cathodic protection test readings taken and complete remedial action within ninety days to correct any cathodic protection deficiencies known and indicated by the company's records.

Whenever a gas company finds from investigation as required by 49 CFR, Part 192 in effect on the date specified in WAC 480-93-999, that cathodic protection of gas pipelines is not

needed, the company shall submit to the commission a report setting forth good and sufficient reasons why such protection is not required. The report shall include the results of soil tests and other supporting data.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-110, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-110, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-110, filed 7/15/71; Order R-5, § 480-93-110, filed 6/6/69, effective 10/9/69.]

WAC 480-93-111 Noncathodically protected gas facilities.

Every gas company that has metallic gas facilities which are not now, or have never been, under cathodic protection or are not under adequate cathodic protection, shall semiannually provide to the commission, upon request, drawings which show the location of such facilities, and a description of their size and material. The drawings and associated documentation will indicate the approximate date by which cathodic protection will be applied or the facilities will be replaced. If the gas company can prove, through electrical test data and other means, that the gas facilities are not in a corrosive environment, then neither cathodic protection nor replacement will be required.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-111, filed 8/5/92, effective 9/5/92.]

WAC 480-93-112 Corrosive condition investigation.

Whenever a gas company finds the presence of active corrosion; that the surface of the gas facility is generally pitted; or that corrosion has caused a leak, the company shall investigate further to determine the extent of the corrosion. Within ninety days after the discovery of a corrosive situation, action shall be taken to correct any unsafe condition. The company shall record the condition of all underground gas facilities each time such facility is exposed and retain those records for the life of that facility.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-112, filed 8/5/92, effective 9/5/92.]

WAC 480-93-115 Casing of pipelines.

Whenever a gas company is required by a governmental entity or railroad company to install pipeline casing, the casing shall be designed to withstand the superimposed load. Steel pipe shall only be encased in a bare steel casing. A separate test lead wire shall be attached to the casing and the steel gas pipeline to verify that no electric short exists between the two. Tests shall be performed annually on all encased gas pipelines. Whenever a short exists between a pipeline and its casing, the condition shall be evaluated within ninety days to determine whether a hazardous condition exists. Thereafter, leak tests shall be conducted on a ninety

day schedule until the condition is corrected. Every gas company shall develop procedures to ensure that whenever plastic pipe is encased, suitable precautions shall be taken to prevent crushing or shearing of the plastic pipe where it exits the casing.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-115, filed 8/5/92, effective 9/5/92.]

WAC 480-93-120 Exposed pipelines.

Proper warning signs shall be placed and other adequate protective measures taken at any point where gas pipelines and any associated equipment and facilities are exposed, and where their location presents an unusually hazardous situation. All gas pipelines attached to bridges or otherwise spanning an area shall have proper warning signs at both ends of the suspended pipeline. The gas company shall keep these signs visible and readable, and inspect all signs annually; signs which are reported damaged and missing shall be replaced promptly.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-120, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-120, filed 7/15/71; Order R-5, § 480-93-120, filed 6/6/69, effective 10/9/69.]

WAC 480-93-124 Pipeline markers.

All buried gas pipelines shall have pipeline markers placed and maintained as close as practical over each main and transmission line as required by 49 CFR, Part 192.707. Off-set pipeline markers may be used only if they indicate the distance from and direction to the pipeline. The pipeline markers shall be double-faced or single-faced signs. Single-faced signs may be used on posts of distinctive color and shall meet the requirements of 49 CFR, Part 192.707(d). Pipeline markers shall be placed at all railroad crossings, road crossings, irrigation and drainage ditch crossings, and at all fence lines where a pipeline crosses private property. Pipeline markers required by 49 CFR, Part 192.707(a), shall be placed approximately five hundred yards apart if practical and at points of deflection of the pipeline. Exceptions to this rule must conform with 49 CFR, Part 192.707(b). Information about 49 CFR regarding the version currently in effect and where to obtain it is set out in WAC 480-93-999.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310, 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-124, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-124, filed 8/5/92, effective 9/5/92.]

WAC 480-93-130 Multistage pressure regulation.

Where gas pressures are reduced in two or more stages, the necessary regulations and auxiliary equipment will be installed in such a manner as to provide maximum protection

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between regulator systems. The purpose is to minimize the potential dangers from the failure of one stage of regulator equipment due to fire, explosion or damage of any kind from adversely affecting the operation of the other stage or stages of regulation. A minimum of fifty feet of separation will be provided between regulator systems when practical to do so.

[Order R-28, § 480-93-130, filed 7/15/71; Order R-5, § 480-93-130, filed 6/6/69, effective 10/9/69.]

WAC 480-93-140 Meter regulators.

Gas companies that have customers with electronic ignition appliances shall have meter regulators with relief valves, monitors, or safety shut-off valves. Gas companies that have customers with standing pilots may use meter regulators that do not use relief valves, monitors, or safety shut-off valves, if responsible officers of the gas company certify to the commission that due consideration has been given to the possible existence of foreign matter in their distribution system and other factors that might interfere with the proper operation of service regulators and they believe that under such conditions relief valves, monitors, or safety shut-off valves are not required or appropriate for safe operation.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-140, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-140, filed 7/15/71; Order R-5, § 480-93-140, filed 6/6/69, effective 10/9/69.]

WAC 480-93-150 Station maintenance.

All gas piping or other gas equipment in regulator and other stations no longer essential to the company's operation shall be removed to minimize hazards.

[Order R-28, § 480-93-150, filed 7/15/71; Order R-5, § 480-93-150, filed 6/6/69, effective 10/9/69.]

WAC 480-93-155 Increasing maximum operating pressure.

Notwithstanding the requirements of any other section of this chapter, the commission shall be furnished complete written plans and drawings of each pressure uprating to a maximum operating pressure greater than sixty psig, at least thirty days prior to raising the pressure.

The plan shall include a review of the following:

- (1) All affected gas facilities, including pipe, fittings, valves, and other associated equipment, with their manufactured design operating pressure and specifications;
- (2) Original design and construction standards;
- (3) All previous operating pressures and length of time at that pressure;
- (4) All leaks, regardless of cause, and the date and method of repair;
- (5) All upstream and downstream regulators and relief valves; and
- (6) All cathodic protection readings on mains for the past three years or three most recent inspections, whichever is longer, and the most recent inspection on each attached service line, which is electrically isolated.

The plan shall conform with the requirements of 49 CFR, Part 192 in effect on the date specified in WAC 480-93-999.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-155, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-155, filed 8/5/92, effective 9/5/92.]

WAC 480-93-160 Reports of proposed construction.

- (1) At least 30 days prior to the construction or major reconstruction (or reconditioning) of any gas pipeline intended to be operated at 20% or more of the specified minimum yield strength of the pipe used, a report shall be filed with the commission setting forth the proposed route and the specifications for such pipeline. The report shall include, but not be limited to, the following items:
- (a) Description and purpose of the proposed pipeline.
 - (b) Pipe specifications and route map showing type of construction to be used throughout the length of the line and delineation of class location and incorporated boundaries along the route. Where Type A or B construction is planned, aerial photographs or other suitable means of verifying the applicability of Type A or B construction shall be furnished to the commission.
 - (c) Maximum allowable operating pressure for which the pipeline is being constructed.
 - (d) Location and construction details of all river crossings or other unusual construction requirements encountered en route; i.e., places where pipe will be exposed or it is impractical to provide required cover, bridge crossings, lines to be laid parallel to railroads or state highways and encroachments thereto, other areas requiring special or unusual design and construction considerations.
 - (e) Proposed corrosion control program to be followed including specifications for coating and wrapping.
 - (f) Type of fluid and test pressures to be used when proof strength testing the line. Terrain profile sketches indicating maximum and minimum elevations for testing purposes, if appropriate. Water will be used when feasible as the test medium on all lines 6" or greater in diameter and when the test pressure is to exceed 250 psig. If water is not to be used, briefly explain and list test medium to be used.
 - (g) Welding specifications and welding inspection methods and procedures to be followed during construction of the pipeline. Location of inspection records during and after construction. Name(s) and address(es) (while at the construction site) of authorized chief company inspector(s) and scope of responsibility, if appropriate. The 30-day advanced notification of name(s) and address(es) of chief inspector(s) is waived for this requirement and telephonic communication of such information will be acceptable. This information will, however, be furnished to the commission prior to the start of construction and will be kept current until construction is completed.
 - (h) Bending procedures to be followed.
 - (i) Location and specification of principal valves, regulators and other auxiliary equipment to be installed as a part of the pipeline system to be constructed.

(j) Any features of design or construction which do not meet or exceed the safety requirements of these rules and regulations will be explained and justified. Further, it will be necessary to certify that the proposed deviation meets all known safety requirements and in the opinion of the certifying officer for the company, the deviation, if granted, would not contribute to the development of an unsafe operating condition in the system. All waivers to office of pipeline safety, department of transportation, rules and regulations require 60-day advanced notification before approval.

(2) Every gas company shall on the fifteenth day of each month submit a report to the commission setting forth the progress of such construction or major reconstruction as of the end of the preceding month.

[Order R-28, § 480-93-160, filed 7/15/71; Order R-5, § 480-93-160, filed 6/6/69, effective 10/9/69.]

WAC 480-93-170 Tests and reports thereof for pipelines.

(1) When any gas pipeline intended to be subjected to pressures in excess of 20% of the specified minimum yield strength of the pipe used is placed in operation a report shall be filed with the commission certifying the maximum pressure to which the line is intended to be subjected and also certifying that the pipeline has been constructed and tested in accordance with the requirements of the rules herein prescribed. The results of all tests made pursuant thereto shall be filed with the commission within 30 days of placing the facilities into service. No gas pipeline hereafter placed in service shall be operated at pressures in excess of the pressure for which it was certified to the commission.

(2) At least 30 days prior to an increase and not later than 30 days subsequent to a decrease in the maximum allowable operating pressure of a pipeline, on pipelines operating at pressures equal to or greater than 20% of the specified minimum yield strength of the pipe in use, a report shall be filed with the commission giving change in allowable operating pressure, and, if the pressure was increased, the steps taken to qualify the line for higher operating pressure.

(3) The commission shall be notified in writing at least two business days prior to the commencement of any pressure test of a gas pipeline to be operated at pressures in excess of 20% of the specified minimum yield strength of the pipe used.

(4) The pressure tests of any such gas pipeline built in Class 3 or Class 4 locations shall be of at least 8 hours' duration.

(5) When the test medium is to be a gas or compressible fluid then every gas company testing pipelines to be operated in excess of 20% of the specified minimum yield strength of the pipe used shall, prior to any tests, notify appropriate officials of all municipalities wherein such tests are to be made in order that adequate and proper police protection may be provided.

(6) The requirements of paragraphs (3) and (4) will be waived in an emergency where it is necessary to maintain continuity of service.

[Order R-28, § 480-93-170, filed 7/15/71; Order R-5, § 480-93-170, filed 6/6/69, effective 10/9/69.]

WAC 480-93-175 Moving and lowering gas pipelines.

A gas company shall prepare a study, prior to the moving or lowering of every gas pipeline, except service lines and plastic mains, to determine whether the proposed action will cause an unsafe condition. This study will be reviewed and certified by the gas company's senior engineer and retained in the gas company's files for the life of the pipeline. The study shall include, but not be limited to the following criteria:

- (1) The required deflection of the pipeline;
- (2) The diameter, wall thickness, and grade of the pipe;
- (3) The characteristics of the pipeline;
- (4) The terrain and class location;
- (5) The soil conditions, including the pH;
- (6) The current condition of the pipeline;
- (7) The safe stress of the pipeline; and
- (8) The toughness of the steel.

If the toughness of the pipe is unknown, it shall be considered to be brittle, and the pipeline shall not be moved.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-175, filed 8/5/92, effective 9/5/92.]

WAC 480-93-180 Plan of operations and maintenance procedures; emergency policy; reporting requirements.

In compliance with the provisions and general intent of the federal "Natural Gas Pipeline Safety Act," 49 CFR, Part 192 in effect on the date specified in WAC 480-93-999, every gas company shall develop appropriate operating, maintenance, safety, and inspection plans and procedures and an emergency policy. Such plans and procedures, and all subsequent changes and amendments, initiated by the gas company or pursuant to changes in state and federal rules and regulations, shall be promptly filed with the commission, for review and determination as to their adequacy, when properly executed, to achieve an acceptable level of safety. The commission may, after notice and opportunity for hearing, require such plans and procedures to be revised. The plans and procedures required by the commission shall be practicable and designed to meet the needs of safety. In determining the adequacy of such plans and procedures to achieve an acceptable level of safety, the commission shall consider:

- (1) Relevant available pipeline safety data;
- (2) Whether the plans and procedures are appropriate for the particular type of pipeline operations being performed by the gas company, taking into consideration company size, geographical area of operation, and the public interest;
- (3) The reasonableness of the plans and procedures; and
- (4) The extent to which the plans and procedures, if properly executed, will contribute to an acceptable level of public safety being achieved by the company.

Furthermore, every gas company shall be responsible for establishing and maintaining such records, making such reports, and providing such information as the commission may reasonably require to enable it to determine whether the gas company has acted and is acting

in compliance with these rules and regulations and the standards established thereunder. Every gas company shall, upon request of the commission and its authorized representatives, permit the commission and its authorized representatives to inspect books, papers, records, and documents relevant to determining whether the gas company and its agents have acted and are acting in compliance with these rules and regulations and the standards established thereunder. Such commission inspections shall be conducted at reasonable times, within reasonable limits, and in a reasonable manner, and each inspection shall be commenced and completed with reasonable promptness.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-180, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-180, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-180, filed 7/15/71; Order R-5, § 480-93-180, filed 6/6/69, effective 10/9/69.]

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

All gas companies shall establish a maximum operating pressure for a pipeline or system, in accordance with this chapter, and notify the commission of the following pressure related changes:

- (1) When a pipeline or system pressure exceeds the established maximum operating pressure, the commission shall be notified within six hours, to be followed by written explanation within thirty days;
- (2) When a gas company proposes to raise any pipeline's pressure above two hundred fifty psig, the gas company shall petition the commission for a waiver of WAC 480-93-030, if applicable, before increasing the pressure;
- (3) When a gas company proposes to raise any pipeline's pressure above five hundred psig, the gas company shall petition the commission for a waiver of WAC 480-93-020, if applicable, before increasing the pressure;
- (4) When a pipeline or system operating at low pressure drops below the safe operating conditions of attached appliances and gas equipment; and
- (5) When a pipeline, operating in excess of two hundred fifty psig, is taken out of service for any reason the commission shall be notified within six hours, followed by written explanation within thirty days.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-183, filed 8/5/92, effective 9/5/92.]

WAC 480-93-184 Gas leak responsibility.

Each gas company shall designate personnel who shall be responsible for pipeline and service line patrolling; leak survey practices, procedures, and operations; and leak classification and repairs within its respective areas of operation (i.e. division, district, etc.).

[Order R-101, § 480-93-184, filed 5/18/77.]

WAC 480-93-185 Gas leak investigation.

Any notification of a leak, explosion, or fire, which may involve gas pipelines or other gas facilities, received from an outside source such as a police or fire department, other utility, contractor, customer, or the general public, shall be investigated promptly by the gas company. Where the investigation reveals a leak, the leak shall be graded pursuant to WAC 480-93-186 and appropriate action shall be taken in accordance with these rules.

When leak indications are found to originate from a foreign source or facility, such as gasoline vapors, sewer or marsh gas, or customer-owned piping, prompt action shall be taken at that time, where appropriate, to protect life and property. Leaks that represent an ongoing, potentially hazardous situation shall be reported promptly to the owner or operator of the source facility and, where appropriate, to the police department, or other appropriate governmental agency. In all cases, the property owner or the adult person occupying the premises shall be notified of the leak conditions. If no methane indication is found, the gas company employee on-site shall so inform the property owner or the adult person occupying the premises, and shall request the adult person occupying the premises sign the gas company work order indicating that a gas leak was not the source of the leak indication. The gas company employee shall provide the adult person occupying the premises an odor sniff card which identifies the odor of natural gas and indicates the name, address, and telephone number of the gas company representative to be contacted if the leak indications are again noticed. If the property owner or an adult person occupying the premises is not available, the gas company shall, within twenty-four hours of the leak notification, send by first-class mail addressed to the person occupying the premises, a letter explaining the results of the investigation. A copy of the letter shall be retained by the gas company and kept with the leak report. A leak investigation report form shall be maintained in the gas company's leak report files for all leaks investigated, indicating gas company employee making the initial leak evaluation.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-185, filed 8/5/92, effective 9/5/92; Order R-102, § 480-93-185, filed 5/18/77.]

WAC 480-93-186 Leakage classification and action criteria.**(1) Gas leak classification and repair.**

(a) General. Each gas company shall establish a procedure by which leakage indications of flammable gas will be graded and controlled. When evaluating any leak indication a preliminary step is to determine the perimeter of the leak area. When this perimeter extends to a building wall the investigation shall extend inside the building.

(b) Leak grades. Based on an evaluation of the location and/or magnitude of a leak, one of the following leak grades shall be assigned, thereby establishing the leak repair priority. A gas company may utilize an alphabetical grade classification, i.e. Grade A for Grade 1, Grade B for Grade 2, and Grade C for Grade 3 if it has historically utilized such a grading designation.

Grade 1 - Grade 1 means a leak that represents an existing or probable hazard to persons or property and requiring immediate repair or continuous action until conditions are no longer hazardous.

Grade 2 - Grade 2 means a leak recognized as being nonhazardous at the time of detection but requiring scheduled repair based on probable future hazard.

Grade 3 - Grade 3 means a leak that is nonhazardous at the time of detection and can reasonably be expected to remain nonhazardous.

Leakage classification and control requirements are provided in Table 1. The examples of leakage provided in the table are guidelines and are not exclusive. The judgment of the gas company personnel at the scene is of primary importance in determining the grade assigned to a leak.

(c) Follow-up inspections. The adequacy of leak repairs shall be checked by acceptable methods while the excavation is open. The perimeter of the leak area shall be checked with a CGI. In the case of repair of a Grade 1 leak, where there is residual gas in the ground, a follow-up inspection shall be made as soon as practical but in no case later than one month following the repair. In the case of Grade 2 or Grade 3 leaks which have been repaired, the need for a follow-up inspection shall be determined by qualified personnel employed or retained by the gas company.

(2) Regrading of leaks. Leaks are to be reinspected using the same criteria used to grade leaks when they are first detected and graded.

[Order R-103, § 480-93-186, filed 5/18/77.]

WAC 480-93-18601 Table 1--Leak classification and action criteria--Grade--Definition--Priority of leak repair--Examples.

**TABLE 1--LEAK CLASSIFICATION
AND ACTION CRITERIA
GRADE 1
DEFINITION**

A leak that represents an existing or probable hazard to persons or property and requires immediate repair or continuous action until the conditions are no longer hazardous.

PRIORITY OF LEAK REPAIR EXAMPLES

Requires prompt action* to Leaks requiring prompt action:
protect life and property and
continuous action until the 1. Any leak which, in the judgment
conditions are no longer hazardous. of operating personnel at the
scene, is regarded as an

*The prompt action in some immediate hazard.
instances may require one or more
of the following: 2. Escaping gas that has ignited
unintentionally.

- a. Implementation of company
emergency plan (192.615).
3. Any indication of gas which has
migrated into or under a
- b. Evacuating premises. building or tunnel.

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- c. Blocking off an area. 4. Any reading at the outside wall of a building or where the gas
- d. Rerouting traffic. would likely migrate to the outside wall of a building.
- e. Eliminating sources of ignition.
5. Any reading of 80% LEL or
- f. Venting the area, or greater in a confined space.
- g. Stopping the flow of gas by 6. Any reading of 80% LEL, or closing valves or other greater in small substructures means. not associated with gas facilities where the gas would
- h. Notifying police and fire likely migrate to the outside departments. wall of a building.
7. Any leak that can be seen, heard, or felt and which is in a location that may endanger the general public or property.

GRADE 2
DEFINITION

A leak that is recognized as being nonhazardous at the time of detection but justifies scheduled repair based on probable future hazard.

PRIORITY OF LEAK REPAIR EXAMPLES

Leaks should be repaired or A. Leaks requiring action ahead of cleared in one year but shall ground freezing or other not exceed fifteen months from adverse changes in venting the date reported. If a Grade conditions:

2 leak occurs in a segment of pipeline which is under 1. Any leak, which under frozen consideration for replacement, or other adverse soil an additional 6 months may be conditions, would likely added to the 15 months maximum migrate to the outside of a time for repair noted above. In building. determining the repair priority, criteria such as the following B. Leaks requiring action within should be considered: six months:

- a. Amount and migration of 1. Any reading of 40% LEL or gas, greater under a sidewalk in
- b. Proximity of gas to a wall-to-wall paved area buildings and subsurface that does not qualify as a structures, Grade 1 leak and where gas
- c. Extent of pavement, and is likely to migrate to the
- d. Soil type and conditions, outside wall of a building. such as frost cap, moisture and natural venting. 2. Any reading of 100% LEL or greater under a street in a
- Grade 2 leaks shall be re- wall-to-wall paved area that evaluated at least once every six does not qualify as a Grade months until cleared. The 1 leak and where the gas is frequency of reevaluation should be likely to migrate to the determined by the location and outside wall of a building. magnitude of the leakage

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condition. 3. Any reading less than 80% LEL in small substructures
 It should be recognized that not associated with gas Grade 2 leaks will vary greatly facilities where gas would in degree of potential hazard. likely migrate creating a There will be some Grade 2 probable future hazard. leaks, which when evaluated by the above criteria, will justify 4. Any reading between 20% LEL scheduled repair within the next and 80% LEL in a confined 5 working days. Others will space. justify repair within 30 days.
 These situations shall be brought 5. Any reading on a pipeline to the attention of the operating at 30% SMYS or individual responsible for greater in Class 3 or 4 scheduling leakage repair at the locations that does not end of the working day. qualify as a Grade 1 leak.

On the other hand, there will be 6. Any leak which in the many Grade 2 leaks, which because judgment of operating, of their location and magnitude, personnel at the scene is of can be scheduled for repair on a sufficient magnitude to normal routine basis with justify scheduled repair. periodic reinspection as necessary.

GRADE 3 DEFINITION

A leak that is nonhazardous at the time of detection and can reasonably be expected to remain nonhazardous.

PRIORITY OF LEAK REPAIR EXAMPLES

Grade 3 leaks should be re- Leaks requiring reevaluation at evaluated during the next periodic intervals: scheduled survey, or within 15 months of the reporting date, 1. Any reading of less than 80% whichever occurs first, until LEL in small gas associated the leak is regraded or no substructures such as small longer results in a reading, meter boxes or gas valve boxes.

2. Any reading under a street in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building.

3. Any reading of less than 20% LEL in a confined space.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-18601, filed 8/5/92, effective 9/5/92; Order R-103, Table 1 (codified as WAC 480-93-18601), filed 5/18/77.]

WAC 480-93-187 Records and self audit.

(1) Gas leak records. Every gas company shall prepare and maintain permanent gas leak repair records. Sufficient data and information shall be included in leak repair records to permit the commission to assess the adequacy of the company maintenance programs and to provide the data and information needed to complete every required RSPA F-7100.1, F-7100.1-1, F-7100.2, and F-7100.2-1 leak report.

(2) The following data and information shall be recorded and maintained. Every gas company which by law must report leaks to a regulatory agency charged by law with environmental protection shall file copies of those reports with the commission. Data and information which cannot reasonably be expected to be available under the particular circumstances of a leak situation need not be reported, but at a minimum will include the following:

- (a) Date and time detected, date and time reported, date and time and name of employees dispatched, and the date and time the leak was investigated;
 - (b) Date and time the leak was reevaluated before repair, and the name of the employee involved;
 - (c) Date and time of repair, when a Grade 1 leak is involved, and the name of the employee in charge of the repair;
 - (d) Date and time the leak was rechecked after repair and the employee involved;
 - (e) If leak was reportable to an environmental agency, date and time report made to regulatory authority and name of reporting employee;
 - (f) Location of leak (sufficiently described to allow ready location by other competent personnel);
 - (g) Leak grade;
 - (h) Line use (distribution, transmission, etc.);
 - (i) Method of leak detection (if reported by outside party, list name and address);
 - (j) Part of system where leak occurred (main, service, etc.);
 - (k) Part of system which leaked (pipe, valve, fitting, compressor or regulator station, etc.);
 - (l) Material which leaked (steel, plastic, cast iron, etc.);
 - (m) Origin of leak;
 - (n) Pipe description;
 - (o) Type repair;
 - (p) Leak cause;
 - (q) Date pipe installed (if known);
 - (r) Whether under cathodic protection; and
 - (s) Magnitude of CGI readings at appropriate locations which are a part of the classification procedures contained in Table 1 of WAC 480-93-186 (codified as WAC 480-93-18601).
- The data to be recorded on leaks which have been appropriately classified as "Grade 3" may be at the company's discretion, but must include, at a minimum, information necessary to allow for proper follow-up action to be accomplished.

(3) Self audits. In order that the effectiveness of the leak repair program may be evaluated, the following self audits shall be performed by every gas company:

- (a) Repair scheduling - assure that repairs are made within the time specified;
- (b) Repair effectiveness - assure that leak repairs are effective; and
- (c) Check adequacy of records.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-187, filed 8/5/92, effective 9/5/92; Order R-104, § 480-93-187, filed 5/18/77.]

WAC 480-93-188 Gas leak surveys.

(1) Types of gas leak surveys and test methods. Every gas company shall have a leak control program, which shall be determined by the nature of the gas company's system and by existing physical and operating conditions, and which must meet the following minimum requirements. During a gas leak survey, a gas detection instrument shall be conducted over all mains and services, including the testing of the atmosphere in gas, electric, telephone, sewer, water, and other underground structures; at cracks in paving, and in wall-to-wall paved areas, the cracks in sidewalks; at building walls; and at other opportune locations for discovering gas leaks.

(2) Maintenance and calibration of instruments. All instruments used in leak detection and evaluation shall be maintained, calibrated, and operated in accordance with the latest applicable manufacturers' specifications, methods, and procedures unless alternative specifications, methods, and procedures have been approved by an appropriate governmental agency.

(3) Frequency of surveys in designated areas. Gas leakage surveys shall be conducted according to the following specified frequencies:

(a) Business areas - at intervals not exceeding fifteen months, but at least once each calendar year;

(b) Residential areas - as frequently as necessary, but at intervals not exceeding five years;

(c) Buildings of public assembly - at intervals not exceeding fifteen months, but at least once each calendar year;

(d) Special surveys - as required; and

(e) Where the gas system has cast iron, wrought iron, or ductile iron, or noncathodically protected bare steel, galvanized steel, or coated steel pipe - at intervals not exceeding eight months, but at least twice each calendar year.

(4) Business areas and buildings of public assembly. Leakage surveys of business areas and public buildings shall be conducted on the following basis:

(a) All business structures and buildings of public assembly within 100 feet of an active pipeline, whether or not served with gas, shall be considered for survey;

(b) Where gas service lines exist, a survey shall be conducted at the building wall at the point of entrance, using a bar hole if necessary;

(c) Surveys shall be conducted within all buildings where leakage has been detected at the outside wall at all points where escaping gas could be expected to penetrate into and accumulate inside the building; and

(d) Service piping, riser piping and meter(s) shall be checked with soap solution or by use of a gas detection instrument.

(5) Special surveys. Special leakage surveys shall be conducted in the following circumstances:

(a) Prior to paving or resurfacing, following street alterations or repairs, where gas facilities are under the area to be paved, and where there is a substantial probability that damage

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- could have occurred to the gas facilities, an appropriate gas survey, including manholes and other street openings, shall be made;
- (b) In areas of sewer, water, or other substructure construction adjacent to underground gas facilities, where there is a substantial probability that damage could have occurred to the gas facilities, an appropriate gas detection survey shall be made following the completion of installation but prior to paving;
- (c) Unstable soil areas where active gas lines could be affected;
- (d) Special surveys shall be made annually of places of public congregation when an active gas service line serves the building or where active gas service lines or mains are located with such close proximity as to present a possible hazard should leakage occur, for example, churches; schools; and hospitals;
- (e) Special surveys shall be made of abnormal areas. Special surveys shall be conducted in areas of unusual activity, including, but not limited to, foreign construction, possible ground movement, flooding, earthquake, and explosions.
- (6) Leak survey records. For the most current and immediately preceding survey of an area, the following information shall be maintained:
- (a) Description of system and area surveyed (this could include maps and leak survey logs);
- (b) Survey results;
- (c) Survey method;
- (d) Names of those making survey;
- (e) Survey dates; and
- (f) In addition to the above, the following records shall be kept for pressure drop test:
- (i) The name of the gas company, the name of the gas company employee responsible for making the test, and the name of any test company used;
- (ii) Test medium used;
- (iii) Test pressure;
- (iv) Test duration;
- (v) Pressure recording charts, or other record of pressure readings; and
- (vi) Test results.
- (7) Self audits. In order that the effectiveness of the leak detection and repair program may be evaluated, the following self audits shall be performed as frequently as necessary, but at intervals not exceeding three years:
- (a) Leak survey schedule - assure that it is commensurate with the Minimum Federal Safety Standards for gas lines, Subpart M-Maintenance, and the general condition of the pipeline system as required by other applicable regulations;
- (b) Survey effectiveness - evaluate survey results to assure that a consistent evaluation of leaks is being made throughout the system; and
- (c) Check adequacy of records.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-188, filed 8/5/92, effective 9/5/92; Order R-105, § 480-93-188, filed 5/18/77.]

WAC 480-93-190 Being aware of construction work near gas company facilities.

All gas companies shall subscribe to the available "one call locating service" in every area

their facilities are located. Every gas company shall establish procedures for obtaining prompt notice and full information concerning the commencement and progress of all construction work in areas in close proximity to gathering lines, mains, service lines, transmission lines, and other gas facilities. The object of such a program will be to lessen the probability of incurring damage to the company's underground facilities.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-190, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-190, filed 7/15/71; Order R-5, § 480-93-190, filed 6/6/69, effective 10/9/69.]

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

(1) Every gas company shall give prompt telephonic notice to the commission, within six hours of occurrence, of every accident, incident, or hazardous condition, arising out of its operations which:

- (a) Results in a fatality or personal injury requiring hospitalization;
- (b) Results in damage to the property of the company and others of a combined total exceeding five thousand dollars (automobile collisions and other equipment accidents not involving gas or gas handling equipment need not be reported under this rule);
- (c) Is significant, in the judgment of the company, even though it does not meet the criteria of (a) and (b) of this subsection;
- (d) Results in the taking of a high pressure supply or transmission pipeline or a major distribution supply pipeline out of service or lowering its pressure fifty percent or more below its normal operating pressure; or
- (e) Results in the news media reporting the occurrence, even though it does not meet the criteria of (a) through (d) of this subsection.

(2) Such reports shall be verified in detail in writing if not so reported initially and shall include at least the following:

- (a) Name(s) and address(es) of any person or persons injured or killed or whose property was damaged;
- (b) The extent of such injuries and damage;
- (c) A description of the accident, incident, or hazardous condition to include date, time, and place;
- (d) A description of the gas facilities implicated in the accident, incident, or hazardous condition and the system operating pressure at that time, and the maximum operating pressure of the facilities implicated;
- (e) The date and time the gas facility was made safe;
- (f) The date, time, and type of any temporary or permanent repair made; and
- (g) A report shall be available to the commission within three months, upon request, of the failure analysis of any accident, incident, or hazardous condition which was due to construction or material failure.

Routine or planned maintenance and operational activities of the company which result in company controlled plant and equipment shut downs, reduction in system pressures except as noted above, flaring or venting of gas, and normal leak repairs are not to be considered reportable items under this section.

(3) Every gas company shall file a copy of every required RSPA F-7100.1-1 and F-7100.2-1 leak report with the commission. Names and telephone numbers of commission personnel authorized to take telephonic leak reports will be furnished and kept current under a separate letter to every company.

(4) All gas companies shall file with the commission, and with appropriate officials of all municipalities within which such gas companies have facilities, the names, addresses, and telephone numbers of responsible officials of such gas companies who may be contacted in the event of an emergency. In the event of any changes in gas company personnel, immediate notification thereof shall be given to the commission and municipalities.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-200, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-200, filed 7/15/71; Order R-5, § 480-93-200, filed 6/6/69, effective 10/9/69.]

WAC 480-93-210 Interruptions to service.

Interruptions to the service furnished by any gas company to an industrial customer, a master meter customer, or twenty-five or more distribution customers, or the failure of any gas facilities, shall be reported to the commission within six hours. When service has been restored, a written report shall be submitted promptly to the commission detailing the cause of the interruption or failure and steps taken to prevent any recurrence.

This requirement shall not apply to interruptions to service made by gas companies in accordance with the provisions of contracts between such companies and their customers or other planned interruptions carried out in conjunction with normal operational and maintenance requirements of the company.

[Statutory Authority: RCW 80.01.040, 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-210, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-210, filed 7/15/71; Order R-5, § 480-93-210, filed 6/6/69, effective 10/9/69.]

WAC 480-93-220 Rule of precedence.

Where there is any conflict between the provisions of CFR 49, Part 192 (Minimum Federal Natural Gas Pipeline Safety Standards)) in effect on the date specified in WAC 480-93-999 and any rule specifically set forth herein, the former shall govern.

These rules shall take precedence over all orders, heretofore made by the commission, insofar as said orders may be inconsistent with these rules.

These rules shall take precedence over all rules filed or to be filed by gas companies insofar as inconsistent therewith. Rules of the gas companies now on file and inconsistent with the rules herein established shall be properly revised and refiled within sixty days from the effective date of this order.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310, 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-220, filed 9/28/01, effective 10/29/01; Order R-28, § 480-93-220, filed 7/15/71.]

WAC 480-93-223 Civil penalty for violation of RCW 80.28.210 or regulations issued thereunder—Maximum amount.

- (1) Any gas company which violates any public safety provision of RCW 80.28.210 or regulation issued thereunder is subject to a civil penalty not to exceed twenty-five thousand dollars for each violation for each day that the violation persists. The maximum civil penalty under this subsection for a related series of violations is five hundred thousand dollars. This subsection applies to violations of public safety requirements including WAC 480-90-101 and including chapter 480-93 WAC except for WAC 480-93-160 and 480-93-200 (1)(e).
- (2) Any gas company violating any other provision of RCW 80.28.210 or regulations promulgated thereunder, including WAC 480-93-160 and 480-93-200 (1)(e), shall be subject to a civil penalty not to exceed one thousand dollars for each violation for each day that the violation persists, but the maximum civil penalty shall not exceed two hundred thousand dollars for a related series of violations.
- (3) The commission may compromise any civil penalty pursuant to RCW 80.28.210.

[Statutory Authority: RCW 80.01.040. 95-19-057 (Order R-433, Docket No. UG-950625), § 480-93-223, filed 9/15/95, effective 10/16/95.]

WAC 480-93-230 Modification/waivers.

If a gas company determines that an undue hardship or an unsafe condition may result from the application of any rule in this chapter, application may be made to the commission to deviate from the rule. Every request for a deviation shall be accompanied by full and complete justification for such requested deviation. The petitioning company shall describe how it will meet the requirements of this chapter in the absence of the waived rule, which may include proposed amendments to this chapter. Requests for waiver will be written, properly documented, and submitted to the commission. A gas company shall concurrently submit to the commission all petitions for waiver of any gas safety rule filed with the federal government or other governmental authority.

[Statutory Authority: RCW 80.01.040. 92-16-100 (Order R-375, Docket No. UG-911261), § 480-93-230, filed 8/5/92, effective 9/5/92; Order R-28, § 480-93-230, filed 7/15/71; Order R-5, § 480-93-230, filed 6/6/69, effective 10/9/69.]

WAC 480-93-240 Annual pipeline safety fee methodology. (1) Every gas company and every interstate gas pipeline company subject to inspection or enforcement by the commission will pay an annual pipeline safety fee as established in the methodology set forth in section (2) below.

(2) The fee will be set by general order of the commission entered before July 1 of each year and will be collected in four equal installments payable on the first day of each calendar quarter, beginning July 1, 2001.

(a) The total of pipeline safety fees will be calculated to recover the costs of the legislatively authorized workload represented by current appropriations, less the amount received in federal funds

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through the Federal Department of Transportation's Natural Gas Pipeline Safety Program base grant. Federal grants, other than the federal base grant, received by the commission for additional activities not included or anticipated in the legislatively directed workload will not be credited against company pipeline safety fees, nor will the work supported by such grants be considered a cost for purposes of calculating such fees.

(b) Total pipeline fees as determined in subsection (a) will be divided between gas companies and interstate gas pipeline companies based on two components:

(i) The first component is direct assignment of average costs associated with a company's standard inspections, including the average number of inspection days per year, which will be determined annually. Standard inspections are conducted to comply with the state's participation requirement under the "Guidelines for States Participating in the Pipeline Safety Program" of the Federal Department of Transportation, Office of Pipeline Safety.

(ii) The second component is an allocation of the remaining program costs that are not directly assigned in (i). Distribution of these costs between gas companies and interstate gas pipeline companies will be based on miles of transmission lines as defined in WAC 480-93-005(18) and miles of main as defined in WAC 480-93-005(12) operated within Washington state.

(c) The commission general order setting fees pursuant to this rule will detail the allocation of program costs between gas companies and interstate gas pipeline companies, and the specific calculation of each company's pipeline safety fee.

(3) By April 1 of each year every gas company and every interstate gas pipeline company subject to this section must file an annual report as prescribed by the commission that is necessary to establish the annual pipeline safety fee. By June 1 of each year the commission staff will mail to each company subject to this section an annual invoice showing an estimate of the quarterly amounts.

(4) All funds received by the commission for the pipeline safety program will be deposited to the pipeline safety account. For those companies subject to RCW 80.24.010, the portion of the company's total regulatory fee applicable to pipeline safety will be transferred from the public service revolving fund to the pipeline safety account.

(5) Any company wishing to contest the amount of the fee imposed under this section must pay the fee and, within 6 months of the due date of the fee, file a petition in writing with the commission requesting a refund. The petition must state the name of the petitioner; the date and the amount paid, including a copy of any receipt, if available; the amount of the fee that is contested; and any reasons why the commission may not impose the fee. The commission may grant the petition administratively or may set the petition for adjudication or for brief adjudication.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 2001 c

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238 § 2. 02-03-016 (Docket No. UG-010522, General Order No. R-497), § 480-93-240, filed 1/4/02, effective 2/4/02.]

WAC (12/17/01 9:18 AM) []

WAC 480-93-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission branch of the Washington state library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

Title 49 Code of Federal Regulations, cited as 49 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(1) The commission adopts the version in effect on July 1, 2001.

(2) This publication is referenced in WAC 480-93-005, 480-93-010, 480-93-015, 480-93-110, 480-93-124, 480-93-155, 480-93-180 and 480-93-220.

(3) Copies of Title 49 Code of Federal Regulations are available from the Seattle office of the Government Printing Office and from various third-party vendors.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-93-999, filed 9/28/01, effective 10/29/01.]

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UG-010522 Attachment A**NEW SECTION****480-93-240 Annual pipeline safety fee methodology**

- (1) Every gas company and every interstate gas pipeline company subject to inspection or enforcement by the commission will pay an annual pipeline safety fee as established in the methodology set forth in section (2) below.
- (2) The fee will be set by general order of the commission entered before July 1 of each year and will be collected in four equal installments payable on the first day of each calendar quarter, beginning July 1, 2001.
 - (a) The total of pipeline safety fees will be calculated to recover the costs of the legislatively authorized workload represented by current appropriations, less the amount received in federal funds through the Federal Department of Transportation's Natural Gas Pipeline Safety Program base grant. Federal grants, other than the federal base grant, received by the commission for additional activities not included or anticipated in the legislatively directed workload will not be credited against company pipeline safety fees, nor will the work supported by such grants be considered a cost for purposes of calculating such fees.
 - (b) Total pipeline fees as determined in subsection (a) will be divided between gas companies and interstate gas pipeline companies based on two components:
 - (i) The first component is direct assignment of average costs associated with a company's standard inspections, including the average number of inspection days per year, which will be determined annually. Standard inspections are conducted to comply with the state's participation requirement under the "Guidelines for States Participating in the Pipeline Safety Program" of the Federal Department of Transportation, Office of Pipeline Safety.
 - (ii) The second component is an allocation of the remaining program costs that are not directly assigned in (i). Distribution of these costs between gas companies and interstate gas pipeline companies will be based on miles of transmission lines as defined in WAC 480-93-005 (18) and miles of main as defined in WAC 480-93-005 (12) operated within Washington state.

- (c) The commission general order setting fees pursuant to this rule will detail the allocation of program costs between gas companies and interstate gas pipeline companies, and the specific calculation of each company's pipeline safety fee.
- (3) By April 1 of each year every gas company and every interstate gas pipeline company subject to this section must file an annual report as prescribed by the Commission that is necessary to establish the annual pipeline safety fee. By June 1 of each year the commission staff will mail to each company subject to this section an annual invoice showing an estimate of the quarterly amounts.
- (4) All funds received by the commission for the pipeline safety program will be deposited to the pipeline safety account. For those companies subject to RCW 80.24.010, the portion of the company's total regulatory fee applicable to pipeline safety will be transferred from the public service revolving fund to the pipeline safety account.
- (5) Any company wishing to contest the amount of the fee imposed under this section must pay the fee and, within 6 months of the due date of the fee, file a petition in writing with the commission requesting a refund. The petition must state the name of the petitioner; the date and the amount paid, including a copy of any receipt, if available; the amount of the fee that is contested; and any reasons why the commission may not impose the fee. The commission may grant the petition administratively or may set the petition for adjudication or for brief adjudication.

UG-010522 Attachment B**NEW SECTION****480-75-240 Annual pipeline safety fee methodology**

- (1) Every hazardous liquid pipeline company subject to inspection or enforcement by the commission will pay an annual pipeline safety fee as established in the methodology set forth in section (2) below.
- (2) The fee will be set by general order of the commission entered before July 1 of each year and will be collected in four equal installments payable on the first day of each calendar quarter, beginning July 1, 2001.
 - (a) The total of pipeline safety fees will be calculated to recover the costs of the legislatively authorized workload represented by current appropriations, less the amount received in federal funds through the Federal Department of Transportation's Hazardous Liquids Pipeline Safety Program base grant. Federal grants, other than the federal base grant, received by the commission for additional activities not included or anticipated in the legislatively directed workload will not be credited against company pipeline safety fees, nor will the work supported by such grants be considered a cost for purposes of calculating such fees.
 - (b) Total pipeline fees as determined in (a) will be divided between intrastate hazardous liquid pipeline companies and interstate hazardous liquid pipeline companies based on two basic components:
 - (i) The first component is direct assignment of average costs associated with a company's standard inspections, including the average number of inspection days per year which will be determined annually. Standard inspections are conducted to comply with the state's participation requirement under the "Guidelines for States Participating in the Pipeline Safety Program" of the Federal Department of Transportation, Office of Pipeline Safety.
 - (ii) The second component is an allocation of the remaining program costs that are not directly assigned in (i). Distribution of these costs between interstate and intrastate hazardous liquid pipeline companies will be based on miles of pipeline operated within Washington state.
- (b) The commission general order setting fees pursuant to this rule will detail the allocation of program costs between interstate and intrastate hazardous

liquid companies and the specific calculation of each company's pipeline fee.

- (3) By April 1 of each year every hazardous liquids pipeline company subject to this section must file an annual report as prescribed by the commission that is necessary to establish the annual pipeline safety fee. By June 1 of each year the commission staff will mail to each company subject to this section an annual invoice showing an estimate of the quarterly amounts.
- (4) All funds received by the commission for the pipeline safety program will be deposited to the pipeline safety account. For those companies subject to RCW 81.24.010 the portion of the company's total regulatory fee applicable to pipeline safety will be transferred from the public service revolving fund to the pipeline safety account.
- (5) Any company wishing to contest the amount of the fee imposed under this section must pay the fee and, within 6 months of the due date of the fee, file a petition in writing with the commission requesting a refund. The petition shall state the name of the petitioner; the date and the amount paid, including a copy of any receipt, if available; the amount of the fee that is contested; and any reasons why the commission may not impose the fee. The commission may grant the petition administratively or may set the petition for adjudication or for brief adjudication.

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Design and construction standards for new intrastate natural gas & crude oil/petroleum product transmission lines > 15 miles	Energy Facility Site Evaluation Council (EFSEC)
Design and construction standards for new intrastate natural gas crude oil/petroleum product retail lines and transmission lines < 15 miles	Utilities & Transportation Commission (UTC)
Design and construction standards for interstate natural gas lines	Federal Energy Regulatory Commission
Design and construction standards for interstate natural gas & crude oil/ petroleum product lines	U.S. DOT Office of Pipeline Safety (OPS) UTC = (inspection only)
Safe operations & maintenance of existing intrastate pipelines	UTC
Safe operations & maintenance of existing interstate pipelines	OPS & UTC
Land use, zoning & easement maintenance of easements	Local government Pipeline operators
Environmental Damages	Department of Ecology & Environmental Protection Agency/EFSEC for future lines sited under EFSEC jurisdiction
Violations of one-call notification & prevention requirements	No state agency is clearly authorized to enforce - Defaults to Attorney General's Office
Placement of Interstate Line Markers Placement of Intrastate Line Markers Damage/Removal of Line Markers	OPS UTC Pipeline operators & courts

Special thanks to the Fuel Accident Prevention and Response Team (FAPRT) for creating this document.

Last modified on 05/06/2002

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U.S. DEPARTMENT OF TRANSPORTATION
GAS PIPELINE SAFETY PROGRAM
INTERSTATE PIPELINE TRANSPORTATION AGREEMENT

2000

This agreement, entered into by and between the Department of Transportation (DOT), Research and Special Programs Administrator (Administrator), and the WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION (State Authority):

WHEREAS, Section 60102 of Title 49 of the United States Code (49 U.S.C.), authorizes the Secretary of Transportation (the Secretary) to prescribe safety standards for the transportation of gas by pipeline;

WHEREAS, the Administrator, acting pursuant to delegations from the Secretary, has established minimum Federal safety standards, applicable to the pipeline transportation of gas, found in 49 CFR Parts 191, 192, 193, and 199;

WHEREAS, Section 60120 of 49 U.S.C., authorizes the Administrator to enforce pipeline safety standards;

WHEREAS, in order to assure public safety regarding the pipeline transportation of gas, the Administrator seeks to ensure compliance with the prescribed Federal safety standards;

WHEREAS, Section 60117(c) of 49 U.S.C. authorizes the Administrator to grant officers, employees, or agent of the Administrator the authority to conduct inspections of pipeline operators and facilities for the purpose of ensuring compliance with the Federal safety standards;

WHEREAS, the Administrator seeks to confer upon the State Authority the authority to participate in the interstate pipeline safety program, with the Office of Pipeline Safety (OPS), to ensure compliance with the Federal safety standards;

WHEREAS, the State Authority has obtained and is exercising jurisdiction, under Section 60105(a) of 49 U.S.C., over all intrastate operators subject to the Act;

WHEREAS, the State Authority has demonstrated, to the satisfaction of OPS, that it is performing all duties and

responsibilities assigned under its Section 60105(a) certification;
and

WHEREAS, the State Authority has committed to maintain an equivalent level of oversight of intrastate pipeline transportation; and

WHEREAS, the State Authority seeks to promote pipeline safety, as demonstrated by its participation in Section 60105(a) certification, and is willing to participate in oversight of interstate pipeline transportation in this State;

THEREFORE, it is mutually agreed as follows:

I. The Administrator, acting through OPS, shall:

A. Cooperate with and assist the State in developing an interstate pipeline safety program that is complementary to the Federal program;

B. Provide technical assistance to the State Authority;

C. Act on cases referred by the State Authority for enforcement within 90 days of the referral by initiating an enforcement action, seeking additional information from the State Authority, notifying the State Authority of any delay in initiation, or declining to initiate action;

D. Keep the State Authority informed of progress towards resolution of enforcement cases;

E. Provide training to the State Authority for the purpose of meeting the conditions of this agreement.

F. Provide the State Authority information needed to carry out its program.

II. The State Authority shall:

A. Follow the practices and procedures published in the current edition of Guidelines for States Participating in the Pipeline Safety Program (Guidelines) and any future additions or modifications which OPS may adopt;

B. Cooperate fully in the Federal evaluation of the State's pipeline safety program, to enable the Administrator to assess the State's compliance with the terms of this agreement;

C. Meet the training requirements for State inspection personnel as outlined in Chapter 4 of the Guidelines applicable to gas pipelines;

D. Assure that, unless waived by the Administrator, State employees involved in the interstate pipeline safety program, including its supervision, do not have financial interests (including employment or contractual relations, but not including retirement programs) in any interstate or intrastate pipeline facility subject to the jurisdiction of Section 60102 of 49 U.S.C.;

E. Obtain OPS approval prior to contracting out any portion of the responsibilities assumed under this agreement;

F. Agree to assume responsibility for and carry out, on behalf of the Administrator, the following actions as further defined in an annual plan as they relate to interstate pipeline transportation:

1. INCIDENT RESPONSE/INVESTIGATIONS:

- a. Respond to incidents at the request of the Regional Director, OPS. Follow OPS guidance on incident coordination procedures.
- b. Follow additional specific requirements for participating in the investigation of an incident as described in the Guidelines, Appendix C, Part V - B: "Federal/State Accident Coordination Procedures." These procedures provide clarification, information, and guidance as to how OPS and the State Authority shall perform their respective roles. However, OPS holds final authority for defining those respective roles.
- c. Witness testing or inspection done by the operator following an incident and evaluate results as needed.
- d. Report noncompliances and hazardous conditions to OPS.

2. SAFETY RELATED CONDITION REPORT/CONTINUOUS MONITORING:

- a. Investigate and monitor corrective measures with respect to reported safety-related conditions, and other local conditions that increase risks to the pipeline.

3. CONSUMER/LOCAL GOVERNMENTAL COMPLAINTS

- a. Handle local complaints and related inquiries. If the complaint or inquiry is sensitive or has multi-state implications, consult with OPS.
 - b. Consistent with state law, refer to OPS requests for enforcement materials involving interstate pipelines inspected under the authority of this agreement.
4. PIPELINE CONSTRUCTION:
- a. Monitor pipeline construction and report noncompliance with design and construction standards to OPS.
5. OPERATIONS AND MAINTENANCE TEAM INSPECTIONS:
- a. Participate in team inspections by OPS of the operation and maintenance practices of interstate pipelines. Upon consultation with OPS, the state authority may conduct an inspection without OPS participation.
 - b. Keep OPS fully informed of any state review of operators' written plans and of all other operation and maintenance inspections conducted by state inspectors.
6. RISK MANAGEMENT DEMONSTRATION AUDITS (IN-STATE):
- a. Participate in audits of risk management demonstration projects relating to pipelines in the State.
7. SPECIAL PROJECTS: Damage Prevention and Communication with Local Officials.
- a. Subject to agreement by OPS, participate in special projects that address damage prevention issues, improve response planning and procedures, and improve communication with local authorities.
 - g. The State Authority agrees to work with the OPS Regional Director to establish an annual plan for assessing needs, identifying special projects and activities, and conducting and documenting the above activities.

III. It is mutually agreed:

- A. The terms "interstate pipeline transportation," "pipeline facilities," and "State" as used in this agreement have the meaning prescribed in Section 60101 of 49 U.S.C.

B. If a State Authority does not follow the procedures and practices of the Guidelines, or the requirements of this agreement, the Administrator may terminate the agreement. Before issuing a written notice of termination, the Administrator shall provide an opportunity for the State Authority to correct any failure to comply with any provision of this agreement. If the State Authority still does not comply, the Administrator shall provide a written notice 30 days prior to terminating this agreement and shall further provide an opportunity for a hearing.

C. The State Authority shall give the Administrator at least 30 days notice of its intention to terminate this agreement.

In witness whereof, the signature of the State Authority is hereby affixed on this 9th day of June 2000, and of the Administrator is hereby affixed on this 9th day of June 2000.

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

BY

Carole J. Washburn
Official Signature

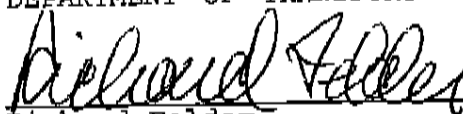
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ADMINISTRATOR, RESEARCH AND
SPECIAL PROGRAMS ADMINISTRATION,
DEPARTMENT OF TRANSPORTATION

BY



Richard Felder
Associate Administrator for
Pipeline Safety,
Research and Special Programs
Administration, DOT

U.S. DEPARTMENT OF TRANSPORTATION
HAZARDOUS LIQUID PIPELINE SAFETY PROGRAM
INTERSTATE PIPELINE TRANSPORTATION AGREEMENT

2000

This agreement, entered into by and between the Department of Transportation (DOT), Research and Special Programs Administrator (Administrator), and the WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION (State Authority):

WHEREAS, Section 60102 of Title 49 of the United States Code (49 U.S.C.), authorizes the Secretary of Transportation (the Secretary) to prescribe safety standards for the transportation of hazardous liquids by pipeline;

WHEREAS, the Administrator, acting pursuant to delegations from the Secretary, has established minimum Federal safety standards, applicable to the pipeline transportation of hazardous liquids, found in 49 CFR Parts 195 and 199;

WHEREAS, Section 60120 of 49 U.S.C., authorizes the Administrator to enforce pipeline safety standards;

WHEREAS, in order to assure public safety regarding the pipeline transportation of hazardous liquids, the Administrator seeks to ensure compliance with the prescribed Federal safety standards;

WHEREAS, Section 60117(c) of 49 U.S.C. authorizes the Administrator to grant officers, employees, or agent of the Administrator the authority to conduct inspections of pipeline operators and facilities for the purpose of ensuring compliance with the Federal safety standards;

WHEREAS, the Administrator seeks to confer upon the State Authority the authority to participate in the interstate pipeline safety program, with the Office of Pipeline Safety (OPS), to ensure compliance with the Federal safety standards;

WHEREAS, the State Authority has obtained and is exercising jurisdiction, under Section 60105(a) of 49 U.S.C., over all intrastate operators subject to the Act;

WHEREAS, the State Authority has demonstrated, to the satisfaction of OPS, that it is performing all duties and

responsibilities assigned under its Section 60105(a) certification;
and

WHEREAS, the State Authority has committed to maintain an equivalent level of oversight of intrastate pipeline transportation; and

WHEREAS, the State Authority seeks to promote pipeline safety, as demonstrated by its participation in Section 60105(a) certification, and is willing to participate in oversight of interstate pipeline transportation in this State;

THEREFORE, it is mutually agreed as follows:

I. The Administrator, acting through OPS, shall:

A. Cooperate with and assist the State in developing an interstate pipeline safety program that is complementary to the Federal program;

B. Provide technical assistance to the State Authority;

C. Act on cases referred by the State Authority for enforcement within 90 days of the referral by initiating an enforcement action, seeking additional information from the State Authority, notifying the State Authority of any delay in initiation, or declining to initiate action;

D. Keep the State Authority informed of progress towards resolution of enforcement cases;

E. Provide training to the State Authority for the purpose of meeting the conditions of this agreement.

F. Provide the State Authority information needed to carry out its program.

II. The State Authority shall:

A. Follow the practices and procedures published in the current edition of Guidelines for States Participating in the Pipeline Safety Program (Guidelines) and any future additions or modifications which OPS may adopt;

B. Cooperate fully in the Federal evaluation of the State's pipeline safety program, to enable the Administrator to assess the State's compliance with the terms of this agreement;

C. Meet the training requirements for State inspection personnel as outlined in Chapter 4 of the Guidelines applicable to gas pipelines;

D. Assure that, unless waived by the Administrator, State employees involved in the interstate pipeline safety program, including its supervision, do not have financial interests (including employment or contractual relations, but not including retirement programs) in any interstate or intrastate pipeline facility subject to the jurisdiction of Section 60102 of 49 U.S.C.;

E. Obtain OPS approval prior to contracting out any portion of the responsibilities assumed under this agreement;

F. Agree to assume responsibility for and carry out, on behalf of the Administrator, the following actions as further defined in an annual plan as they relate to interstate pipeline transportation:

1. INCIDENT RESPONSE/INVESTIGATIONS:

- a. Respond to incidents at the request of the Regional Director, OPS. Follow OPS guidance on incident coordination procedures.
- b. Follow additional specific requirements for participating in the investigation of an incident as described in the Guidelines, Appendix C, Part V - B: "Federal/State Accident Coordination Procedures." These procedures provide clarification, information, and guidance as to how OPS and the State Authority shall perform their respective roles. However, OPS holds final authority for defining those respective roles.
- c. Witness testing or inspection done by the operator following an incident and evaluate results as needed.
- d. Report noncompliances and hazardous conditions to OPS.

2. SAFETY RELATED CONDITION REPORT/CONTINUOUS MONITORING:

- a. Investigate and monitor corrective measures with respect to reported safety-related conditions, and other local conditions that increase risks to the pipeline.

3. CONSUMER/LOCAL GOVERNMENTAL COMPLAINTS

- a. Handle local complaints and related inquiries. If the complaint or inquiry is sensitive or has multi-state implications, consult with OPS.
- b. Consistent with state law, refer to OPS requests for enforcement materials involving interstate pipelines inspected under the authority of this agreement.

4. PIPELINE CONSTRUCTION:

- a. Monitor pipeline construction and report noncompliance with design and construction standards to OPS.

5. OPERATIONS AND MAINTENANCE TEAM INSPECTIONS:

- a. Participate in team inspections by OPS of the operation and maintenance practices of interstate pipelines. Upon consultation with OPS, the state authority may conduct an inspection without OPS participation.
- b. Keep OPS fully informed of any state reviews of operators' written plans and of all other operation and maintenance inspections conducted by the state inspectors.

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- a. Participate in audits of risk management demonstration projects relating to pipelines in the State.

7. SPECIAL PROJECTS: Damage Prevention and Communication with Local Officials.

- a. Subject to agreement by OPS, participate in special projects that address damage prevention issues, improve response planning and procedures, and improve communication with local authorities.

g. The State Authority agrees to work with the OPS Regional Director to establish an annual plan for assessing needs, identifying special projects and activities, and conducting and documenting the above activities.

III. It is mutually agreed:

A. The terms "interstate pipeline transportation," "pipeline facilities," and "State" as used in this agreement have the meaning prescribed in Section 60101 of 49 U.S.C.

B. If a State Authority does not follow the procedures and practices of the Guidelines, or the requirements of this agreement, the Administrator may terminate the agreement. Before issuing a written notice of termination, the Administrator shall provide an opportunity for the State Authority to correct any failure to comply with any provision of this agreement. If the State Authority still does not comply, the Administrator shall provide a written notice 30 days prior to terminating this agreement and shall further provide an opportunity for a hearing.

C. The State Authority shall give the Administrator at least 30 days notice of its intention to terminate this agreement.

In witness whereof, the signature of the State Authority is hereby affixed on this 9th day of June 2000, and of the Administrator is hereby affixed on this 9th day of June 2000.

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

BY *Carol J. Strickland*
Official Signature

ADMINISTRATOR, RESEARCH AND
SPECIAL PROGRAMS ADMINISTRATION,
DEPARTMENT OF TRANSPORTATION

BY *Richard Felder*
Richard Felder
Associate Administrator for
Pipeline Safety,
Research and Special Programs
Administration, DOT