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Docket Management Facility: U.S. Department of Transportation (DOT)
1200 New Jersey Avenue SE., West Building, Room W12-140
Washington, DC 20590-0001

RE: **Docket No. PHMSA-2015-0205**
Pipeline Safety: Information Collection Activities – Incident Reports

Gentlemen:

DTE Gas Company (DTE Gas) is an intrastate natural gas transmission and distribution pipeline operator and an operating subsidiary of DTE Energy, a Detroit-based diversified energy company involved in the development and management of energy-related businesses and services nationwide. DTE Gas serves over 1.2 million customers in Michigan, and is pleased to have the opportunity to submit the following comments relating to the Notice and Request for Comments appearing in the **Federal Register** on May 13, 2016 (81 FR 29943):

DTE Gas offers these comments and suggestions for consideration by PHMSA:

Form PHMSA F 7100.1: Incident Report – Gas Distribution System.

1. Time Zone and Daylight Savings

We do not believe these new requirements would impose undue hardship or burden since the information should be readily available. As an editorial comment, the proper reference in Part A4.b should be “Daylight Saving,” not “Daylight Savings.”

2. Remove “Incident Resulted From” Question

The definition of *incident* in § 191.5 includes the criterion “Significant Event, even if there was no release of gas.” DTE Gas has had experience in this regard, and have found it burdensome to explain there was no release of gas although the event was still classified as an “incident” under § 191.5. PHMSA should retain the ability for operators to report NO RELEASE OF GAS or a volume of “zero” MCF in the form, particularly in proposed Parts A7 and A8.

3. Volume Released

We reiterate our comment in Item 2 above. The data verification logic for electronic submittal of the Form PHMSA F7100.1 must allow for the possibility of “zero” volume being released, whether the release was intentional or unintentional.

4. Part A Reorganization and Detailed Questions About Incident Response

We believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. However, provision should be made in Parts A21.a and A21.c for “*UNKNOWN*,” since there is not always a witness to record the time of gas ignition. We do not believe that estimates of these data points serve any useful purpose.

5. Multiple National Response Center Reports

We believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. We note that there does not appear to be a data entry field provided for the **Initial Operator NRC Report Number** in Part A19, and we suggest the restoration of this data field in the final version of the Form PHMSA F 7100.1.

6. Flow Control Instead of Shutdown

We believe the statement in the Federal Register Notice for this Information Collection Activity inferring that gas distribution systems are not typically shut down during an incident is inaccurate. While it is true that operators generally wish to minimize the effect of incidents on customer supply, portions of the gas distribution system may be isolated and shut down to make repairs by closing valves or by squeezing pipe on both sides of the damage. However, there are infrequent occurrences of having to shut down an entire distribution system. Perhaps this is only a matter of terminology, but the Form PHMSA F 7100.1 must accept all of these situations.

7. Area of Incident Selections

We believe this new requirement would not impose undue hardship or undue burden since the information should be relatively easily to obtain and readily available. We suggest that the ability to report “*zero*” cover in Part B33.a be addressed in the data verification algorithm.

8. Other Underground Facilities

We believe this new requirement in Part B3.b would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

9. Water Crossing Details

We believe this new requirement in Part B4 would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

10. Part of System and Age of Failed Item

We believe these new requirements in Parts C2.a and C2.b would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

11. Service Line Excess Flow and Shut-Off Valves

We believe these new requirements in Parts C2.c, C2.d, C2.e and C2.f would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. However, we believe the option “*Unknown*” must be added to Part C2.e since, depending on the circumstances of the incident and the actions that may initially be taken by persons other than the operator prior to the arrival of operator personnel, there may not be sufficient evidence to discern if an EFV activated.

12. Cost of Gas

While we believe the new requirement in Part D2 to provide the Cost of Gas would not impose undue hardship or burden to report, we suggest the it be made clear in the Instructions for the Form PHMSA F 7100.1 that this Cost of Gas is the COMMODITY unit cost rather than the billed unit cost, exclusive of operator overheads and taxes.

We believe the change in requirement in Part D2.c from the cost of the operator's emergency response to the cost of ALL emergency response is unduly burdensome. Operators must not be expected to track down every emergency responder involved in an incident in an effort to collect their costs. We believe this would be virtually impossible to complete within the 30-day limit for submission of Incident Reports and would result in numerous supplemental reports, each with their own burden. We urge PHMSA to restore Part D2.c to require reporting only of the operator's emergency response.

13. Details About Consequences

We believe the existing requirements to report injuries and fatalities in Parts A9 and A10, respectively, are already burdensome enough. We believe a distribution system operator must not be expected to chase ambulances to determine how many on-site treatments were administered by EMTs, or treated at medical facilities without admission. We urge PHMSA to remove these sub-categorizations in Parts D4 and D5 from the final version of the Form PHMSA F7100.1 covered by this Information Collection Request.

We believe that it would be virtually impossible for an operator to accurately estimate the volume of gas consumed by fire during an incident. To determine this volume an operator would need to know the instant the gas ignited, the pressure and flow dynamics of the pipeline from which the gas was escaping at that moment, and the instant the fire was extinguished. We reiterate our comment in Item 4 above and urge PHMSA to remove these requirements in Parts A21.a and A21.c from the final version of the Form PHMSA F7100.1 covered by this Information Collection Request.

We request that the requirements in Parts D6 and D7 to report the number of residential buildings and business buildings “affected” (damaged, evacuated, or experiencing service interruption) by an incident be removed from the Information Collection Request. We believe it to be an unduly burdensome for an operator to be expected to perform a building census to determine if buildings were “affected” in any way. We believe the estimated burden of this new requirement is woefully understated and inadequate, particularly for large-scale incidents.

We believe it to be unduly burdensome, if not outright impossible, for an operator to determine the number of persons evacuated and the duration of each person's evacuation in order to provide a mathematical average length of evacuation for Part A23. We strongly urge PHMSA to remove this required data point from the final version of the Form PHMSA F7100.1 covered by this Information Collection Request, as we believe that providing estimates or guesses of that average serve no useful purpose.

14. Method and Date of Establishing Maximum Pressure

We believe the new requirement in Part D3.b for an operator to provide the date that the system MAOP was established serves no useful purpose. The MAOP of a distribution system either meets the requirements of § 192.619 or it does not; the data already being provided in Parts E2 and E3 is adequate to determine this.

We note that the threshold of 110 percent of the MAOP is not appropriate for all distribution systems. We recommend that PHMSA incorporate the pressure limits allowed in § 192.201(a) and make provisions for those limits including pipelines operating at or above 12 psig but less than 60 psig, and those operating below 12 psig.

15. Odorization

We question the relevance of the type of odorization system used for gas at the point of failure required in Part E5, and PHMSA provides no basis for the usefulness of the data. We suggest that E5 be simplified to a YES/NO answer to the question of whether the gas was odorized in accordance with § 192.625, and that Part E6 be eliminated from this Information Collection Request.

16. External Corrosion and Stray Current

We believe the Information Collection as proposed would impose undue hardship and burden on operators since the information regarding the type and source of Stray Current required in Parts G1.2.a and G1.2.b may not be easily obtained or readily available within the 30-day reporting period under § 191.9(a). We also question the utility of this data; it ought to be sufficient to report the type of corrosion in Part G1.2. The determination of the type and source of Stray Current Corrosion typically requires metallurgical analysis and a comprehensive investigation of the pipe environment over a period likely well in excess of 30 days. We believe it is not in anyone's interest to file supplemental Incident Reports to add or correct information not readily available at the time of the incident. We urge PHMSA to remove Parts G1.2.a and G1.2.b from this Information Collection Request.

17. Natural Force Damage Additional Sub-Causes

We believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. We understand from the *Instructions* that damages where High Winds topple trees or vegetation and cause Tree/Vegetation Roots to pull and damage distribution mains or service lines are to be reported under **Part G4, Other Outside Force Damage**, rather than under **Part G2, Natural Forces**, and request that PHMSA confirm this is the intent of the *Instructions*.

18. Excavation Details for All Excavation Damage

We are unable to identify new reporting requirements relating to First, Second, or Third Party excavation damage. Part G3 of Form PHMSA 7100.1 already contains this requirement. Perhaps this was an oversight by PHMSA, as the new requirements for reporting exemptions of excavators from State law only apply to Third Party excavators.

19. State Damage Prevention Law Exemptions

We believe these new requirements for exemptions of excavators from State law in Parts G3.3.b and G3.3.c would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

20. Other Outside Force Damage Additional Sub-Cause

We believe the inclusion of two new Sub-Cause categories in Part G4 would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

21. Vehicular Damage Additional Details

We do not believe it is an operator's responsibility to investigate and determine whether a driver violated laws on the way to damaging a pipeline, and expect that PHMSA will likely be receiving many reports showing "UNKNOWN" for these data points. With the substantial information regarding date, time, address, county, state, and geographic coordinates for the incident already being gathered and submitted by operators, it should be a simple matter for PHMSA to contact law enforcement entities and obtain the necessary reports and information PHMSA claims to need. We urge PHMSA to remove Parts G4.7 through G4.10 from this Information Collection Request.

22. Overhaul Mechanical and Compression Fittings

We believe that the reporting of this additional and substantial data set in Part G5 for ALL failures of mechanical fittings is, in light of the requirements under § 192.1009 to report failures of mechanical fitting failures resulting in hazardous leaks, unduly burdensome for operators. We strongly urge PHMSA to seriously consider ELIMINATION of the requirement to submit Form PHMSA F 7100.1-2 for failures of mechanical fittings that result in hazardous leaks under § 192.1009, and instead require reporting of failures of mechanical fittings that result in INCIDENTS under Part G5 of Form PHMSA F 7100.1. If this is beyond the scope of the current Information Collection Request, the additional data submission requirements proposed in Part G5 for mechanical fittings should be removed until a new Information Collection Request can be opened.

23. Valve Material

While we believe the submission of most of this information would not impose undue hardship or burden, we urge PHMSA to provide a selection "UNKNOWN" in Part G6.4b for **Manufactured by** and in Part G6.4c for **Year Manufactured** since these data may not be known or able to be determined, particularly where legacy pipelines are involved.

24. Contributing Factors

We believe the basis for reporting the new data set in Part J is unduly burdensome and in excess of the recommendations made by the NTSB in their January 2015 safety study report *Integrity Management of Gas Transmission Pipelines in High Consequence Areas*. The recommendations do not apply to gas distribution systems, so the basis for mandating this data submission is inoperative. We urge PHMSA to remove this requirement from this Information Collection Request.

Form PHMSA F 7100.2: Incident Report – Natural and Other Gas Transmission and Gathering Pipeline Systems.

1. Change Form Name

We believe this change would not impose undue hardship or additional burden on operators.

2. Time Zone and Daylight Savings

We do not believe these new requirements would impose undue hardship or burden since the information should be readily available. As an editorial comment, the proper reference in Part A4.b should be “Daylight Saving,” not “Daylight Savings.”

3. Remove “Incident Resulted From”

The definition of *incident* in § 191.5 includes the criterion “Significant Event, even if there was no release of gas.” DTE Gas has had experience in this regard, and have found it burdensome to explain there was no release of gas although the event was still classified as an “incident” under § 191.5. PHMSA should retain the ability for operators to report NO RELEASE OF GAS or LIQUID, or a volume of “zero” MCF or Barrels in the form, particularly in proposed Parts A7, A8, and A9.

4. Operational Status

We do not believe these new requirements in Part A15 would impose undue hardship or burden since the information should be readily available.

5. Part A Reorganization and Detailed Questions About Incident Response

We believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. However, provision should be made in Parts A21.a and A21.c for “*UNKNOWN*,” since there is not always a witness to record the time of gas ignition. We do not believe that estimates of these data points serve any useful purpose.

6. Multiple NRC Reports

We believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. We note that there does not appear to be a data entry field provided for the **Initial Operator NRC Report Number** in Part A20.b, and we suggest the restoration of this data field in the final version of the Form PHMSA F 7100.2.

7. Flow Control and Valve Closures

While we believe this requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available, we suggest adding “*Not Applicable - One-Way Feed*,” “*Not Applicable – No Downstream Valve*,” or similar language in Parts A22.d through A22.f for situations where there is no downstream isolation valve.

8. Area of Incident Selections

DTE Gas has experienced situations where a pipeline facility was involved that had no unique milepost or survey station associated with it, or had multiple mileposts or survey stations associated with it due to it being a junction of several pipelines. Part B6 should be expanded to allow for free-form entry of a facility name, such as “*Smith Valley Compressor Station*” or “*Block Valve 46*,” since operator-designated locations do not always have a milepost or survey station associated with them. In this case, Part B7 should be able to accept “*None*” or “*Not Applicable*” in the data verification process.

9. Other Underground Facilities

We believe this new requirement in Part B10.b would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

10. Outer Continental Shelf Regions

DTE Gas has no comment on this section.

11. Item Involved and Age of Failed Item

We urge PHMSA to include “*Unknown*” as a response option for each subpart starting with Part C2 and running through Part C5.

12. Additional Integrity Management Consequences

We believe the mandate to collect this additional information would impose undue hardship and burden to operators since the information would likely be difficult if not impossible to obtain, and may not be readily available to an operator. Determining the CAUSE of fatality or injury for Part D6 may be considered private health information, and our experience is that hospitals and health care facilities are often reluctant or legally restrained from releasing this information. We believe that providing the number of fatalities and injuries really ought to be enough for PHMSA to analyze the personal cost of an incident.

13. Cost of Gas

While we believe the new requirement in Part D7 to provide the Cost of Gas would not impose undue hardship or burden to report, we suggest the it be made clear in the *Instructions* for the Form PHMSA F 7100.2 that this Cost of Gas is the COMMODITY unit cost rather than the billed unit cost, exclusive of operator overheads and taxes.

14. Details About Consequences

We believe the existing requirements to report fatalities and injuries in Parts A10 and A11, respectively, are already burdensome enough. We believe a transmission or gathering system operator must not be expected to chase ambulances to determine how many on-site treatments were administered by EMTs, or treated at medical facilities without admission, to satisfy these new requirements in Parts D8 and D9. We urge PHMSA to remove these sub-categorizations in Parts D8 and D9 from the final version of the Form PHMSA F7100.2 covered by this Information Collection Request.

We believe that it would be virtually impossible for an operator to accurately estimate the volume of gas consumed by fire during an incident. To determine this volume an operator would need to know the instant the gas ignited, the pressure and flow dynamics of the pipeline from which the gas was escaping at that moment, and the instant the fire was extinguished. We reiterate our comment in Item 5 above and urge PHMSA to remove these requirements in Parts A21.a and A21.c from the final version of the Form PHMSA F7100.2 covered by this Information Collection Request.

We request that the requirements in Parts D10 and D11 to report the number of residential buildings and business buildings “affected” (damaged, evacuated, or experiencing service interruption) by an incident be removed from the Information Collection Request. We believe it to be an unduly burdensome for an operator to be expected to perform a building census to determine if buildings were “affected” in any way. We believe the estimated burden of this new requirement is woefully understated and inadequate, particularly for large-scale incidents.

We believe it to be unduly burdensome, if not outright impossible, for an operator to determine the number of persons evacuated and the duration of each person’s evacuation in order to provide a mathematical average length of evacuation for Part A24. We strongly urge PHMSA to remove this required data point from the final version of the Form PHMSA F7100.2 covered by this Information Collection Request, as we believe that providing estimates or guesses of that average serve no useful purpose.

15. Gas Flow Rate

We believe this new requirement in Part E1.a would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

16. Date of Establishing Maximum Pressure and Flow Reversals

We believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. In Part E2.c, however, we suggest using the abbreviation “MAOP” rather than “MOP.”

We note that the threshold of 110 percent of the MAOP is not appropriate for all transmission and gathering systems. We recommend that PHMSA incorporate all of the pressure limits allowed in § 192.201(a)(2), particularly for pipelines operating near 75 percent of SMYS, those operating at or above 12 psig but less than 60 psig, and those operating below 12 psig.

17. Odorization

While we believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available, we suggest the Part E5 ask whether the gas was required to be odorized in accordance with § 192.625 and whether the gas was odorized in accordance with § 192.625. If not required to be odorized, provisions should be made for “*Not Applicable*” in this subsection.

18. Length of Segment Isolated

While we believe this new requirement would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available, we note that the new Part E6 appears to assume that there are valves both upstream and downstream of the failure location, which might not always be the case.

19. Function Choice Change

We believe this enhancement to Part E9 is reasonable and support the change.

20. External Corrosion and Stray Current

We believe the Information Collection as proposed would impose undue hardship and burden on operators since the information regarding the type and source of Stray Current required in Parts G1.2.a and G1.2.b may not be easily obtained or readily available within the 30-day reporting period under § 191.9(a). We also question the utility of this data; it ought to be sufficient to report the type of corrosion in Part G1.2. The determination of the type and source of Stray Current Corrosion typically requires metallurgical analysis and a comprehensive investigation of the pipe environment over a period likely well in excess of 30 days. We believe it is not in anyone’s interest to file supplemental Incident Reports to add or correct information not readily available at the time of the incident. We urge PHMSA to remove Parts G1.2.a and G1.2.b from this Information Collection Request.

21. Natural Force Damage Additional Sub-Cause

We believe this new requirement in Section G2 would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. We understand from the *Instructions* that damages where High Winds topple trees or vegetation and cause Tree/Vegetation Roots to pull and damage distribution mains or service lines are to be reported under **Part G4, Other Outside Force Damage**, rather than under **Part G2, Natural Forces**, and request that PHMSA confirm this is the intent of the *Instructions*.

22. Excavation Details for All Excavation Damage

We are unable to identify new reporting requirements relating to First, Second, or Third Party excavation damage, since Part G3 of Form PHMSA 7100.2 already contains this requirement. Perhaps this was an oversight by PHMSA, as the new requirements for reporting exemptions of excavators from State law only apply to Third Party excavators.

23. State Damage Prevention Law Exemptions

We believe these new requirements for exemptions of excavators from State law in Parts G3.1.b and G3.1.c would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available.

24. Vehicular Damage Additional Details

We do not believe it is an operator's responsibility to investigate and determine whether a driver violated laws on the way to damaging a pipeline, and expect that PHMSA will likely be receiving many reports showing "*UNKNOWN*" for these data points. With the substantial information regarding date, time, address, county, state, and geographic coordinates for the incident already being gathered and submitted by operators, it should be a simple matter for PHMSA to contact law enforcement entities and obtain the necessary reports and information PHMSA claims to need. We urge PHMSA to remove Parts G4.5 through G4.8 from this Information Collection Request.

25. Material Failure Cause Changes

With the exception of the identification of "hard spot" cracking in Part G5.3, we believe these new requirements for identification of failure sub-cause in Part G5 would not impose undue hardship or burden since the information should be relatively easily to obtain and readily available. While we can appreciate PHMSA's desire to attribute the appropriate cracks to "hard spot" failures, we point out that, as with Stray Current Corrosion, the determination of hard spot cracking typically requires metallurgical analysis and a comprehensive investigation of the pipe environment over a period likely well in excess of 30 days. We believe it is not in anyone's interest to file supplemental Incident Reports to add or correct information not readily available at the time of the incident. We urge PHMSA to remove "Hard Spot" from Part G5.3 in this Information Collection Request.

26. Additional Integrity Inspection Data

We believe these new requirements would not impose undue hardship or additional undue burden since the information should be relatively easily to obtain and readily available. As an editorial comment, we recommend that proposed Part J be titled as “Part H,” and that subsequent Parts be re-titled in the alphabetical order in which they appear.

27. Contributing Factors

We believe these new requirements would not impose undue hardship or additional undue burden since the information should be relatively easily to obtain and readily available. As an editorial comment, we recommend that proposed Part K be titled as “Part I,” and that subsequent Parts be re-titled in the alphabetical order in which they appear.

Additional Comments regarding the Accuracy of PHMSA’s Estimate of Burden.

The burden estimate is too low. While it is true that, once the required data is developed, collected and verified, the time required to login to the PHMSA ODES Portal, complete the data entry, and conduct the verification process takes about 1 to 2 hours, the actual burden required to develop, collect, and verify the required data is typically on the order of 20 to 24 hours depending on the incident situation, scope, and severity. Our experience has shown the actual burden to be closer to 24 hours on average than it is to 12 hours. The collection and reporting of the additional information being requested may be a reduction in paperwork for PHMSA, but it is a substantial increase in data gathering and paperwork for distribution, transmission, and gathering pipeline operators. We request that PHMSA revise the Estimated Annual Burden to at least 7,224 hours (301 responses times 24 hours per response).

DTE Gas appreciates the opportunity to participate in this rulemaking.

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