

**BEFORE THE
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
UNITED STATES DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Notice and Request for Comments)	Docket No. PHMSA-2019-0172
Pipeline Safety: Information Collection)	
Activities)	

**COMMENTS OF THE
NATIONAL ASSOCIATION OF PIPELINE SAFETY REPRESENTATIVES (NAPSR)**

The National Association of Pipeline Safety Representatives (NAPSR), established in 1982, is an organization of state agency pipeline safety managers, directors and technical personnel who are responsible for the administration of their state's Pipeline Safety Programs. NAPSR provides an effective mechanism for fostering the federal/state partnership through 50 state agency programs (Gas and Hazardous Liquids) whose mission is, "to strengthen state pipeline safety programs by promoting improved pipeline safety standards, education, training, and technology".

The States are responsible for pipeline safety oversight of approximately (2019 data):

12,000 miles of jurisdictional gas gathering pipelines (69% of U.S. total);
106,000 miles of gas transmission pipelines (35% of U.S. total); and
2,200,000 miles of gas distribution main and service pipelines (>99% of U.S. total).

Additionally, NAPSR members oversee the safety of 122 liquefied natural gas (LNG) plants (82% of U.S. total) and 166 LNG tanks (73% of U.S. total).

The responsibility for oversight and legal jurisdiction (by agreement with PHMSA or otherwise) of these pipelines is borne by all NAPSR member states. As PHMSA partners, the state members of NAPSR have an interest in developing regulations that not only increase pipeline safety, but that are fair, clear, unambiguous, and consistent.

General Comments

On December 17, 2020, the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA), published in the Federal Register a Notice and Request for Comments in the above referenced docket. Entitled

"Information Collection Activities", Docket No. PHMSA -2019-0172 which requests comments on proposed revisions to Form PHMSA F 7100.2-1 "Annual Report for Natural and Other Gas Transmission and Gathering Pipeline Systems" and Form PHMSA F 7100.4-1 "Underground Natural Gas Storage Facility Annual Report," both under Office of Management and Budget (OMB) Control No. 2137-0522; and Form PHMSA F 7100.2 "Incident Report – Gas Transmission and Gathering Line Systems" under OMB Control No. 2137-0635.

The comments herein reflect the general perspective of the majority of NAPSRS state Pipeline Safety Program Managers. NAPSRS members were asked to review each of the PHMSA forms listed in the Notice and this document reflects those comments.

NAPSRS members generally agree with the changes that PHMSA proposes to the Gas Transmission and Gathering Systems Annual Report Form F 7100.2-1 and the Incident Report for Gas Transmission and Gathering Line Systems Form F7100.2. NAPSRS does not have any comments related to the Underground Natural Gas Storage Facility Annual Report, however comments may come from NAPSRS members individually that have state programs for Underground Storage under PHMSA certification.

NAPSRS feels that there is a need to collect more data to assist in conducting effective and meaningful analysis of operator activities. We anticipate an increase in safety by operators due to additional knowledge about their systems and indirectly increasing the overall effectiveness of their Integrity Management programs, as well providing an opportunity for more focused enforcement of the regulations.

Specific Comments

Damage prevention activities and damage prevention enforcement are important in reducing the number of incidents, leaks, and other third-party pipeline damages. Third party damage can cause immediate problems due to the resulting gas releases, while unreported third-party damage can result in *future* leaks and incidents. PHMSA has enacted damage prevention enforcement regulations (49 CFR 196) to help reduce third party damage, but it has failed to fully collect all the data for all pipeline operators that would be necessary for effective analyses as to the cause of the damage(s).

While NAPSRS's following comments are not part of the proposed changes that PHMSA is requesting, NAPSRS would like to propose the following additions to the annual reports:

While data collection regarding the number of one call tickets, excavation damage and third-party damage has long been part of the Distribution annual report as required by §191.11 (See Part D of DOT Form PHMSA F7100.1-1), there is no equivalent section for the Gas Transmission and Gathering Pipelines Systems Annual Report, Form F 7100.2-1.

While the transmission and gathering pipeline annual report requires transmission and gathering operators to report all leaks eliminated or repaired during the calendar year due to third-party or mechanical damage, this statistic only applies to leaks. Since not all excavation damage results in a leak, this number probably does not represent all excavation damage that might have occurred. The reported information also does not provide information as to the apparent root cause of the damage. And on the annual report, transmission or gathering pipeline operators are not required to report the total number of one call ticket requests.

Excavation damage statistics and other information may not be available through one-call systems, and states may not have access to this data. Voluntary reporting, as managed through the DIRT (Damage Information Reporting Tool) program of the Common Ground Alliance, does not provide complete or accurate numbers. The excavation damage data currently available either through the existing Annual Report or via other means does not allow effective analyses by regulators on an operator-by-operator basis and without having the number of one call tickets listed there is not enough data for meaningful analysis.

As indicated from PHMSA presentations during our 2020 NAPSIR National Meeting, additional questions have been added to the State Program Evaluation forms (Section F, Questions 2 and 3) related to excavation damages. This has resulted in discussions with the PHMSA Outreach and Engagement Division personnel performing the annual damage prevention enforcement reviews and the states have been asked to analyze one call data and excavation damage data for transmission and gathering lines. This information may not be readily available.

Damage prevention and third-party damage information are already collected for transmission lines and gathering lines for other sections of code. For example, the written program for damage prevention as required by §192.614 requires the operator to prevent damage to their pipelines, which would include the periodic evaluation of the total one call tickets in relation to third party and excavation damage to the operator's pipelines. Public awareness as required by §192.616 requires an operator to follow the requirements of API RP 1162 Public Awareness for Pipeline Operators. Section 8.4.4 of this standard require an operator to:

“As a baseline, the operator should track the number of incidents and consequences caused by third party excavators. This should include reported near misses; reported pipeline damage occurrences that did not result in a release; and third-party excavation damage events that resulted in pipeline failures. The tracking of leaks caused by third-party excavation damage should be compared to statistics of pipelines in the same sector (e.g., gathering, transmission, local distribution). The operator must collect this excavation damage information for the public awareness program evaluation required by §192.616 and API RP 1162.”

Lastly, as part of a Transmission Integrity Management Program, the operator must collect information regarding the threats to HCAs. As outlined in §192.917(a)(3) one of

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the time independent threats an operator must address is third-party damage. The operator must collect information regarding both one call ticket statistics and third-party damage to assess and evaluate for that threat.

NAPSR is requesting that a section for reporting excavation damage be added to the transmission and gathering line annual report. For consistency, the added section should generally be the same as the causes from existing Section D from the Distribution Annual Report PHMSA Form F 7100.1-1. The addition of excavation damage and the root cause, as well as the total number of one call ticket requests by state will require operators to simply report information that they should already be collecting and evaluating for existing regulations. It will also provide for accurate and consistent statistical data across all pipeline types. NAPSR believes that it will provide both PHMSA and State Pipeline Safety Programs with the information they need to analyze data and trends regarding damage prevention.

NAPSR would like to express thanks to PHMSA for the opportunity to provide comments on this topic.

Respectfully submitted by:

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