



October 22, 2012

Office of Information and Regulatory Affairs  
Records Management Center, Room 10102 NEOB  
725 17<sup>th</sup> Street NW  
Washington, DC 20503  
ATTN: Desk Officer for the U.S. Department of Transportation\PHMSA

**RE: Comments on PHMSA Revisions to the DOT Annual Transmission Report and the DOT Incident report**

Docket No. PHMSA-2012-0024

On September 21, 2012, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a notice requesting that comments on its plans to revise the annual report form for gas transmission and gathering pipelines be sent to the Office of Management and Budget.

The Northeast Gas Association<sup>1</sup> (NGA) commends PHMSA for its very productive efforts to develop and propose many much needed changes to the report. The provision of a marked version with changes to the current form and instructions to enable the public to clearly understand the proposed revisions were very much appreciated. NGA agrees that revisions to the annual report are much needed and fully supports most of the changes. NGA respectfully submits the following comments regarding the proposed changes to the DOT Annual Transmission Report, specifically concerning the proposed report due date and the scope of some of the data to be collected. The comments address ways to minimize the burden of the collection of information on those who are to respond, and suggest ways to enhance the quality, utility, and clarity of the information to be collected.

**COMMENTS**

In its proposed revision to the instructions for the Transmission Report, PHMSA encourages gas transmission operators to send their submissions to PHMSA by March 15, representing pipeline assets as of December 31 of the previous year.

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<sup>1</sup> NGA is a regional trade association that focuses on education and training, technology research and development, operations, planning, and increasing public awareness of natural gas in the Northeast U.S. NGA represents natural gas distribution companies, transmission companies, liquefied natural gas importers and associate member companies. Its member companies provide natural gas service to over 10 million customers in 8 states (CT, ME, MA, NH, NJ, NY, RI, VT).

The proposed timing and scope of some of the data collection presents problems, in our view. The recently passed Pipeline Safety Act requires that:

“Not later than 18 months after the date of enactment of this section, each owner or operator of a pipeline facility shall identify and submit to the Secretary documentation relating to each pipeline segment of the owner or operator described in subsection (a)(1) for which the records of the owner or operator are insufficient to confirm the established maximum allowable operating pressure of the segment.”

Under the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (“2011 Act”), Congress intended for operators to submit the information relating to pipelines in class 3 and class 4 locations, and class 1 and class 2 high-consequence areas with insufficient records no later than July 3, 2013. NGA believes Congress also intended for operators to have as close to 18 months as possible in order to search for these pipeline records. It is very labor intensive to meet the “traceable”, “verifiable” and “complete” MAOP standard for a transmission pipeline infrastructure where records are several decades old. Operators need as much time as possible to look for these records, especially larger pipeline operators with hundreds or even thousands of miles of pipe for which they need to conduct a major review of their records. The proposed annual report would result in incomplete information being provided to PHMSA for 2012 since any MAOP records found after December 31, 2012 would not be reflected in the annual report submitted in the first quarter of 2013. There currently is no mechanism in the proposed report form to specifically indicate where any of this information may be updated in the future. New information would go into a “Supplemental Report” but the changes themselves would not be tracked. Information needed to comply with the July 2013 deadlines will not be reported in the annual reports until the subsequent annual report due for submission by March 15, 2014. NGA feels that reporting this detail within the 2012 Annual Report will not provide useful or accurate information and will distract operators from completing the full task as efficiently as possible by the upcoming deadline. Operators may be compelled to accelerate their records review to meet the March 15 deadline, employing costly overtime labor charges and/or outside service provider fees in order to avoid the appearance on the report that there are no records for portions of their infrastructure.

NGA respectfully requests that the time frame to implement the new reporting requirements be extended. It is recommended that a later date be considered, so that operators can focus on the critical tasks of MAOP and data verification efforts. The verification effort is a significant undertaking by operators, especially for older pipelines that predate 1970 rules. The notice of the proposed changes gives operators the opportunity to collect this data necessary to complete the verification of MAOP as required. However, the implementation of the new report should follow the regulatory deadline for MAOP verification and not precede it. Operators need time to complete their MAOP verifications before they are tasked with the breakdown of the information still being gathered.

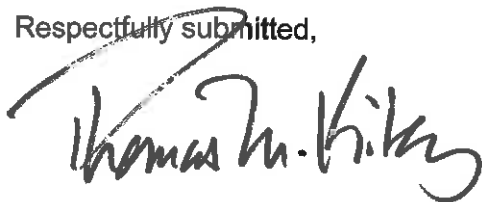
Specifically, NGA suggests the following for consideration:

- A. PHMSA should delay the submission of next year's annual report until after the July 3, 2013, deadline to be more aligned with the Congressional deadline for completing the MAOP records review and submittal of data. This report should require the submission of MAOP verification data for pipelines in class 3 and class 4 locations and class 1 and class 2 high-consequence areas. Data for the remaining sections of pipeline should not be due until a subsequent DOT report. These changes would minimize the burden of the collection of information on those who are to respond to the request.
- B. NGA suggests that PHMSA add an additional column in Part Q to capture the miles of pipeline segments where operators have not yet verified the transmission MAOP records as a way to enhance the quality, utility, and clarity of the information to be collected.
- C. PHMSA may also consider adding a column in Part R to permit operators to note that the data verification for specific pipeline locations is not yet completed as a way to enhance the quality, utility, and clarity of the information to be collected..

### **Conclusion**

NGA appreciates the opportunity to provide comments to the notice of proposed rulemaking to amend the DOT Gas Transmission and Gathering Annual Reports. We hope that our comments will help PHMSA in this review process. We look forward to working with PHMSA, the American Gas Association and others to help develop a practical and reasonable final rule on these matters.

Respectfully submitted,



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