



## ENERGY TRANSFER

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Docket Management System  
U.S. Department of Transportation (DOT)  
1200 New Jersey Avenue S.E.  
Room W12-140  
Washington, D.C. 20590

VIA E-GOV WEB SITE (<http://www.regulations.gov>)

Re: Docket No. PHMSA-2014-0092: *Pipeline Safety: Request for Revision of a Previously Approved Information Collection – National Pipeline Mapping System Program (OMB Control No. 2137-0596)*

Dear Administrator:

Per the notice issued by the Pipeline and Hazardous Materials Safety Administration ("PHMSA") and published in the July 30, 2014, issue of the *Federal Register*, 79 Fed. Reg. 44246, Energy Transfer Partners ("ET"), on behalf of those of its affiliates that operate interstate natural gas and hazardous liquid transmission pipelines, submits the attached comments.

ET is a Delaware Limited Partnership whose affiliates and subsidiaries operate several interstate and intrastate natural gas and hazardous liquid transmission pipeline systems that would be subject to this proposed information collection. ET has participated in the development of the comments filed by the natural gas transmission and hazardous liquid pipeline trade associations (INGAA, API and AOPL) and generally supports those comments. In addition or to provide additional emphasis, ET offers the following attached comments and recommendations for consideration.

ET appreciates the opportunity to comment on this proposal and looks forward to working with PHMSA in an appropriate forum on the many details remaining to be resolved. Please feel free to contact me for any further information regarding ET's comments.

Respectfully submitted,

Eric J. Amundsen  
Vice President, Technical Services

## Energy Transfer Comments

### **Docket No. PHMSA-2014-0092: Pipeline Safety: Request for Revision of a Previously Approved Information Collection – National Pipeline Mapping System Program (OMB Control No. 2137-0596)**

#### **General**

Energy Transfer (“ET”) understands PHMSA’s desire and authority to collect more data at a higher accuracy level and does not disagree in principle. However, many of the justifications or need rationales stated in the Information Collection Request (“ICR”) are unsupported and non-obvious and are vague to the point of operators not being able to respond specifically. This is particularly disappointing considering the extensive discussions of these points between PHMSA and industry representatives beginning in November 2013, during which PHMSA appeared to acknowledge industry concerns and needs for more specificity. Apparently PHMSA has decided to proceed as though such concerns had not been raised and acknowledged. Therefore they will have to be reiterated in responses to the current ICR.

In general, PHMSA states that:

“PHMSA requires more accurate and complete information about each pipeline, liquefied natural gas plant or breakout tank than the minimal set of attributes it receives with NPMS submissions. Collecting enhanced data will strengthen PHMSA’s ability to fulfill its strategic goals to improve public safety, protect the environment and ensure infrastructure is well-maintained. More accurate and complete NPMS data will also help emergency responders and government officials create better, more appropriate emergency response plans.

Specifically, the new data will:

- Aid the industry and all levels of government, from Federal to municipal, in promoting public awareness of hazardous liquid and gas pipelines and in improving emergency responder outreach. Currently, 787 Federal officials, 1,208 state officials and 4,791 county officials have access to the online mapping application. Providing these officials with an improved NPMS containing system-specific information about local pipeline facilities can help ensure emergency response agencies and communities are better prepared and can better execute response operations during incidents.
- Permit more powerful and accurate tabular and geospatial analysis, which will strengthen PHMSA’s ability to evaluate existing and proposed regulations as well as operator programs and/or procedures.
- Strengthen the effectiveness of PHMSA’s risk rankings and evaluations, which are used as a factor in determining pipeline inspection priority and frequency.
- Allow for more effective assistance to emergency responders by providing them with a more reliable, complete dataset of pipelines and facilities.

- Provide better support to PHMSA's inspectors by providing more accurate pipeline locations and additional pipeline-related geospatial data that can be linked to tabular data in PHMSA's inspection database.

These points, singly and in various combinations, are used repeatedly throughout the ICR as rationales or justifications for requiring specific attribute data to be provided. However, merely stating or repeating these points does not strengthen them or provide any real understanding of why the requested data are needed, how they will be used, who will be doing analyses that depend on these data, or even how these data accomplish or help accomplish the stated need.

PHMSA should provide significantly more detail and explanation regarding these justification points before asking operators to spend tens of millions of dollars each to fulfill a wish list. Specific comments and questions regarding PHMSA's justification or benefit points above are as follows:

- *Promoting public awareness and improving emergency responder outreach* – It is not at all clear how additional attribute data and increased accuracy in the NPMS will help promote public awareness. In various forums, emergency responders have repeatedly stated that, while more data and more accurate data may be “better,” they prefer the already required liaison with operators to get that specific information, ask questions, discuss facilities, etc. Some of the PIPA considerations surrounding land use planning around pipelines, such as emergency responder access across pipelines, can certainly benefit from reasonably accurate location maps, which are available from operators. In no case is  $\pm 5$  foot accuracy seen as crucial for public awareness or emergency responder outreach. Mature programs already exist in these areas as mandated in §192.615 and §192.616. Rather than improve emergency responder understanding, this rationale could prove counterproductive if either operators or emergency responders decrease their direct interactions in favor of NPMS information.
- *More powerful and accurate analysis* – A question here is does PHMSA have the resources to manage and analyze data that operators employ literally hundreds of people to manage and will there actually be a demonstrable benefit from whatever analyses PHMSA performs? Again, this justification is vague, with no real indications of what analyses may be performed and to what end.
- *Strengthen PHMSA's risk rankings and evaluations* - Perhaps PHMSA will be able to conduct more detailed analyses, but PHMSA has been inspecting operators for years and should by now have a good perspective on the relative risk posed by each operator and each pipeline system from a physical standpoint. Additionally, the physical attributes of a system are one facet of the overall risk profile while the other is how well (or not) those assets are being maintained and managed. That understanding does not come via a data dump, but rather through inspections.
- *More effective emergency responder assistance* – This seems to be largely a reiteration of part of the first bullet point above. The same comments, concerns and questions apply here.

- *Better support to PHMSA's inspectors* – Again, this is a blanket, generalized statement with no specifics as to a need or deficiency that will be corrected by this ICR, or how the inspectors' performance will be enhanced.

ET, as noted above, recognizes the authority given to PHMSA in Section 11 of Public Law 112-90, the Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011 ("the Act"). It appears that this ICR is intended to provide the required notice. However, it seems to fall far short of establishing the necessity or elucidating how the determination of necessity was made. The ICR also fails to address the confidentiality and FOIA considerations.

### **Positional Accuracy**

Achieving the proposed positional accuracy requirements is a key factor in determining the burden imposed on operators by this ICR, and will be discussed below. In the ICR, PHMSA states:

"While the standards reflected the state of geospatial data and positional accuracy at that time, they do not reflect the current state of geospatial data and positional accuracy. PHMSA requires more accurate and complete information about each pipeline, liquefied natural gas plant or breakout tank than the minimal set of attributes it receives with NPMS submissions."

PHMSA's first claim may be true relative to new facilities installed since the establishment of the NPMS standard in 1998 and rulemaking requiring operators to submit system data in 2002. However, technological improvements in data and accuracy capabilities do not mean that operators' data are now much more accurate or complete. Just because there has been a passage of time does not translate into operator data having become more accurate than it was in 1998. In order for those data to have become more accurate, on-the-ground surveys utilizing current-day standards and methods must have been conducted. In general, the legacy systems of most operators, including ET, have not been resurveyed in the past 14 years. Therefore, PHMSA's claim that "the current state of geospatial data and positional accuracy is improved" is unfounded, misleading and inaccurate. Although the capability and technology now exist, new surveys are required to realize these stated improvements.

While PHMSA's stated goal and need for increased positional accuracy sounds rational on the surface, there is no real justification presented, merely unsupported assertions. In general, working to a  $\pm 50$  foot accuracy goal is achievable, as long as there is an understanding that operators will need some time to achieve this system-wide and that, in spite of best efforts and current technology, some errors in location can still exist. Unfortunately, the same cannot be said for the  $\pm 5$  foot accuracy requirement. As has been demonstrated to PHMSA, data of this quality can still show the represented feature 20, 30, or even 50 or more feet from its actual location depending upon the two-dimensional map base upon which it is plotted. Therefore, while the GPS data for a pipeline feature or location may well be within the  $\pm 5$  foot accuracy limit (absolute accuracy), that in no way assures that anything close to that same

level of accuracy will be achieved when the same feature or pipeline is plotted or represented on a two-dimensional map (relational accuracy). Operators cannot be held accountable for PHMSA's representation of their data.

No relationship has been established connecting PHMSA's assertion that such accuracy is needed because of the potential for greater consequences. No analyses or data have been presented showing the need for or benefit from  $\pm 5$  foot accuracy vs.  $\pm 50$  foot accuracy. In several public meetings and forums, emergency responders have not only expressed no need or desire for  $\pm 5$  foot positional accuracy but have also noted that they prefer to get pipeline information from the operators and generally do not refer to the NPMS at all. Stating an accuracy that is likely to be much more precise than the map base upon which it is presented could be counterproductive, instilling a false sense of confidence in the location of facilities. Such false confidence can easily lead to unsafe actions and decisions that would not otherwise be made. PHMSA has likewise not presented any evidence or examples of how this higher accuracy will, in fact, help them "identify special features on the pipeline that may be relevant for emergency response considerations." It is not clear what those "special features" are, what PHMSA's role in identifying such features is, why they need to be identified within  $\pm 5$  feet, what the actual uncertainty will be once the features are plotted on a map, or how they "may be relevant for emergency response considerations." Therefore, while ET can see the benefit and practicality of decreasing the current  $\pm 500$  foot accuracy requirement to about  $\pm 50$  feet, it appears that the practicality, justification, need and benefit from mandating a  $\pm 5$  foot accuracy have not been demonstrated, and ET is opposed to mandating such.

## **Burden**

The PHMSA anticipated burden is provided only in hours (420,516) with no information whatsoever regarding the basis for that estimate. It does not appear to include the survey effort required for, at minimum, the 44,000 miles of natural gas transmission pipe required to meet the  $\pm 5$  foot accuracy standard or the remaining 276,000 miles of natural gas transmission pipe that must meet the  $\pm 50$  foot standard. Although the time to conduct these surveys is difficult to estimate, the cost is likely to be in the \$4,000 - \$5,000 per mile range for just the centerline data (exclusive of other attributes) for  $\pm 50$  foot accuracy and twice that for  $\pm 5$  foot accuracy. A few assumptions must be made to translate the burden estimate to costs. First, the 420,516 hours for 1,211 respondents amounts to about 347 hours per respondent. If a respondent equates to an operator number, this number of hours may be reasonable for database preparation and submittal. If that assumption is valid, then these hours are likely to cost about \$150 per hour, fully loaded. That's about \$63 million. For natural gas transmission operators, surveying the 44,000 miles to meet the  $\pm 5$  foot accuracy requirement, at the above-noted cost, will be about \$440 million. If, conservatively, only about 25% of the remaining miles have to be surveyed to meet the  $\pm 50$  foot accuracy requirement, that's an additional \$300 million. Therefore, the initial total, without considering costs for additional attribute location and determination, is the sum of these, or about \$800 million plus whatever survey and additional attribute location costs will be

incurred by the hazardous liquid pipeline operators. If that cost is approximately proportional to the estimated costs for natural gas transmission operators, that's an additional \$300 million plus, bringing the minimum total for most of the affected operators to perhaps over \$1 billion. This seems well beyond the burden generally associated with an information request. Energy Transfer believes this rises to the level of a significant rulemaking and should be treated as such.

### **Implementation Date**

Another significant concern that is not addressed specifically in either the ICR notice or in the standards manual is the compliance date for meeting the new standards. PHMSA's statistics for natural gas transmission pipelines indicate about 34,424 miles of pipeline in Class 3 and 4 locations and 19,640 miles of pipeline in HCAs. Estimating that perhaps half of the HCA miles are not in Class 3 and 4 locations and would thus be additive to those miles, the total mileage to which the  $\pm 5$  foot accuracy requirement would apply is about 44,000 miles. It is likely that few operators can currently confirm that level of accuracy for these miles. It is further likely that few operators would be able to conduct the required surveys to complete these miles in time to report in early 2015, or 2016 or 2017 for that matter. The earlier the compliance date, the higher the premium operators will likely have to pay to achieve compliance by that date. A very early date may not be achievable at all, if sufficient qualified survey resources are not available. Section 11 of the Act requires reasonable notice to operators for the data being requested. In the absence of any mention of implementation of these significantly expanded requirements proposed, this ICR cannot be construed as providing such reasonable notice.

### **Elimination of Duplicative Reporting**

While some flexibility and a transition period are needed to fully implement the revised requirements, that transition should also include a transition from the current annual reporting, which will become redundant when the proposed data collection is implemented. As there is likely a wide variation among operators regarding their current status and ability to report per the revised requirements, there should also be some latitude in allowing operators to transition away from the current annual reporting. It is not reasonable to burden operators who are able to report in the revised format and system with the duplicative requirement of also submitting an annual report in its present form until such time as all operators can meet the new requirements. An operator should be able to declare, when making its NPMS filing, whether that filing constitutes its annual report or whether a separate annual report will be filed.

In reviewing the current annual report requirements, and in response to PHMSA's request for comments on how this expanded information request could affect the annual report, it appears that the annual report, as it currently exists, could be almost completely eliminated. Only the portion of Part M, dealing with numbers of leaks, is not included in the current ICR. It appears that the data provided in all other

sections of the current annual report are either provided directly in this ICR or may be easily derived from data in this ICR. If PHMSA chooses to add leak reporting in some manner to this ICR, then the annual report, as it currently exists, can and should be completely eliminated. ET believes elimination of the annual report in its current format could be done through an information request such as this one.

### **Enforcement**

The quality and reliability of data and records has been a central focus in the industry, both among regulators and operators. This subject has been addressed in PHMSA Advisory Bulletins and in the most recent reauthorization of the Pipeline Safety Act, and is anticipated to be a focal point of proposed regulations. Both PHMSA and the NTSB have alluded to records that are “traceable, verifiable and complete,” now typically abbreviated as “TVC records.” It must be recognized and acknowledged, however, that even records meeting this standard can be in error. People make mistakes. Digits get transposed. Incorrect reference points may be inadvertently chosen. In the normal course of business, pipeline operators can and do find locations where the pipe location, a connection or take-off, or the location of some attribute is incorrectly represented on a properly conducted and otherwise correct survey. Such a survey could easily qualify as a TVC record, but still contain some information not meeting the required standards. When operators find such data errors, the errors are corrected. The operator should be afforded to make such corrections without penalty, and report the corrected data in its next filing.

### **Protection of Information**

Protection of and access to data are not addressed in the ICR, but such protection is specifically mentioned in Section 11 of the Act. During earlier discussions, PHMSA alluded to a hierarchy of availability with basic information being generally available to all and with increasing additional attribute detail being available over a wider geographic area for local or municipal, county, state and federal agencies respectively. However, some states have “Sunshine Laws” that require public availability of any information or data to which state officials or agencies have access. Before proceeding with this ICR, PHMSA is asked to specifically address what information and data will be available to whom, and how that access will be managed, particularly relative to requests made pursuant to Sunshine Laws or the Freedom of Information Act. This point is raised again below in the Clarifications section specifically for pipeline throughput.

## Clarifications

### Segmentation

In the Standards Manual referenced in the ICR, a “pipeline segment” is defined as:

A linear feature representing part or all of a pipeline system. A pipeline segment must have only two ends. No branches are allowed. A pipeline segment may be a straight line or may have any number of vertices. Each pipeline segment must be uniquely identified. The number of pipeline segments should be kept to the minimum needed to represent a pipeline system and its associated attributes. A unique line segment in the computer-aided drafting (CAD) or GIS dataset should represent each pipeline segment.

With no guidance to the contrary, it must be assumed for purposes of this IRC that each change in a required attribute, other than the few noted as “predominant,” e.g., pipe grade and year of original construction, defines the starting point of a new segment. Also, because of no guidance to the contrary, it must be assumed that the stated positional accuracy requirements apply to each attribute to which a position can be assigned, e.g., diameter, wall thickness, seam type, MAOP, HCA segment, type of coating, and that these positional accuracy requirements are not only for the location of the centerline of the pipeline but also where linearly along the pipeline each of these attributes exists or changes (segment change). The impact of this requirement will be discussed below in the individual attribute sections.

### Individual Attributes

In general the utility of each of the below attributes is as stated within the ICR. However, these uses are within the context of an operator. PHMSA suggests that they need this data to be able to fulfill their mission “*to improve public safety, protect the environment and ensure infrastructure is well-maintained.*” However, PHMSA fails to provide any evidence of practicable and reasonable methods by which they will be able to process, analyze and draw any useful conclusions from all of this detailed data. Individual operators utilize this data on a daily basis to assess risk and comply with pipeline safety regulations, and employ vast resources to do so. PHMSA does not have the resources to duplicate this effort although the ICR would lead one to believe that that is their intent. Lacking any meaningful information regarding how PHMSA will actually manage and utilize this data, one has to question “what’s the point of providing it if it can’t possibly be utilized to accomplish or enhance the stated mission?” Further, it must be clear to all parties that each filing represents a snapshot of an operator’s system at a particular time and that many of the attributes, features and activities can and do change throughout the year between filing dates. Also, as noted above, once an operator files its data, it is not responsible for how those data or the operator’s system are represented on the NPMS.

Pipeline data, data quality and data attributes have been discussed in many meetings over the past few years. In January 2013 PHMSA hosted a public meeting specifically focused on pipeline data. Presenters from various stakeholder groups expressed desires for additional data, with variations among what each



wanted to see. Some of the discussion during that meeting, however, advocated against collecting huge volumes of data “just because we can.” Rather, data should be collected with a specific purpose defined for its use. The reports from the breakout sessions included points such as:

- Maybe offer choices of annual report or GIS submission where conducive.
- 90% of annuals are conducive to reporting by GIS.
- PHMSA should take a step back and identify what questions need to be answered; work with stakeholder groups to recast the data collection to make it useful.
- Not clear how PHMSA will use the info. Another stakeholder group might help improve the reporting.
- Volume info useless and problematical for both liquid and gas.
- Common message that there is an outstanding need to understand under what context this data is being collected and what it will be used for.
- Much of the misunderstanding stems from a lack of direct sight to what the data will be used for.
- There is a significant need for a list of common definitions / interpretations.
- There is a potential to bring together a group of industry, public and regulatory representatives to discuss definitions and ensure common understanding.
- Need to focus on what does the data tell us.

However, in the almost two years that have passed since that meeting and the generation of the breakout summaries, there seems to have been little meaningful discussion of this subject and nothing posted in the meeting docket (PHMSA-2012-0244). The presentations from the meeting are posted on the meeting page (<http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=81>), but, again, nothing since that meeting. During the latest revisions of the annual and incident report forms, both of which significantly expanded the data collected, there were extensive discussions about what data to collect, how to report it, what the definitions were, etc. This current ICR is much larger in scope and much more expensive to implement than either of the two mentioned reports. It deserves a much more thorough examination than afforded by this ICR – something more along the lines of the recommendations from the data meeting. But there has been no evident follow-up.

ET will, in fact, be able to provide much of the attribute data requested. Comments on each of these attributes are provided below. However, whether specifically stated within the attribute comments or not, provision of these data are subject to the caveats, conditions and objections noted regarding accuracy and completeness.

Although not stated herein, PHMSA needs to specify the systems and versions that will be supported for submitting, confirming, reviewing, editing and ultimately viewing the data files, tables, maps, etc. and their forward and backward compatibility.

As noted above, some attributes are to be reported on a “predominant” basis. However, ET would prefer an option be provided so that, if an operator’s data system has more specific geocoded data, the

operator could report on a more exact basis than prescribed. For example, if a few joints of pipe have been replaced in a line, the operator, if its data is so structured, should be able to report a different year of construction, grade, coating, etc. for those joints.

*Pipe Diameter* – Subject to the conditions, caveats and objections noted, ET is able to provide pipe diameter data. ET points out, however, that emergency responders do not determine the “impact area” of a pipeline, so knowing the diameter will not help them to do so. The impact of a pipeline release is highly dependent on the properties of the product released, with great differences existing among HVLs, refined products, crude oil and natural gas. The liaison with emergency responders required by §192.615 and §195.402 should be a much more effective means of communicating potential impacts to emergency responders. In the face of an emergency, they are not likely to try to calculate a gas transmission line PIR or the flow or vapor cloud patterns from a hazardous liquid pipeline. It is not clear what is meant by or what benefit accrues from a “broader understanding of the diameters of pipe being operated in any given geographical region.” Please clarify or delete these rationales.

*Maximum Allowable Operating Pressure* – Subject to the conditions, caveats and objections noted, ET is able to provide MAOP, although the rationale seems a bit overstated. While knowledge of the potential impact radius, which is a concept currently applicable only to gas transmission (and perhaps gathering) pipelines, may be somewhat helpful in emergency response planning, it is unlikely that emergency responders are going to perform these calculations based upon data they find in the NPMS. It may be better to just provide the PIR.

*Pipe Grade* – Subject to the conditions, caveats and objections noted, ET is able to provide the predominant pipe grade of a pipeline segment. However, the data format noted by PHMSA is insufficient. It lists only standard API grades. However, the applicable API standards allow intermediate grades as agreed upon between purchaser and supplier. There is no provision for reporting these, and “Other” does not realistically represent pipe that may quite properly be designated as X48, for example.

*Percent Specified Minimum Yield Strength* – PHMSA states that this parameter is used to determine class locations, among other things. This is incorrect. Class location, which is a concept that applies only to gas pipelines under Part 192, is solely dependent on what is around the pipeline and has no dependence on the pipeline, its design, materials or operating parameters. ET believes this parameter is calculated within rather than being a stored value that is input into most databases, and suggests that likewise, PHMSA perform this calculation within the NPMS rather than have operators report a calculated value and convert it into a stored input value in the NPMS.

*Leak Detection* – As pointed out by INGAA and others approximately two years ago in conjunction with the March 2012 leak detection workshop and accompanying report, the report presents an unrealistic view of the status of practical leak detection for natural gas transmission pipelines and errs in its assertions regarding realistic emergency responder response times. Even so, in the various forums and workshops that have included emergency responders, ET is unaware of any responders stating a need for information about the leak detection system, if any, or how such knowledge might impact their

response in the event of a release. Does PHMSA envision them having a hierarchy of responses based on the presence, absence or type of leak detection system? If so, please provide that information as part of the justification. Although this is not currently a value or attribute stored in the database, it could be reported. However, the PHMSA data standard is insufficient as it appears to allow only one choice, while an operator may use multiple techniques at different times on the same segment.

*Pipe Coating / Type of Coating* – PHMSA proposes asking operators to indicate “the level and types of coating on a pipeline segment.” It is not at all clear what information is being sought as “level of coating.” In the referenced standards manual, there are two possibly related attributes. In the first, for steel pipe, operators are asked whether the pipe is bare or coated and whether it is cathodically protected or not, with 4 possibilities. In the second, the operator is to note whether the pipe is bare (already provided in the first) or, if coated, what the coating is. The type of coating alone does not provide information regarding the level of protection from external corrosion, as it ignores cathodic protection. Without knowing what PHMSA means by “level of coating,” it is not at all clear how this can help assess integrity and perform better risk assessments.

*Pipe Material* – Although the pipe material may usually be correctly inferred from the grade designation, ET does not object to providing this, as long as it is limited to categories such as “steel,” “HDPE (high density polyethylene),” “fiberglass,” etc., subject to the conditions, caveats and objections noted. Among operators, pipe material is generally not a significant factor in assessing potential excavation damage risk. Larger excavation equipment can penetrate almost any pipe, regardless of material, while smaller equipment can at minimum damage the coating and produce gouges on even the stoutest steel pipe, producing the potential for a delayed failure. Therefore, any such scenario is regarded as serious. Likewise, pipe material itself is not seen as a factor in emergency response planning.

*Pipe Join Method* – PHMSA already has access to this information. However, ET is not opposed to providing it on a “predominant in a pipe segment” basis, subject to the conditions, caveats and objections noted. ET would be strongly opposed to having to provide this on a joint by joint basis. Also, provision should be made for multiple methods within a segment and perhaps for other categories.

*Year of Construction / Installation* – Subject to the conditions, caveats and objections noted, ET is able to provide the predominant year of construction or installation of a segment. However, as discussed above regarding segmentation, PHMSA should provide sufficient clarification as to the granularity of this requirement so that operators and others can reasonably assess what is being asked and comment on that. In particular, how much pipe replacement within a segment can be included without defining a new segment?

*Class Location* – PHMSA’s request here is not clear. They ask for class location at the segment level, and subsequently state this is a one-mile segment level. This implies that each class location occurs in increments of one mile. That is not the case. Providing such data for one-mile segments would be confusing and would not conform to either the definition of class location units or to the designations of class location boundaries in an operator’s system. PHMSA is asked to clarify this request and allow

comment on the clarification. As apparently structured for natural gas transmission pipelines, the class location and high consequence area data are within a single data table. These tables should be separated. If reported as currently structured, there will be overlapping attributes within the same table with no clear way to avoid confusion.

*High Consequence “Could Affect” Areas* – Subject to the conditions, caveats and objections noted, ET is able to designate which pipeline segments lie within high consequence areas. It must be recognized, however, that whatever data are provided represent a snapshot of the operator’s system at a particular time, and that time may not be the same for the operator’s entire system due to differences in survey and data input schedules. Also, see the comment immediately above regarding the need to have class location data and high consequence area data in separate tables.

*Onshore / Offshore* – ET is not opposed to designating this parameter, although in most cases on a mapping application it should be obvious whether a pipeline is on land or offshore.

*Inline Inspection* – Subject to the conditions, caveats and objections noted, ET is able to note which sections can accommodate an ILI tool. However, the ability of a pipeline to accommodate an ILI tool must not be misconstrued to include any type of tool, e.g., ultrasonic tools requiring a liquid couplant are particularly difficult and typically not run in a gas pipeline, or the practicability of running a tool. There are many pipelines, particularly laterals, whose configurations would allow the passage of an ILI tool but whose flows are insufficient to propel the tool. PHMSA’s statement regarding its consideration of ILI as better than other methods is broad to the point of being erroneous. There are some things that other methods accomplish with more certainty than does ILI.

*Year of Last Inline Inspection and Year of Last Direct Assessment* – Subject to the conditions, caveats and objections noted, ET is able to provide the year of the last ILI of each type listed or last DA. It is not clear how knowing the year of the most recent ILI verifies the integrity of a pipeline. ET is also concerned that the reporting of each type of ILI implies that inspection by each type is required or that an operator who has not run each type will be viewed as deficient or out of compliance. Having to fill in a field in a report is not the same as having to perform the activity being reported.

*Year and Pressure of Original and Last Hydrostatic Test* – Subject to the conditions, caveats and objections noted, ET is able to provide this information. In various places, PHMSA refers to both “hydrostatic” tests and “pressure” tests. ET believes that for clarity and completeness, the more inclusive “pressure” test terminology should be used; noting that reporting here is not dependent upon test medium.

*Commodity Detail* – Subject to the conditions, caveats and objections noted, ET is able to provide this information. However, particularly for products pipelines, the commodity can change frequently. It is not clear what PHMSA’s expectation is – a multiple answer response or some sort of update with each product change. The latter would be almost impossible to manage in a manner to be of use to emergency responders, as PHMSA suggests.

*Special Permit* – As PHMSA issues the special permits for very specific pipeline segments and facilities, it already has, and is, in fact, the generator of this information. It is difficult to conceive how knowledge of a special permit would be of any practical use to emergency responders.

*Wall Thickness* – Subject to the conditions, caveats and objections noted, ET is able to provide this information. However, the basis must be clarified. Is this nominal wall thickness generally throughout a segment, or does each wall thickness change define a segment? If the latter, that will be tens or hundreds of thousands of changes that correspond to changes in class location, specific station facilities and fabricated assemblies, road crossings and pipe replacements done for various reasons. To locate a percentage of these changes within  $\pm 5$  feet will be overly burdensome and is unnecessary. Also, ET points out that to accurately report wall thicknesses that were originally specified as a fraction rather than a decimal, four (4) decimal places may be required. Ignoring the fourth decimal place can produce discrepancies of a few psi in MAOP calculations. There is no point in building in unnecessary sources of confusion.

*Seam Type* – Subject to the conditions, caveats and objections noted, ET is able to provide this information to the extent practicable. However, PHMSA needs to recognize that records that appear to be traceable, verifiable and complete, particularly for older pipelines, may nonetheless contain errors in seam type designation. For example, electric flash welded pipe may be confused with electric resistance welded pipe, or, because of pipe mills differing in the switch from low to high frequency electric resistance welding processes and the use of pipe from different mills, it may be difficult to determine whether a particular segment comprises low or high frequency ERW, or both. Other categories should be allowed as well.

*Abandoned Pipelines* – Subject to the conditions, caveats and objections noted, ET is able to provide this information as a one-time submittal for the year in which the abandonment occurs. If an operator continues to carry such abandoned pipelines in its database, ET believes both PHMSA's and the operator's handling of these data would be simplified by continuing to include abandoned pipelines in the operator's annual filings. Otherwise, it seems the operator has to strip these data out of its submittal, and PHMSA has to separate the abandoned pipelines and keep them separately so they do not disappear when the operator makes its next annual filing. However, ET disagrees with PHMSA's assertion that abandoned pipelines are a critical integrity management issue and that they must be maintained in accordance with pipeline safety regulations. That's the whole point of abandonment – they are no longer maintained. The regulations (§192.727) require disconnection from all sources of gas and purging all remaining gas from the abandoned line to leave it in a safe condition. In some circumstances, it must also be filled with water or a solid material. Also, some right-of-way agreements require the operator to give up all rights to the ROW upon abandonment. In such cases, maintenance of the line by the former operator is no longer possible. There is currently a requirement, in the same regulation cited above, for operators to make a one-time report in the NPMS of abandonment of offshore pipeline and pipelines that cross a commercially navigable waterway.

*Offshore Gas Gathering Lines* – Subject to the conditions, caveats and objections noted, ET is able to provide this information.

*Installation Method if Pipe Crosses Body of Water Greater Than 100 Feet in Width* – Subject to the conditions, caveats and objections noted, ET is able to provide this information to the extent practicable. However, PHMSA must recognize that, particularly for older pipelines, precise records may not exist and that excavating to attempt to determine this information is largely impracticable. This information is typically not stored in the database, particularly for older pipelines, and, as noted, may not be available.

*Facility Response Plan* – To the extent applicable, ET has no objection to providing this information.

*Throughput* – ET objects to providing such detailed throughput information. It is commercially sensitive, and, to the extent that it is not, it is already provided to the FERC. PHMSA can get it there. ET does not believe that the NPMS is the appropriate tool or application to use for local or regional energy supply analyses. Other agencies do this in much more detail. Further, the extent to which PHMSA is apparently requesting this information, on a segment basis, is precisely the kind of data considered to be Critical Energy Infrastructure Information (CEII) by the FERC in Order 630 and in the annual filing of the Form 567 reports. This detail is not publicly available. ET will not provide throughput data on this basis.

*Mainline Block Valve Locations* – Subject to the conditions, caveats and objections noted, ET is able to provide mainline block valve locations. However, clarification is required regarding what PHMSA defines as a mainline block valve in this context. Further, ET does not believe, as PHMSA asserts, that such detail is particularly useful to emergency responders. In the event of an incident requiring their services, the rapid establishment of an incident command system and coordination with the pipeline operator will better serve to provide them with information regarding the location of valves, the current valve status and expected time to closure if still open and the expected time to safe entry of the affected area.

*Storage Field Locations and Type of Storage* – Subject to the conditions, caveats and objections noted, ET is able to provide this information.

*Refinery Locations / Gas Process / Treatment Plant Locations* – To the extent applicable and subject to the conditions, caveats and objections noted, ET is able to provide this information.

*Breakout Tanks* – To the extent applicable and subject to the conditions, caveats and objections noted, ET is able to provide this information.

*LNG Plants* – Subject to the conditions, caveats and objections noted, ET is able to provide this information.

*Pump and Compressor Stations* – Subject to the conditions, caveats and objections noted, ET is able to provide this information.

## Summary and Conclusion

Energy Transfer appreciates the opportunity to comment on this matter and offers the following summary points:

- The burden and impacts of complying with this ICR have been significantly underestimated.
- PHMSA has not followed through on the recommendations for the more collaborative approach to identify required data and how it will be used that was recommended in its 2013 data meeting.
- Many of the rationales or justifications for the collection of specific data are vague and imprecise to the point of being just generalities. “We can do better if we have better data.”
- The actual anticipated burden and impacts, the lack of consideration of earlier meetings and discussions and the lack of clarity regarding precision requirements and need and nature of some of the data elements combine to establish the need to reevaluate this ICR as a significant rulemaking. That approach allows for more deliberation and more reasoned input by all stakeholders.
- The PHMSA workshop on this subject held on November 17, 2014, did little to clarify many of the questions or alleviate the concerns. Specifically, PHMSA did not detail how they will manage data sensitivity or security issues, did not elaborate on justifications or needs for most of the attributes requested and did not respond to at least two direct questions regarding the need for  $\pm 5$  foot accuracy.
- While ET has expressed the ability to provide data for most of the listed attributes, any actual provision of much of this information is subject to several caveats.
  - ET, like probably most other operators, is not able to confirm or certify  $\pm 5$  foot accuracy or  $\pm 50$  foot accuracy for centerlines and most attributes without considerable resurvey, which will take several years and incur costs as outlined above.
  - Additional considerable time and effort will be needed to provide even currently available data, with current accuracy ranges, in the format required by PHMSA.
  - ET believes no real justification has been provided demonstrating the need for either the  $\pm 5$  foot or the  $\pm 50$  foot positional accuracy. Lack of need, at least for the  $\pm 5$  foot accuracy, was confirmed by emergency responders at the November 17, 2014 workshop.
  - ET believes a clear need and purpose for the data for each requested attribute should be presented and discussed in an open forum before demanding that operators collect, segment and format such data for submission into the NPMS database.