



December 1, 2014

By electronic transmission

PHMSA Docket No. PHMSA-2014-0092
Docket Management System
U.S. Department of Transportation (DOT)
1200 New Jersey Avenue SE.
West Building, Room W12-140
Washington, DC 20590

Re: Request for Revision of a Previously Approved Information Collection—National Pipeline Mapping System Program (OMB Control No. 2137–0596)

Dear Sir or Madam:

The Gas Processors Association (GPA) has served the U.S. energy industry since 1921 as an incorporated non-profit trade association. GPA is composed of 130 corporate members that are engaged in the gathering and processing of natural gas into merchantable pipeline gas, commonly referred to in the industry as "midstream activities." Such processing includes the removal of impurities from the raw gas stream produced at the wellhead, as well as the extraction for sale of natural gas liquid products (NGLs) such as ethane, propane, butane and natural gasoline. GPA members account for more than 90 percent of the NGLs produced in the United States from natural gas processing.

On July 30, 2014, a Notice of Proposed Rulemaking ("Notice") was published in the Federal Register concerning proposed changes to information collection through the National Pipeline Mapping System. The Pipeline and Hazardous Materials Safety Administration (PHMSA) then held a public meeting to discuss the proposal and ways to decrease the burden of the proposed provision on operators.

GPA appreciates the opportunity to submit comments to the docket as the proposed new, expanded requirements for detailed information place a significant burden on its members. GPA has developed the following comments in response to the Notice. In doing so, GPA has focused on the four issues of most importance to its members: (1) the cost, feasibility and burden of the proposal; (2) the protection of proprietary and sensitive information; (3) the expansion of requirements to assets and operations that are not under the purview of the agency; and (4) emergency preparedness. GPA also supports the comments of the other industry associations as they too provide important feedback as to specific provisions of the

Notice that are valid. GPA stands willing to work with PHMSA and other stakeholders to provide feedback as to meaningful data collection that assists with better emergency response preparedness.

Few Identified Goals Are Achieved Through Implementation As Proposed

According to the Notice, operators would be required to provide attribute information to the National Pipeline Mapping System ("NPMS") for 28 items on a per segment basis. While providing this information will indeed establish a more complete set of cumulated data for PHMSA to utilize, the majority of data will not result in additional emergency preparedness or analysis of proposals by the agency.

The chart below seeks to illustrate each of the attributes requested in the proposal and whether providing the attribute information will accomplish the benefit and goals identified by PHMSA. An additional column is also provided to identify those items that are already provided to PHMSA through the NPMS submission, special permit process, or annual reporting requirement.

In developing the chart, we carefully considered whether providing information relating to the specific attributes would result in achieving the goals outlined by PHMSA in the Federal Notice. In some cases, the information was determined to be helpful, while in other cases it may only be helpful depending on the circumstances in which the information is used and by whom.

Of the 28 attributes requested the following was determined:

- Only three of the attributes would assist with improved emergency response, with another five items relating to location being only *potentially* helpful;
- Five items would assist with improving the ability to conduct more meaningful analysis of rules, with another eight being of some level of assistance;
- Eight items can be used to prioritize audits conducted by regulators;
- Not a single item will provide greater accuracy of data sought by PHMSA other than the accuracy of the line location to 5 feet, which is unrealistic;
- Three of the requested attributes don't meet any of the stated goals; and
- Information on 16 of the items requested is already being provided to PHMSA through other reporting requirements.

Of the six items being requested that are not already being provided to PHMSA, three will only assist PHMSA will prioritizing audits. Two of the items would potentially assist with analyzing future rulemakings as well as prioritizing audits and the remaining item--providing the location of certain facilities--is arguably beyond the scope of PHMSA's jurisdiction (see additional information below).

<u>Attribute</u>	<u>Emergency Preparedness</u>	<u>Meaningful Analysis of Rules</u>	<u>Inspection Frequency</u>	<u>Accurate Data</u>	<u>Already Submit to PHMSA</u>
Nominal diameter		Maybe			Yes
MAOP or MOP		Maybe			Yes
Predominant pipe grade		Maybe			
Percentage of SMYS		Maybe	Maybe		Yes
Type of leak detection system		Maybe			
Level and types of coating		Maybe			
Pipe material		Maybe			Yes
Pipe joining method		Maybe	Maybe		
Predominant year of pipeline construction		Yes	Yes		Yes
Class Locations		Yes			Yes
HCA's and USAs	Yes	Yes			Yes
Location of off-shore pipelines					
Indication of whether a pipeline is capable of accommodating ILI			Yes		
The date of the last corrosion, dent, crack or other ILI inspection			Yes		
Original and most recent hydrostatic test results			Yes		
The commodity transported	Yes	Yes	Yes		Yes
Whether a special permit is in place			Yes		Yes
Nominal wall thickness		Yes	Yes		
Seam type			Yes		
Installation method					
Facility response plan as well as corresponding sequence number	Yes				Yes
Average daily throughput					Yes
Location of mainline block valves	Maybe				Yes
Storage field locations	Maybe				Yes
Locations of refineries, gas processing, treatment locations	Maybe				
Location of Breakout tank	Maybe				Yes
Location of LNG plants	Maybe				Yes
Location of Pump and Compressor Stations	Maybe				Yes

The foregoing chart illustrates that very few attributes identified by PHMSA in the Notice will provide meaningful information in furtherance of the specific goals PHMSA has outlined. In fact, only one attribute--the commodity transported--accomplishes three of the stated goals. All others result in achieving only one or two of the stated goals. The chart further points out that much of this information is already provided to PHMSA through various reporting requirements.

The Costs Of Implementation As Proposed Largely Outweigh The Benefits

The cost of any regulatory proposal is always a subject of discussion and comment. The question of cost in this case relates to several aspects of the Notice and includes, but is not limited to, the actual and measurable benefit from implementing such requirements, the highest and best use of funds, and whether the desired outcomes of the increased data collection can be achieved through other more cost effective means. Potentially the most important question that must be asked is to whether the information collection being requested will actually contribute to increased safety.

In taking into account the information outlined in the above chart, it is extremely difficult to justify the cost and overall dedication of resources in order to provide the same information to PHMSA that is already being provided in a different format. GPA has not developed specific costs on this proposal. However, several estimates are being offered by other, well established, industry associations that GPA feels are an accurate reflection of the likely costs to operators.

While ensuring the safety and integrity of pipelines is the top priority for all operators, directing funds and personnel to information collection efforts for mapping purposes does not appear to be the highest and best use of funds in achieving the goals of all stakeholders. In this regard, the five-foot positional accuracy requirement proposed in the Notice has received the most criticism. Beyond doubts as to the widespread technical feasibility of such a requirement, consideration must also be given as to whether this level of positional accuracy is necessary to accomplish PHMSA's stated goals. Providing the location of a pipeline facility to emergency responders within several hundred feet is sufficient to allow adequate preparation for an emergency. The increased positional accuracy proposed by PHMSA in the Notice does nothing to improve this level of emergency preparedness or response.

Further, it is not the most cost effective means of collecting information useful to state and federal regulatory agencies. Regulatory efforts should be focused on those initiatives that directly relate, and ultimately contribute, to increased safety. A more appropriate use of funds would be to improve the current NPMS system to make it more user-friendly and improve the overall navigation and flow of the site. Recent changes have made it easier to understand the home page, but additional improvements can be made.

GPA would submit that the costs of collecting this quantity of information in the format and detail proposed by the Notice is significant, and does not result in raising the level of safety in a manner that is consistent with current goals of industry or even regulators. As drafted, the Notice is a wish list of virtually every potential pipeline component variable. As summarized by the chart above, it is difficult to understand how this information achieves the goals identified by PHMSA.

The Notice Creates Enhanced Risk To The Homeland And Increases The Corresponding Security Burden On PHMSA

Many issues have been raised by industry concerning the security of the data to be provided. Significant time was spent on this subject at the public workshop in D.C., and numerous comments have been submitted to the docket concerning the issue. Given all of the concerns raised, and those outlined below, it is critical PHMSA adequately and appropriately address this issue when adopting the final requirements.

As stated by many, some of the information being requested is sensitive for reasons pertaining to security, while others object due to the proprietary nature of the information. Regardless of the specific reasons stated, GPA would like to suggest that compiling the information in a single location raises exponentially the ability to obtain the information for purposes other than the intended use. It is far more difficult to obtain and abuse this sensitive data if it is spread among multiple locations not directly connected or affiliated with one another.

GPA respectfully suggests that there must be systems in place to guarantee the security of the sensitive information being provided to PHMSA. Furthermore, any such system must be thoroughly vetted, tested, and actively reviewed by industry to ensure that such information is indeed secured and remains secure in the future.

It should be noted that there are existing programs in place with other federal agencies that document information pertaining to critical infrastructure and emergency planning. The Homeland Security Chemical Security Assessment Tool and Top-Screen Program, as well as the Occupational Safety and Health Administration Process Safety Management requirements are just two examples of this. The redundant reporting requirements contained in the Notice not only place additional burdens on operators, but also on PHMSA to responsibly and securely maintain it.

The Notice Expands Data Collection Requirements To Facilities Outside PHMSA's Jurisdiction

The Notice proposes the collection of information regarding the location of several types of facilities other than pipelines, including refineries, processing and treatment plant facilities, break-out tanks, and pump and compressor stations for hazardous liquids and natural gas operators, respectively.

The primary reason stated for this collection is emergency response preparedness, in addition to particular facilities being referenced as the demarcation of regulatory jurisdiction. GPA submits that some of this information concerns facilities not subject to PHMSA's current jurisdiction, and that the information collection proposed in the Notice should be further clarified to ensure its applicability to only those facilities currently subject to the regulatory requirements established under 49 C.F.R. 192 and 195.

GPA respectfully suggests that providing information regarding the location of refineries, processing plants, and treatment facilities is not within PHMSA's current purview. Subjecting

these types of facilities to regulatory requirements, while well intentioned, could lead to confusion about jurisdiction, and ultimately regulatory fines and penalties.

Additionally, some of the facilities identified (for example, valves, storage facilities, pumps and compressor stations) are only subject to regulatory requirements when certain conditions are met. GPA therefore suggests that additional language be added to clarify that only facilities subject to the regulatory requirements found in 49 C.F. R. 192 and 195 must be submitted to NPMS.

Lastly, PHMSA has requested operators submit information on abandoned pipelines on a prospective basis. This request defeats the very purpose of abandoning a pipeline. In many cases when an operator abandons a pipeline, all rights relating to the pipeline are conveyed back to the landowner pursuant to the easement agreement. At that point, the operator has no right or remaining obligation regarding the facility. Operators do retain operational records pertaining to these facilities for the periods required by 49 CFR 192 and 195, but anything beyond this is not commonly collected and retained by operators, and would be unreasonable in light of an operator's legal responsibilities following abandonment of a pipeline facility.

Under the proposed provision, it is unclear whether the requirement would merely require operators to maintain existing records permanently, or whether the proposed provision is broader in nature. Either way, the proposal creates a significant burden on operators. Requiring operators to maintain records for pipelines for which they are no longer responsible for is costly. Further, in cases where such existing records have not already been maintained and pipeline operatorship has transferred, as in the case of an acquisition, the likelihood of complete files being transferred from operator to operator over the years is low.

For these reasons, GPA respectfully asks that this provision be clarified to require only an initial notice of abandonment, and not ongoing or annual notification to NPMS.

Emergency Preparedness

GPA recognizes, and supports, the increased attention that operators and PHMSA are paying to emergency preparedness and response. The industry has a solid, and improving, record of safe operations. However, it is critical that operators and communities are prepared to handle a pipeline-related emergency. That being said, simply providing additional detail on maps or information related to pipeline operations will not improve emergency preparedness or response efficacy. Emergency preparedness and corresponding response can only be meaningfully addressed through two-way communication between the operator and the appropriate emergency response agencies.

Providing technical information to emergency responders does not guarantee they will know how to utilize the information. For example, knowing the pressure and diameter of a liquid line will not offer the spill modeling information necessary to coordinate or implement an emergency response plan. Additionally, knowing the pipe material, pipe-joining method, year of construction, or recent testing results does not assist responders. Moreover, even if this information were to be provided, there is no guarantee emergency responders will be able to

utilize or interpret this information without the direct assistance of operators.

Emergency response efficacy is highly susceptible to other factors (for example, weather conditions) that cannot be tracked or accounted for in mapping systems. Thus collecting the information proposed in the Notice has only a limited ability to improve the overall response to an emergency, even in an ideal situation.

A more important question is whether emergency responders have requested or otherwise want all of this information. Responders have acknowledged they are being bombarded with information from the pipeline industry, as well as other industries in addition to their normal response and homeland security responsibilities. Providing additional data that is, at best, ancillary to the needs of emergency responders risks creating a situation in which emergency response efficacy is unnecessarily degraded through information saturation.

Of potentially more importance, however, is the fact that existing public awareness and liaison requirements detail the information to be provided to emergency responders. To the extent such requirements are deemed to be inadequate as they currently exist, they should be revised and amended to address relevant concerns. Operators have learned a tremendous amount in recent years about what emergency responders need and want in terms of information relating to pipelines in their communities. Responders desire information specifically pertaining to:

- The commodity being transported;
- The steps they will be asked to take in an emergency;
- What the operator will do to respond; and,
- How the two groups will work to mitigate and control the outcome(s) of a release.

Rather than including these issues in the expanded information collection request, they should instead be addressed via the existing regulations pertaining to emergency response liaison requirements.

Conclusion

The goals identified by PHMSA are admirable and shared by GPA and industry. Data, if collected consistently and accurately, can help in driving decisions that can assist with risk management and improve safety. However, as currently proposed, PHMSA's amended data collection is excessive, encompassing virtually every aspect of a pipeline's profile, many elements of which do little, if anything, to further PHMSA's stated regulatory goals.

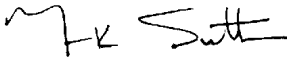
Regardless, there must be a balance between the cost and burden of providing information in the format requested by PHMSA (in this case GIS) with the benefit that results from the exercise. As the current Notice would result in the most comprehensive set of pipeline data ever collected by PHMSA, the potential, and very real, threat to data security is significant. This coupled with the known cost of collecting and maintaining information of this nature to the level of accuracy being requested, is simply not realistic especially when taking into consideration the overall focus on issues directly impacting the operational safety of pipeline

systems. Operators are dedicating billions of dollars to confirming and maintaining the integrity of their systems. Placing a significant new burden on limited resources is not prudent, especially when the new requirements would not result in the increased safety of the systems.

We hope that the issues outlined in these comments provide addition information and perspective to be considered when PHMSA evaluates the next steps. After the meeting in D.C. we are hopeful that PHMSA will reconsider its Notice and instead establish a working group of representative operators to discuss what information is necessary and truly beneficial to stakeholders. Once this is determined, a revised Notice can be put forward for comment and ultimately implemented in a reasonable manner.

Please contact me if GPA can be of assistance to PHMSA as this effort moves forward. I can be reached at (918) 493-3872 or msutton@GPAglobal.org.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mark F. Sutton".

Mark F. Sutton
President and CEO
Gas Processors Association