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Docket Management System
U.S. Department of Transportation
1200 New Jersey Avenue, S.E., Room W12-140
Washington, D.C. 20590-0001

Delivered via electronic filing on www.regulations.gov

Re: PHMSA Information Collection – Pipeline Safety: Request for Revision of a Previously Approved Information Collection: National Pipeline Mapping System Program, Docket No. PHMSA-2014-0092

Dear Sir or Madam:

The Trust applauds the PHMSA announcement about changes to the National Pipeline Mapping System (NPMS) through an Information Collection (OMB Control No. 2137-0596) that is to result in additional data and increased accuracy for the mapping system. While we're glad of the existence of NPMS, we have been frustrated by it and agree that it is sorely in need of improvement. The current NPMS standards were written in 1998, and the Geographic Information System (GIS) world is in a completely different place now than it was 15 years ago.

PHMSA lists the motivation behind this action, and we agree and hope that the changes will indeed:

- 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.
- 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.

And we would add our own list as well:

- Provide the public with information about the pipelines nearby, including incident and leakage information; and including size, pressure, commodity, and other attributes such as when they were last tested and inspected, and when the next inspection is due.
- Provide the public with other geographic location information relating to the pipelines such as their location within high consequence areas and specific class locations (if relevant), as well

as information about the topography, populations centers and the like.

- Allow the public to view pipelines across county lines in order to see a regional, state and national view of the infrastructure. Viewing lines only one-county-at-a-time doesn't make any sense, as most of us live, work, and play across county lines.
- Include more pipelines than only oil and gas transmission lines and off-shore gas gathering lines; all gathering lines should be included.

Much of this information can be found in other public places, such as elsewhere through PHMSA and through Energy Information Agency and/or FERC filings and pipeline operator websites, but it's painstakingly difficult for busy folks to weed through and compile. Citizens, landowners, and local governments can be some of the best allies in maintaining safe pipeline infrastructure, but they need to be able to access information about what is going on with the pipelines around them.

Specifically, PST submits the following in relation to more detailed aspects of the proposed information collection.

Sensitive and secure nature of data

The Trust is concerned that the new information is proposed to be only 'rarely' viewable on the Public Viewer. As mentioned above, much of the information PHMSA is requesting is available from other sources. Given time, any interested individual can gather this information together and paint a similar picture to what will be available on NPMS. One difference between a likely terrorist and the interested public is that the public has much less time on their hands. Withholding this information on NPMS in the name of security or the sensitivity of the business information is simply doing the average Joe and Jane public a huge disservice and keeping the information in the hands of only people with the time and wherewithal to dig it up from the public sources where it is already available. Maintaining a two- or three-tiered system with varying access is perpetuating the myth of insecurity. Do the states that already offer the public the ability to 'fly' the pipeline virtually throughout the state see increased incidents of vandalism or terrorism? NPMS has had no hacking attempts.[1] Minimally, everything that is currently available through the incident/accident and annual reports collected by PHMSA should also be available through NPMS to the general public, without limiting access to that information. A greater threat to safety is operators who do not keep their product safely inside their facilities and pipelines. Over the past 10 years, there have been 144 fatalities and 554 injuries due to pipeline-related incidents[2] – not to mention tremendous environmental and human health damage – much of which could have been prevented if operators were on top of maintaining their infrastructure. The best way to ensure safe pipes – next to strong and robust federal enforcement and oversight of state regulation– is by maintaining an informed and involved public. The public has the most at risk, and they are the ones that will use the data in an informed manner to help the operators and PHMSA be accountable to the regulations. Contrary to a security risk, allowing public access will do just the opposite and enhance public safety. Citizens need information to assist PHMSA in holding operators accountable to the rules and regulations.

The National Transportation Safety Board too has called for greater transparency of this information. The NTSB recommendation P-11-08 to PHMSA specifically states: "Require operators of natural gas

[1] Jack Fox (DHS TSA) and Amy Nelson (US DOT PHMSA) presentation "National Pipeline Mapping System Data Security" given Nov 17, 2014 at the PHMSA National Pipeline Mapping System Public Meeting; accessed Nov 23 through http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=101

[2] US DOT PHMSA serious incident data as of 11/25/14; accessed through http://www.phmsa.dot.gov/pipeline/library/datastatistics/pipelineincidenttrends

transmission and distribution pipelines and hazardous liquid pipelines to provide system-specific information about their pipeline systems to the emergency response agencies of the communities and jurisdictions in which those pipelines are located. This information should include pipe diameter, operating pressure, product transported, and potential impact radius." Other NTSB recommendations also bear mention: NTSB recommendation P-14-01 to PHMSA states that principal arterial roadways should be identified on NPMS system; NTSB recommendation P-11-18 to PHMSA suggests that if operators have complete and accurate information (as they should), it should not be a burden to pass that information on to NPMS.

Location information and accuracy

It is difficult for the Trust to believe – especially in light of the above NTSB recommendations that have been published for years – that pipeline operators do not already maintain geospatial records with a locational accuracy far greater than the 500 foot requirement of NPMS. They must do so in order to comply with numerous sections of CFR 192 and 195, respectively, as knowing where their pipelines are is a fundamental baseline of sound safety management. For example, HL operators must know where all crossings of "public roads, railroads, rivers, buried utilities, and foreign pipelines" are located.[3] Markers need to be placed along gas pipelines "wherever necessary to identify the location of the transmission line or main…."[4]

Many states require positional accuracy greater than PHMSA. For example, WA State requires positional accuracy to 40 and 10 feet, depending on population; CA requires accuracy to 100 feet. While the 5 foot accuracy proposed by PHMSA may be difficult to accomplish due to all the curves and bends in a pipeline we certainly support a level of accuracy that is near that figure.

Currently the CFRs require operators to incorporate information that may affect HCA status or class location when they are made aware of that information. However, PHMSA and NPMS do not in turn require the operators to submit this data back to NPMS. At the same time, independent contractors and some states are gathering their own data on significant identified sites with the help of local communities. Private operators as part of their public awareness efforts are asking local government officials to input their own information to an identified site registry. Upon inquiry, we discovered this information was going to a private contractor and not making its way back to NPMS, additionally with no ability for the local government official to track that the information even made it to the operator in a way that meaningfully impacted the integrity management planning. A planner or first responder can only assume that when someone asks them to help identify sites of particular interest (drinking water, congregate sites, etc.) for purposes of pipeline safety, that these will then be incorporated in the appropriate places – with the operator(s) and with PHMSA-NPMS. But that is not at all the case! The private contractor gathering information on identified sites should be required to submit this information to PHMSA, and PHMSA needs to have a regular mechanism for incorporating new information from pipeline operators and their contractors that affects HCA boundaries back into the NPMS.

Information about pipe attributes

PHMSA's IC proposes collecting more information about the pipe segment, including diameter, MOP/MAOP, pipe grade, SMYS, coating, material, wall thickness, seam type, join method, year of

[3] CFR 195.404(a)(2)
[4] CFR 192.707(a)(2)

construction/installation, leak detection method, inspection and testing information, commodity detail, location detail, and whether a special permit is associated with the segment. The Trust supports this additional information being collected geospatially. We are, however, concerned about the use of the term 'predominant' with reference to the details of the pipe involved in the segment. The information on pipe attributes is crucial to emergency responders and local government officials in order to target their planning and resources, and it needs to be real information that matters, which means including the *actual* diameter, *lowest* SMYS, *thinnest* wall thickness, *least robust* coating, etc., of the segment in question, NOT the 'predominant' feature within the segment. Any engineer will tell you that basing calculations on 'predominant' information will not result in accurate conclusions or safe assumptions. Local communities deserve accurate information about the pipelines where they live as they share in both the risk and the responsibility for keeping these safe. And again, much of this information is already available, yet quite cumbersome for local governments to locate and often must be gleaned from many different sources of information. Withholding it for reasons of security is a cloak that masks the reality that many operators are not maintaining their own information adequately, or are not confident their own risk management will stand up to informed scrutiny, or simply reflects a lack of understanding of today's reality of public access to information. For example, things like PHMSA special permits are already publicly available on-line through the website, and any person can have access to the information. Tying this information to geospatial data makes sense, and will aid communities in helping PHMSA and operators keep pipelines safe and accountable

Abandoned pipes

There is confusion among operators on what "abandoned" means. The terms 'abandoned,' 'idled,' 'retired,' and 'in service,' are thrown around and not used consistently. The terms used in NPMS need to align with what the CFR specifies, and pipeline operators need to submit information on any lines that are not in service retroactively. There are too many incidents of so-called 'abandoned' pipes not being properly abandoned and leaking or causing a hazard to communities. Operators need to be held responsible for their pipes that are no longer in service and yet must still be safe. Limiting the reporting to prospective abandonment will lead to thousands of miles of questionable pipe that may or may not be safe lying beneath communities.

Water crossings

PHMSA proposes to collect information that will allow them to verify depth of cover and better assess risk at certain river crossings. We applaud this, and have long been asking for further protection at all water crossings, especially for HL pipelines. Already, HL operators are required by the CFR to establish a depth of cover when constructing these navigable water crossings, and verify the condition of these crossings every five years.[5] Since operators are already required to do this, and are presumably using information on their own installation methods to aid in this process, giving this information to PHMSA through NPMS should result in no greater burden on the operator. If operators suggest that it does, PST is concerned that they have not been adequately doing what is already required under CFR 195.248 and 195.412(b) and the integrity management rules relating to risk assessment and preventive and mitigative measures. For an operator to suggest that this information should only be required for new pipelines because it is not easily obtainable for existing segments is quite disconcerting, as all existing pipelines need to be following existing regulations, and

[5] CFR 195.412(b)

those regulations suggest that information on water crossings for pipelines should already be readily available and used for existing safe pipeline operations.

Phased approach

PST supports a phased approach to implementing this Information Collection to the degree that the time is truly needed to implement necessary technological upgrades. In any case, all upgrades should be able to be completed by 2018, and the IC fully implemented by then. No working group is needed to do so; the information technology is available, and operators may simply need the time to upgrade their systems and implement the technology. Many states already have requirements that operators submit this kind of information to state agencies.

The Trust also wishes to reiterate comments submitted in relation to an information collection associated with Docket No. PHMSA-2013-0137, because it very much relates to the current information collection that is the subject of this comment.

We pointed out then that 49 USC 60132 (b) clearly authorizes PHMSA to require NPMS information to be updated annually by pipeline companies, and for that information to be broader than what is currently asked for. Importantly, §6b of the 2011 Pipeline Safety and Job Creation Act asks the Secretary to "issue guidance to owners and operators of pipeline facilities on the importance of providing system-specific information about their pipeline facilities to emergency response agencies of the communities and jurisdictions in which those facilities are located." This is separate from providing information during incidents or probable incidents, as addressed in a number of PHMSA advisory bulletins; this direction has to do with local hazard mitigation planners and emergency responders having access to system-specific data in order to plan and prepare for emergencies well ahead of time. The accuracy and detail of the NPMS data is not high enough to adequately assist local communities who are planning or preparing for potential emergencies; it is not unusual for PST staff to find more detailed and accurate information on operators' own websites than on the NPMS, though not in a way that is searchable by location, indicating to us that many operators have this information readily available in a geospatial format. NTSB addresses this issue as well (P-11-1), recommending to PHMSA that pipeline operators share "...system-specific information, including pipe diameter, operating pressure, product transported, and potential impact radius, about their pipeline systems..."; PST believes that doing so through data requested for the National Pipeline Mapping System - and subsequently including the information on that system - would be a very good way to make this important data accessible to those who need it most - the emergency management and planning professionals in the local communities through which pipelines run.

Also, not all High Consequence Areas are viewable on the maps at this time (e.g. those designated near hazardous liquid pipelines due to environmental considerations); this is also problematic and needs to be changed, with information and data gathered from pipeline companies that allows the public to view pipelines including their location within any HCA with a much higher level of accuracy. There is in fact a statutory requirement that HCAs be incorporated as part of NPMS and updated biennially.[6]

[6] Pipeline Safety Regulatory Certainty, and Job Creation Act of 2011; Section 6 made part of 49 USC 60132.

As our comments reflect, it is the belief of the Trust that the public plays a vital role in helping operators and PHMSA maintain safe pipelines and in holding operators and regulators accountable. We all share the goal of getting to zero pipeline incidents, but can only achieve that if we include the public as the vital third leg of the stool that holds up pipeline safety, along with regulators and operators. The NTSB, too, agrees that more of the pipeline information must be available and accessible through NPMS. The Trust cautions the over-use of limiting access to NPMS data; is there really justifiable reason to do so? Often, we have seen the public use the information at hand to help achieve greater pipeline safety. As we've said for more than 10 years, transparency and information sharing are crucial to increasing the safety and trust of pipelines in this country. Doing this through NPMS makes sense, and we hope PHMSA's proposal helps the public access this information. It is high time NPMS be modernized. The information and tools are available to do so; it simply needs to be implemented. The Trust supports PHMSAs efforts to do so.

Thank you again for this opportunity to provide input.

Sincerely,

Carl Weimer
Executive Director