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November 24, 2015

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:

Thank you for the opportunity to comment on the proposed changes to the National Pipeline Mapping System program. The Trust is pleased to see proposed changes to the NPMS, as recommended over time by both Congress and the NTSB, which we hope will result in additional data being made available to local communities and increased accuracy for the mapping system.

Following are the comments we submit to you in a number of areas.

Public Access to Information and Security

First and foremost, we would like to stress the importance of public access to this information. Both Congress and the NTSB have talked about the importance of the NPMS and its availability to the public, first responders, and local governments. The Trust believes strongly in the supportive role the public can play as a partner in safer pipelines, but that partnership is only as good as the information the public can access.

In 49 USC 60132 (b), Congress clearly authorized PHMSA to require NPMS information to be updated annually by pipeline companies, and for that information to be broader than what is currently collected. Importantly, §6b of the 2011 Pipeline Safety and Job Creation Act directs 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 current accuracy and detail of the NPMS data is not sufficient 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.

Also, no High Consequence Areas (HCAs) are viewable on the public maps at this time; 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. Local governments and the public otherwise have no means of determining whether operators have appropriately identified HCAs in their communities: whether wellhead protection areas, drinking water sources and other sensitive environmental areas that should trigger an HCA designation have been properly identified.

We do not understand why very little of the information proposed to be collected will be accessible to the public according the access limitations proposed. Citizens, landowners, and local governments can be some of the best allies in maintaining safe pipeline infrastructure, but – as requested by Congress – they need to be able to access information about what is going on with the pipelines around them.

Presumably even potential new pipeline operators can access HCA information across a broad region due to their need to use the information in assessing a new pipeline route. Also a great deal of the attribute information is available commercially to those willing to pay for it (see Appendix A), including pipeline and facility locations with details such as name, designation, diameter, system type, status, commodity, flow capacity, etc., across regional and national scales. Apparently if you purchase from a commercial enterprise that has the time to be "constantly mining industry private and government agencies for acquisition, purchases, investment and other general press releases" and agree to undergo a preliminary background check and state your active involvement with the energy market (undefined), with enough financial resources this information can be yours.²

Other federal agencies routinely release geospatial data to the public. The U.S. Fish and Wildlife Service provides both online map access and downloadable Geographic Information System (GIS) files on critical habitat and endangered and threatened species, and allows viewers to access this data for multiple counties at one time. The U.S. Environmental Protection Agency provides online information on sole source aquifers, and allows all users (federal agencies, states, and the public) to download the GIS layers, indexes, and metadata on all source aquifers in the country. The Department of Interior, through both the Bureau of Safety and Environmental Enforcement (BSEE) and Bureau of Ocean Energy Management (BOEM), also provides downloadable detailed GIS data relating to energy facilities to all users. For example, BSEE offers a variety of pipeline geospatial information in PDF and GIS file formats to the public, and includes such detailed attributes as pipeline diameter, product, status, construction date, leak detection information, hydrotest information, maximum operating pressure, and more (see Appendix B).

We do not understand why PHMSA – with similar discretion on what types of information they choose to release to the public as other federal agencies – makes very different decisions about the level of access they choose to allow for the public. The public needs to be able to find out whether the pipelines in their midst are within a High Consequence Area (HCA) designation, and what class location designation (if relevant) they have. The public needs to be able to view locations of pump and compressor stations associated with the pipelines in their midst if they are concerned about noise, light traffic or air pollution. The public needs to be able to understand how the pipelines in their midst work and attributes that impact the potential risk of a failure such as MAOP/MOP,

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¹ Pipeline Safety Regulatory Certainty, and Job Creation Act of 2011; Section 6 made part of 49 USC 60132.

² See Appendix A or http://www.rextagstrategies.com/gismain for one such commercial offer of pipeline GIS data.

diameter, and inspection history. The public needs to be able to know what specific commodities are flowing through the pipelines in their midst. For those interested in pipeline safety, running into roadblocks that prevent adequate access to information and understanding about the pipelines in their midst only breeds mistrust and frustrates efforts for the public to be a useful partner in pipeline safety. Again, much of this information is available commercially to those with enough money to access it.

Having information available in geospatial format through NPMS is entirely different than the information available to the public through annual and incident reports. We appreciate the degree to which the annual and incident information is readily available from PHMSA in a variety of formats. This information is valuable to the public, and the NPMS geospatial data collection is not duplicative and does not supplant the need for the annual and incident data.

While we have specific comments about the attributes and details of the proposed changes, they pale in comparison to the importance of the public access issues. Withholding this information on NPMS in the name of security or the sensitivity of the business information is simply doing the average member of the public a huge disservice and provides only the illusion of any additional security, as many aspects of the information being collected are available in other published sources, although frequently difficult to find, or available commercially for a price. Keeping the information out of the public side of the NPMS is simply keeping the information in the hands of only people with the money or time and wherewithal to dig it up from the sources where it is already available. The best way to ensure safe pipelines is not to maintain a two- or three-tiered system with varying security access. The best way to ensure safe pipelines – next to responsible operators and 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, and to encourage their community first responders to know the risks of pipelines around them.

Local government officials receive information from pipeline operators from operators' normal outreach efforts, typically through private contractors. Often these materials ask local officials to indicate local sensitive sites without any context of what is already by law included in an HCA designation, what the operators are already aware of, or what is currently already mapped. Nor is there any requirement that the private contractor will in turn submit the information from the local government official back to NPMS or even to the operator. Why should an official waste their time in indicating, for example, a drinking water source that is already mapped, or of which PHMSA and the operator are already aware? Why would they do it at all when it may never get into the hands of PHMSA and the NPMS? Wouldn't this type of request be more appropriate as a request to verify information already available and accessible in an NPMS viewer? And how would the local government official know about the context of the pipelines in their midst if the relevant information is not available to them on NPMS?

The National Transportation Safety Board too has called for greater transparency of information. The NTSB recommendation P-11-08 to PHMSA specifically states: "Require operators of natural gas 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." And yet contrary to this recommendation, PHMSA is proposing to keep some of this information restricted to an SSI status that will not be available even to local government officials.

Other NTSB recommendations also bear mention: NTSB recommendation P-14-01 to PHMSA states that principal arterial roadways should be identified on the 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.

In addition to what PHMSA articulates about what the NPMS data elements will do, we hope they will also:

- 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.

Phased approach

PST supports the phased approach proposed by PHMSA to implement this Information Collection. We support the decision <u>not</u> to convene a working group, and to complete all upgrades and fully implement the Information Collection within a three-year timeframe. 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.

Location information and accuracy

The Trust supports the positional accuracy requirements proposed by PHMSA. As noted in our earlier comments, operators must already maintain greater positional accuracy than the current NPMS standard of 500 feet 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. Markers need to be placed along gas pipelines "wherever necessary to identify the location of the transmission line or main...." While we prefer the positional accuracy requirements of our home state of WA – 40 and 10 feet, depending on population – we support PHMSA's proposal to dramatically improve what currently exists on NPMS.

In addition to positional accuracy requirements, we would like to see a requirement that anyone gathering information related to pipelines or on behalf of pipeline operators on identified sites or

³ CFR 195.404(a)(2)

⁴ CFR 192.707(a)(2)

other attributes be required to submit this information to PHMSA. 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. As alluded to in our comments about public access to the information, private operators as part of their public awareness efforts are asking local government officials to input their own information to an identified site registry. 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. Upon inquiry, we discovered some of 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 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 (or state agencies) 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 or state agencies that affects HCA boundaries back into the NPMS.

Information About Pipe Attributes

The Trust supports the additional attribute information proposed to be collected geospatially. We appreciate the clarification and removal of the term *predominant*. As mentioned in our previous comments, 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.

There are a few attributes PHMSA proposed in the original information collection notice that are now no longer proposed. The Trust is particularly concerned about two of these dropped attributes: installation method if the pipe crosses a waterbody over 100 feet, and type of leak detection.

<u>Water Crossings</u> – We do not agree that the attribute for installation method if the pipe crosses a waterbody over 100 feet should be dropped. It is reasonable for PHMSA to collect information that will allow them to better assess risk at certain river crossings. Operators are already required to know information about these crossings according to current regulations. Hazardous liquid pipeline operators are required to establish a depth of cover when constructing these navigable water crossings, and verify the condition of these crossings every five years. Collecting this information geospatially would be useful for PHMSA in assessing risks and for modeling; more information, not less is needed for these types of crossings.

<u>Leak Detection</u> – We do not agree that the attribute for type of leak detection should be dropped. PHMSA is well aware of the questions surrounding leak detection and its ability to work well for leaks

⁵ For HL – 49 CFR § 195.248 and § 195.412(b); for gas and HL – the integrity management rules relating to risk assessment and preventive and mitigative measures.

⁵ CFR 195.412(b)

rather than only ruptures. Again, more information about this attribute is needed, not less. Where and how existing leak detection is installed and functioning is part of what is needed to develop better understanding, improve technology, and lead to safer pipelines.

The Trust is also concerned about the details of some of the other attributes proposed.

<u>Seam Type</u> – PHMSA is saying this attribute collection may be limited to only pipeline segments in Class 3 areas, Class 4 areas, and HCAs. The Trust does not support this limitation; this attribute information should be collected everywhere. The NTSB recommendation specifically referenced this attribute, and even rural emergency responders deserve to have this type of detail about the pipelines running through their areas.

<u>Decade of Installation</u> – The Trust requests that PHMSA be clearer about this attribute. PHMSA needs to ensure consistent information across submissions and determine if they are asking for decade of *installation* or decade of *construction*; not leave that choice up to the operator. The Trust prefers that PHMSA specify decade of construction, and further specifies the determiner as "90% of all pipes and fittings." Also, we want to reiterate that nothing included in this information collection should supplant information collected through the annual reports. The information is different in terms of the geospatial element and is specific to pipeline segments. The annual report data is comparable over time, and available to the public. One does not equate to the other, and they should not be confused as being duplicative.

Abandoned Pipes – More needs to be done here to address lack of clarity, and confusing references to terms in the NPMS manual that are not included in the regulations. Words like "retired" and "idled" referenced in the manual should not be used as they are not allowed by regulation. The regulations presume pipelines will either be actively maintained (whether or not they are carrying a product) or abandoned. Using the words "retired" or "idled" seem to indicate some sort of middle ground where monitoring is not being performed yet the pipelines have not been abandoned according to the regulations. Any line that is not abandoned according to the regulations, should be presumed to be in-service and included as such by the operator in information submitted to PHMSA and NPMS. 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 not abandoned and must still be safe. PHMSA should be consistent between terminology used in the NPMS Manual, and that used in the regulations, and consistent internally within the Manual. The Trust supports including abandoned pipes in NPMS, though believes that inclusion should be retroactive by a few years or as far as possible.

Miscellaneous -

There is an error in the NPMS Operating Standards Manual: Section 3.1 talks about positional accuracy, and while the NOTICE says +/-50 feet applies to Class 2, 3, 4; the handbook says it applies to Class 1, 2, 3. Please correct the handbook reference.

Please clarify what is meant by the flexibility of pressure test methodology for HL pipeline operators. Presumably this is related to 49 CFR 195, but there is no citation.

Conclusion

The Trust applauds the proposed changes to the NPMS through this Information Collection that is to result in additional data and increased accuracy for the mapping system. Making these improvements to geospatial data makes sense, and will aid communities in helping PHMSA and operators keep

pipelines safe and accountable, presuming the information is available to communities and the public. We are pleased to see that the proposal includes collecting geographic information about attributes that the NTSB and the public have been calling for, and stress above all the need for the information to indeed be accessible to the public. 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, as many other federal agencies do with their own mapping information and data made easily accessible to the public. 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

HARTENERGY

APPENDIX A to PST comments



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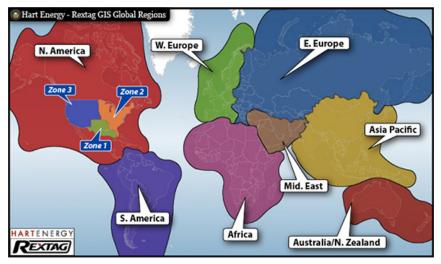
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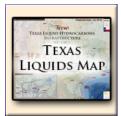
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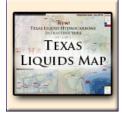
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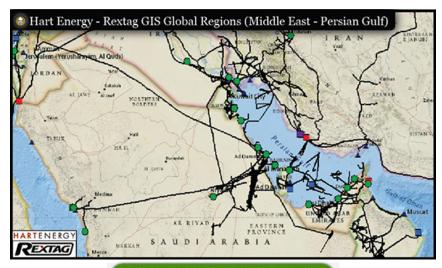
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Pipeline Location	Fixed	Pipeline Location Information - New -and/or- Revised As-built Data in Segment Number Order		
Updated October 15 - 31, 2015	Delimit			
Pipeline Location Data with Appurtenances	Fixed	Pipeline Location Information - New -and/or- Revised As-built Data in Segment Number Order with Appurtenance		
PART ONE Segment Numbers < 8000	Delimit			
Pipeline Location Data with Appurtenances	Fixed	Pipeline Location Information - New -and/or- Revised As-built Data in Segment Number Order with		
PART TWO Segment Numbers >= 8000		Appurtenance		
Pipeline Location With Appurtenance	Fixed	Pipeline Location Information - New -and/or- Revised As-built Data in Segment Number Order with Appurtenance		
Updated October 15 - 31, 2015	Delimit			
HISTORIC Pipeline Location Data with		Pipeline Location Information - All versions of the As-built Data in Segment Number Order with		
Appurtenances (Old and new As-built Versions)	Dolimit	Appurtenance (This includes old versions of the data and unverified out-of-date versions that could contain errors.)		

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Field Definitions for PACIFIC PIPELINE MASTERS

Click on hyperlinked Column Aliases to show possible values.

The Start Position Column is used for fixed dumps only. Click on the column alias for a valid list of values or codes associated with the element selected.

Start Position	Item Length	Column Alias	Definition	
1	8	Segment Num	SEGMENT_NUM -The number assigned by MMS to each pipeline segment for purpose of internal identification.	
9	8	Seg Length	SEG_LENGTH -The length, in feet, of the Federal portion of the pipeline segment. The measurement is taken from the beginning of the pipeline segment and ends at the seaward extent of the coastal State's territorial sea.	
17	20	Orig Id Name	ORIG_ID_NAME -The unique name used to identify the facility where the pipeline originates.	
37	2	Orig Ar Code	ORIG_AR_CODE -The indicator of the area name in which the pipeline begins.	
39	6	Orig Blk Num	ORIG_BLK_NUM -The number used to identify the particular block in the Outer Continental Shelf (OCS) where the pipeline originates.	
45	7	Orig Lse Num	ORIG_LSE_NUM -The number used to identify the minerals lease where a pipeline originates.	
52	20	Dest Id Name	DEST_ID_NAME -The name of the facility the end of the pipeline segment crosses or connects.	
72	2	Dest Ar Code	DEST_AR_CODE -The indicator of the area name in which the pipeline segment terminates.	
74	6	Dest Blk Num	DEST_BLK_NUM -The number used to identify the particular block in the Outer Continental Shelf (OCS) where the pipeline segment terminates.	
80	7	Dest Lse Num	DEST_LSE_NUM -The number used to identify the mineral lease where a pipeline segment terminates.	
87	8	Aban Aprv Dt	ABAN_APRV_DT -The date the abandonment of the pipeline was approved by the MMS office.	
95	8	Aban Date	ABAN_DATE -The date the abandonment of the pipeline was completed by the operator.	
103	8	Approved Date	APPROVED_DATE -The day, month, and year the application or permit request was approved by MMS.	
111	1	Auth Code	AUTH_CODE -The indicator of the authority under which the pipeline operates.	
112	1	SUV FI	BD_PPL_SDV_FL -An indicator of whether a boarding pipeline has a shut down valve (SDV) installed and operational.	
113	1	Bur Dsgn Fl	BUR_DSGN_FL -An indicator of whether a pipeline was buried at the time of installation.	
114	4	Cat Life Tm	CAT_LIFE_TM -The length of time the pipeline cathodic protection is expected to be effective.	
118	1	Dep Flag	DEP_FLAG -An indicator of the direction of flow of the pipeline segment.	
119	8	Ppl Const Date	PPL_CONST_DATE -The day, month, and year the pipeline was built.	
127	1	Lk Detec FI	LK_DETEC_FL -An indicator of whether a pipeline has a leak detection system installed and operational.	
128	8	Last Rev Date	LAST_REV_DATE -Date a row in the database was last updated.	
136	8	Init Hs Dt	INIT_HS_DT -The day, month, and year the first hydrostatic (HS) test is performed. Hydrostatic testing involves filling a pipeline with water under pressure to test the pipeline tensile strength or its ability to hold a certain pressure.	
144	8	Fed St Lgth	FED_ST_LGTH -The length of pipeline which lies within the outer Continental Shelf (Federal jurisdiction) and a coastal State's territorial sea up to the shoreline (State jurisdiction).	
152	4	Status Code	STATUS_CODE -An indicator of the current status of the pipeline.	
156	6	Ppl Size Code	PPL_SIZE_CODE -An indicator of the outside diameter of the pipeline.	

Row Number	ROW_NUMBER -An identifier assigned to a pipeline approved under Title 30 CFR 250.250.
Recv Maop Prss	RECV_MAOP_PRSS -The highest operating pressure allowable in the receiving pipeline during normal flow or static condition
Recv Seg Num	RECV_SEG_NUM -The segment number of the pipeline that is connected to the current pipeline which receives the product for transportation to another point.
Prpsl Con Dt	PRPSL_CON_DT -The day, month, and year the operator has proposed to construct the pipeline segment.
Prod Code	PROD_CODE -An indicator of the product being transported through a pipeline.
Sys Desig Code	SYS_DESIG_CODE -An indicator of the MMS' commingling system the pipeline is part of.
Facil Operator	FACIL_OPERATOR -The code number to identify the operator of a facility at the time of inspection.
Min Wtr Opth	MIN_WTR_DPTH -The least vertical distance from mean sea level to the sea floor at the shallow part of the pipeline.
Max Wtr Dpth	MAX_WTR_DPTH -The greatest vertical distance from mean sea level to the sea floor. The depth of the water at the deep end pipeline system.
Prot Number	PROT_NUMBER -The identifier of an official protraction, which can be one of two types as utilized by the Minerals Manageme (MMS): an Official Protraction Diagram (OPD) or Leasing Map.
Maop Prss	MAOP_PRSS -The highest operating pressure allowable at any point in a system during normal flow or static conditions.
Cathodic Code	CATHODIC_CODE -An indicator of the type of cathodic protection installed on the pipeline.
Bidir Flag	BIDIR_FLAG -An indicator of whether the product in the pipeline can be passed in either direction.
Bd Ppl Fsv Fl	BD_PPL_FSV_FL -An indicator of whether a boarding pipeline has a flow safety valve (FSV) installed and operational.
Aprv Code	APRV_CODE -An indicator of whether the pipeline segment was approved under lease terms or right-of-way.
Aban Type	ABAN_TYPE -The method used to abandon the pipeline segment.
INIT DATE	INIT_HS_DT -The day, month, and year the first hydrostatic (HS) test is performed. Hydrostatic testing involves filling a pipeline water under pressure to test the pipeline tensile strength or its ability to hold a certain pressure.

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