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DOT Docket Management System
Docket No. PHMSA-2014-0092
U.S. Department of Transportation
1200 New Jersey Ave., SW
Washington, DC 20590

RE: Comments of the American Petroleum Institute and the Association of Oil Pipe Lines on, “Pipeline Safety: Request for Revision of a Previously Approved Information Collection: National Pipeline Mapping System Program”: Docket No. PHMSA-2014-0092

The American Petroleum Institute (“API”)¹ and the Association of Oil Pipe Lines (“AOPL”)² (collectively, “the Associations”) appreciate the opportunity to provide further comment in response to the Notice and request for public comment on “Request for Revision of a Previously Approved Information Collection: National Pipeline Mapping System” (hereinafter “June Notice”)³ issued by the Pipeline and Hazardous Materials Safety Administration (“PHMSA”). The Associations and their members continue to support the modernization of the National Pipeline Mapping System (“NPMS”), improving the accuracy of data submitted, and the inclusion of additional information. API and AOPL will work with PHMSA to make the necessary updates to the NPMS consistent with the goals of continuously improving the effectiveness of pipeline safety programs, enhancing the ability of emergency response personnel to provide effective assistance in the event of an incident, and promoting public awareness of pipeline infrastructure.

The Associations appreciate many of the modifications outlined in the June Notice; however, despite the general support, the June Notice leaves certain proposed attributes of NPMS intact that raise concerns for the Associations and their members. Moreover, the Associations continue to express general concern that the storing of key operational and physical attributes in centralized applications gives potentially nefarious actors increased opportunities to easily access the data. The Associations request that PHMSA give due consideration to those remaining concerns outlined in these comments before moving forward with, and having the

¹ API is the national trade association representing all facets of the oil and natural gas industry, which supports 9.8 million U.S.

² AOPL is a national trade association that represents owners and operators of oil pipelines across North America and educates the public about the vital role oil pipelines serve in the daily lives of Americans. AOPL members bring crude oil to the nation’s refineries and important petroleum products to our communities, including all grades of gasoline, diesel, jet fuel, home heating oil, kerosene, propane, and biofuels.

³ 81 Fed. Reg. 40,757 (Jun. 22, 2016).

Office of Management and Budget (“OMB”) approve, the information collection request for a revised NPMS as proposed in the June Notice.

I. General Concerns with the Revised Information Collection

The Associations wish to express their continued concern with the characterization of information for security purposes. The Agency’s discussion of data security in Section IV.D of the June Notice states that attributes deemed to contain Security Sensitive Information (“SSI”) would be kept in an “*SSI-compliant environment at PHMSA*” [emphasis added].⁴ While API and AOPL appreciate PHMSA’s recognition that certain attributes pose security threats if not given adequate protection, the June Notice is sorely lacking substantive detail regarding the methods and controls the agency plans to, or has, added to their existing systems and procedures to ensure the requirements for the protections of SSI are met. The June Notice does not explain processes and controls that will be employed to ensure SSI-compliance. The Associations request that PHMSA provide clarification, and engage in a dialogue, regarding the verification procedures the agency will undertake to guarantee that SSI-compliant areas are maintained.

It is important to also note that the proposed modifications to the NPMS, specifically when combined with the multiple concurrent regulatory actions, will place an excessive burden on the pipeline industry. The resources needed by a company to meet the new obligations will vary depending on the current state of the operator’s assets. Capital costs, such as new computer hardware and software, could be incurred. Also, expense costs related to operation and maintenance activities, like surveying, collecting, verifying, maintaining, and updating data and related metadata are a possibility. External consulting costs could also be needed given a company’s existing available resources. In a recent analysis on PHMSA’s hazardous liquids pipelines NPRM, API asked operators to quantify mapping costs. For mapping short lines, API member’s estimated a cost of \$110K/mile. This figure includes the contractor cost to perform the following activities: modify database, link to data search engines, populate with location and pipe data, and test functionality. Additionally, the average cost of \$110K/mile includes mobilization/demobilization costs, which involve a construction work crew, material, and equipment to/from work site, plus other engineering and field labor. This same analysis provided operator feedback for completing work on lines that may already have some mapping. API identified an average cost of about \$5K/mile for lines with some initial markings. The cost includes surveying and validating already marked lines, as well as engineering labor. These figures are provided as examples, and as mentioned earlier, the cost to implement the NPMS proposal will vary. At a minimum, PHMSA should acknowledge that requiring new attributes in NPMS will necessitate potentially significant operator resources and as a result, should perform an appropriate analysis with OMB to ensure any benefits outweigh the costs. This effort is especially needed considering the additional regulations PHMSA has recently proposed that will require substantial resources.

⁴ Id. at 40,763.

II. The Associations' Comments on Specific Proposals

1. Positional Accuracy

The June Notice leaves intact the proposal that hazardous liquid pipeline operators submit data to the NPMS with a positional accuracy of +/- 50 feet.⁵ The Associations appreciate PHMSA addressing industry concerns with the original proposal, which proposed a positional accuracy of five feet. API notes that PHMSA was silent on the issue of providing gas transmission operators with access to a single source of highway data in order to ensure accuracy and avoid duplicative efforts, as requested in our November 2015 comments.

The Associations welcome the efforts of PHMSA to reduce the burden on operators to comply with this standard. Specifically, API and AOPL agree with the year 2024 as the date by which all pipeline data submitted to NPMS contain the stated new positional accuracy.⁶ API and AOPL also appreciate the clarifications provided in the June Notice regarding earlier submissions that comply with the new standard, as well as those submitted prior to 2024 that comply with the new standard in part and retain the current 500-foot standard in part.⁷

The Associations note that the June Notice does not address the security level proposed for positional accuracy. API and AOPL request that, at a minimum, positional accuracy be PIMMA protected to ensure that sensitive information regarding energy infrastructure is disclosed in a responsible manner and effectively eliminates the threat that such information will fall into nefarious hands and threaten the safety of the public and the environment.

2. Highest Percent Operating Specified Maximum Yield Strength

PHMSA proposes to modify this element from the revised information collection request issued in 2015, which required pipeline operators to submit information pertaining to the percent at which the pipeline is operating to Specified Minimum Yield Strength ("SMYS").⁸ The June Notice changes this attribute to the following: "Percent SMYS: Hoop stress corresponding to the maximum operating pressure (MOP) or maximum allowable operating pressure (MAOP) as a percentage of SMYS. Choose one of the following categories: L20 = <20%; L30 = ≥20% and <30%; L40 = ≥30% and <40%; L50 = ≥40% and <50%; L60 = ≥50% and <60%; L72 = ≥60% and <72%; L80 = ≥72% and <80%; G80 = >80%."⁹ In the joint comments submitted by the Associations in November 2015, API and AOPL suggested that PHMSA maximize the utility of this attribute by collecting the data in SMYS intervals. The Associations appreciate the consideration PHMSA gave to the comments submitted, and support the collection proposal as outlined in the June Notice.

API requests clarification on whether this information will be required on grandfathered (natural gas) pipelines or on pipelines where a yield test has been performed to vet MAOP-MOP.

⁵ Id. at 40,758.

⁶ Id.

⁷ Id.

⁸ 80 Fed. Reg. 52,084 (Aug. 27, 2015).

⁹ 81 Fed. Reg. 40,757 at 40,759.

The Associations agree with the designation of this attribute as SSI. SMYS demonstrates the vulnerabilities of a particular pipeline, and therefore it is imperative that the information receives the greatest protection available.

Despite the support for the modifications to this element, the Associations continue to request that PHMSA give due consideration to collecting this attribute in Phase 2, so that operators have sufficient time to incorporate the information into their Geographic Information Systems (“GIS”).

3. Decade of Installation

PHMSA proposes to modify this attribute, to be defined as “either actual or predominant, (90% or more of the represented segment), decade of installation.”¹⁰ The Associations appreciate the consideration of our joint comments submitted in November 2015 and including the submission of actual values as an alternative option.

API and AOPL appreciate maintaining this element in Phase 2 of collection and including the information on the PIMMA website only.

4. Year of Last Corrosion, Dent, Crack, and Other ILI Inspections

The June Notice explains that this data element would be modified by creating a new attribute that “streamlines the information in this data element and in the pressure test elements” in order to “reduce the burden on operators and accurately evaluate a pipe’s condition and risk.”¹¹ The new elements, which are mandatory submissions for pipeline segments that must be assessed pursuant to the regulations in §§ 192 and 195, are as follows: “(1) Assessment method for the most recent assessment: ILI – Inline Inspection, DIR = Direct Assessment Method, or PT = Hydrostatic Pressure Test. (2) Assessment Year: 4-digit year of last assessment.”¹² Operators may indicate whether a segment is exempt from assessment, and may also indicate whether additional assessments were undertaken, if more than one method was performed concurrently the last time the segment was assessed.

The Associations continue to agree that this data element be collected in Phase 2 and that the information be PIMMA protected.

5. Coated/Uncoated and Cathodic Protection

PHMSA proposes to modify this data element, which previously asked operators to identify whether the pipe was “‘effectively’ cathodic protection (CP) coated steel, no CP coated steel, CP bare steel, no CP bare steel, or plastic.”¹³ In the June Notice, PHMSA modifies the data element to require operators to simply indicate a yes/no choice in order to reduce the burden on operators. According to the June Notice, a yes/no choice is sufficient to meet the internal needs

¹⁰ Id.

¹¹ Id.

¹² Id.

¹³ Id.

of PHMSA as well as those of its stakeholders. The new data element is as follows: “Whether the pipe is coated (yes/no).”¹⁴ The Associations do not object to collection of this attribute as modified in the June Notice.

API and AOPL appreciate the continued inclusion of this information on the PIMMA website only.

6. Type of Coating

The Associations do not object to the elimination of this data element.

7. Year of Original Pressure Test and Its Pressure

The Associations do not object to the elimination of this data element.

8. Year of Last Pressure Test and Its Pressure

As explained above in Section I.4, the pressure test and ILI inspection elements are being combined in the new Assessment Method element. PHMSA has removed the requirement to always submit the year of the last pressure test; however, if the method of assessment was a pressure test, the year of the test is required in the Assessment Year field.

API requests clarification on whether or not this information is required for grandfathered (natural gas) pipelines. Further, PHMSA should only require this information for pipelines operating at $\geq 20\%$ SMYS, as MOP or MAOP is not collected on pipelines operating beneath that pressure.

9. Gas Storage Fields

PHMSA proposes to modify this data element consistent with the suggestion made in the comments submitted by the American Gas Association in November 2015.¹⁵ Specifically, the choices for field type will be changed to aboveground tanks, underground cavern, depleted reservoir, or aquifer storage. PHMSA will also include a choice for injection wells.

API requests that PHMSA not pursue this reporting requirement, as it would seek information on assets that are not within the scope of its regulatory authority. In addition, disclosure of storage field locations raises proprietary concerns, particularly when coupled with disclosure of detailed information about the commodity.

The June Notice proposes that this data be classified as SSI when contained in the NPMS system.¹⁶ Should PHMSA move forward with the collection of this attribute, the Associations support the SSI designation.

¹⁴ Id.

¹⁵ Id.

¹⁶ Id.

10. Pipe Diameter

API and AOPL continue to support the collection of data on the nominal diameter of a pipe segment, and appreciate the clarification provided by PHMSA. The Associations support providing the information to the agency in Phase 1; further, API and AOPL have no objection to the designation of this attribute as PIMMA- protected.

11. Wall Thickness

PHMSA proposes to collect data on the nominal wall thickness of a pipe as originally proposed.¹⁷ As stated in the joint comments submitted by the Associations in November 2015, collecting wall thickness on a local basis will require extensive reviews of GIS data by operators. Therefore, API and AOPL request that collection of this data element move to Phase 2 to reduce the burden placed on operators.

API appreciates the clarification provided by the agency in the June Notice regarding this data element as applied to grandfathered natural gas pipelines. In the November 2015 comments, API requested clarification on whether this information will be required for grandfathered (natural gas) pipelines, and whether the lowest wall thickness per diameter could be submitted. PHMSA explained in the June Notice that “operators should choose the lowest wall thickness value for that MAOP/MOP section. Otherwise, operators should submit actual wall thickness values.”¹⁸ API interprets that explanation to mean that the information will be required for grandfathered (natural gas) pipelines and operators may submit actual wall thickness values for those segments of grandfathered lines where actual wall thickness is not available. API would appreciate agency confirmation of that interpretation.

12. Commodity Detail

PHMSA proposes to move forward with the collection of this data element.¹⁹ The November 2015 comments expressed concerns shared by operators that sharing this information would be of little utility to first responders, as the commodity within the pipelines could change frequently. API and AOPL appreciate the agency dedicating three distinct fields to represent the commodities that may be in the pipe in order to maximize the benefit to emergency responders.

13. Pipe Material

The Associations do not oppose the collection of this attribute, and agree that the information can be made available in the public viewer.

14. Pipe Grade

PHMSA proposes for operators to submit information on the pipe grade based on either

¹⁷ Id. at 40,760.

¹⁸ Id.

¹⁹ Id.

actual or predominant (90% of pipe segment) values.²⁰ API and AOPL appreciate this change from the original proposal. Additionally, we agree with the agency's decision to make this information PIMMA-protected. The Associations continue to request that this information be collected in Phase 2, as operators will need sufficient time to incorporate this information in GIS prior to inclusion in NPMS.

15. Seam Type

PHMSA intends to collect information regarding seam type with the possibility of limiting the scope to Classes, 3, 4 and HCAs.²¹ API requests clarification on whether this information is required for grandfathered (natural gas) pipelines and on pipelines where a yield test has been performed to vet MAOP-MOP.

The Associations also note there are limitations to utilizing the HCA locations, as it may be difficult to determine "predominant" from the data set. For example, legacy systems for which only pressure test records exist, or a scarce data set due to acquisitions.

Liquid pipeline and gas transmission operators request providing this information in Phase 2, not the Phase 1 collection proposed by the agency.

16. Onshore/Offshore

PHMSA proposes to move forward with the collection of this attribute.²² API and AOPL appreciate PHMSA directing operators to the definition of an offshore pipeline as found in §§ 191.3 and 195.2, based on the clarification requested in our November 2015 comments.²³ We agree that the information can be made available in Phase 1. However, the Associations continue to request that this attribute be included on the PIMMA to protect vital energy infrastructure.

17. Inline Inspection (Yes/No)

The Associations have no further comment on collection of the proposed data element.

18. Segment Could Affect a High Consequence Area (HCA)

PHMSA proposes that hazardous liquid operators identify pipeline segments that "could affect" high consequence areas ("HCAs") as defined by 49. C.F.R. §195.540.²⁴ In the joint comments submitted by the Associations in November 2015, API and AOPL requested that the agency provide a definition for "could affect," as that phrase is not defined in the regulations. The Associations note that a definition of "could affect" was not provided in the June Notice; therefore, the Associations renew their request that PHMSA define "could affect" in order to provide operators with clarity on the precise scope of the proposed data collection.

²⁰ Id.

²¹ Id.

²² Id.

²³ Id.

²⁴ Id. at 40,761.

API and AOPL appreciate that the agency limited access to the information to government officials to mitigate potential security risks, and for categorizing Drinking Water USAs when contained in NPMS as SSI.

19. Facility Response Plan Sequence Number, if Applicable

The Associations have no further comment on collection of the proposed data element.

20. Abandoned Pipelines

PHMSA intends to move forward with collection of this attribute in its original form.²⁵ In the joint comments submitted by the Associations in November 2015, we requested confirmation that the requirement be applied to lines abandoned after the effective date of the final information collection. The June Notice states “data regarding abandoned facilities collected under this information collection is only required to be submitted in the first calendar year after the abandonment occurs.”²⁶ The Associations interpret the aforementioned statement to mean that this requirement will be applied on a prospective basis, and would not apply to pipelines abandoned for more than one year after the effective date of the revised ICR.

21. Maximum Allowable Operating Pressure/Maximum Operating Pressure

PHMSA proposes to move forward with the collection of Maximum Allowable Operating Pressure/Maximum Operating Pressure (“MAOP”/ “MOP”) as originally intended. As noted in the joint comments submitted by the Associations in November 2015, the requirement is burdensome and it is difficult for pipelines to provide MOP on a segment-by-segment basis given the variable nature of MOP. The Associations also requested a definition of MOP in the November 2015 comments for the purpose of NPMS reporting. API and AOPL note that the June Notice did not contain the requested definition and, therefore, the Associations reiterate their request.

Should NPMS proceed with the collection of this attribute, API and AOPL request that the data be collected in Phase 3, and not in Phase 1 as proposed in the June Notice in order to give operators sufficient time to collect the information. It is also requested that PHMSA provide a definition of MOP for purposes of reporting in NPMS. In practice, some operators define it as the maximum pressure at the hydraulic low point for a given discharge pressure, while others define it as a maximum discharge pressure. Lastly, API and AOPL request that this information is only provided for pipelines operating at \geq 20% SMYS.

The Associations appreciate the designation of this attribute as SSI.

22. Pump and Compressor Stations

PHMSA proposes to move forward with the collection of Pump and Compressor Station

²⁵ Id.

²⁶ Id. at 40,762.

information as originally intended.²⁷ The June Notice stated that API and AOPL opposed the collection of this attribute. On the contrary, the Associations expressed reservations with providing the exact location of such infrastructure, but did not oppose collection of this attribute. We refer the agency to our November 2015 comments for clarity on this issue. The Associations appreciate the opportunity to restate their concerns with providing the exact location of such vital infrastructure, given this attribute was previously excluded from NPMS due to security considerations.

The Associations appreciate the designation of this attribute as SSI.

23. Mainline Block Valves

The Associations appreciate the designation of this attribute as SSI and Phase 2 collection. API and AOPL stress that the protection of information designated as SSI is critical to protecting vital energy infrastructure. Given that mainline block valves are typically located aboveground, nefarious actors gaining access to the information poses a significant risk of harm.

24. Breakout Tanks

PHMSA proposes to move forward with collection of this attribute as proposed. The June Notice clarifies that breakout tank capacity will receive PIMMA protection, while breakout tank information regarding location and attributes will be available on the public viewer. The Associations continue to request that breakout tank locations and attributes receive PIMMA protection, as making the information available on the public viewer significantly increases the likelihood that malicious actors will obtain this information, thereby posing a threat to vital energy infrastructure.

25. Additional Liquefied Natural Gas Plant Attributes and Features

API and AOPL suggest that PHMSA provide, at a minimum, PIMMA protection for these attributes and features. The availability of these attributes in the public viewer makes the location and other crucial information easily accessible to potential bad actors, thereby posing significant security risks to those facilities.

²⁷ Id.

III. Conclusion

API and AOPL appreciate the opportunity to provide further comment on the NPMS changes being considered by PHMSA and request that PHMSA consider and modify the proposed Information Collection consistent with the comments contained herein.

Respectfully submitted,



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