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DOT Docket Management System  
Docket No. PHMSA-2015-0205  
U.S. Department of Transportation  
1200 New Jersey Ave., SW  
Washington, DC 20590

**RE: Comments on “Pipeline Safety: Information Collection Activities (OMB Control No. 2137-0047):” Docket No. PHMSA-2015-0205**

The American Petroleum Institute (“API”)<sup>1</sup> and the Association of Oil Pipe Lines (“AOPL”)<sup>2</sup> (collectively, “the Associations”) appreciate the opportunity to comment in response to the Notice and request for public comment on proposed revisions to the accident report forms for hazardous liquid pipeline systems (*OMB Control No. 2137-0047*) (hereinafter Notice)<sup>3</sup>. The Associations acknowledge the importance of accident data and have long supported data collection efforts to help industry and stakeholders learn from prior failures to increase pipeline safety and public awareness.

The Associations stand ready to work with PHMSA to develop revised accident forms that are consistent with the goal of using data and learnings to continuously improve the effectiveness of pipeline safety programs, enhance the knowledge and capability of emergency personnel responding to a pipeline accident, and promote public awareness of pipeline infrastructure. Notwithstanding this general support, the Notice raises concerns that require further consideration before PHMSA finalizes the form. The Associations provide comments on the following sections of the accident form: (1) Part A – Key Report Information; (2) Part B –

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<sup>1</sup> API is the national trade association representing all facets of the oil and natural gas industry, which supports 9.8 million U.S. jobs and 8 percent of the U.S. economy. API’s more than 650 members include large integrated companies, as well as exploration and production, refining, marketing, pipeline, and marine businesses, and service and supply firms. They provide most of the nation’s energy and are backed by a growing grassroots movement of more than 30 million Americans. Together, API and AOPL members operate approximately 90% of the hazardous liquids pipeline miles in the United States.

<sup>2</sup> 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.

<sup>3</sup> 81 Fed Reg. 29,943 (May 13, 2016)

Additional Location Information; (3) Part C – Additional Facility Information; (4) Part D – Additional Consequence Information; (5) Part E – Additional Operating Information; (6) G3 – Excavation Damage; (7) Part G4 – Other Outside Force Damage; (8) Part G5 – Material Failure of Pipe or Weld; (9) Part G6 – Equipment Failure 10); Part J – Integrity Inspections; and (11) Part K – Contributing Factors.

The Associations ask that PHMSA give serious consideration to the requests proposed for each of the sections listed below and look forward to working with PHMSA in strengthening the form to support pipeline safety.

Respectfully submitted,



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## **Part A – Key Report Information**

In Part A, PHMSA proposes to reorganize existing questions to display the sequence of operator actions and interactions during an incident timeline. PHMSA proposes to move data collected in Part E on how the operator first learned of the pipeline failure to Part A. PHMSA asserts that additional data is necessary to build a complete timeline and requests information on the interactions with emergency responders and details about ignition.

**A4 and A13 (local time):** It appears as if PHMSA is requesting the same information in both A4 and A13 regarding the initial indication of the incident. Therefore, it is recommended that A4 be deleted. Further, it is not clear if the time zone specified in A13 is the default time zone for the remaining questions in the form. PHMSA should be consistent throughout the form. Lastly, API and AOPL recommend replacing “identified” with “initial indication.”

**A12 (incident identified):** The term “identified” is vague. API and AOPL request that the sentence be modified to include “initial indication.” This term should then be applied to the timeline of events questions in A12 through A24, with the appropriate modifications that would allow operators to state when the initial indication of the event occurred. PHMSA should also clarify the wording under A12 with respect to SCADA based systems. As written, an operator might interpret “SCADA based information” to mean a “SCADA alert/alarm.”

**A16 (operational status):** The Associations agree with PHMSA’s proposed question to request information on the operational status at the time the operator identified the failure. This is a useful question as operators frequently note when a pipeline has been shut-down for maintenance or resumed operations after a routine shut-down following an event.

**A18 (a-c), A22b:** The Associations recommend that PHMSA replace the phrase “Local/State/Federal Emergency Responder Information” with the following: “Emergency Responders (local/state/federal).”

**A20 (confirmed discovery):** The Associations suggest that PHMSA define “confirmed discovery” which PHMSA proposed to define through the accident and incident notification portion of the July 15, 2015 Operator Qualification (OQ) NRPM. In comments provided in response to the OQ NPRM, API and AOPL proposed defining “confirmed discovery” as: “when it can be reasonably determined, based on information available to the operator at the time that a reportable event has occurred, even if only based on a preliminary evaluation.” While API and AOPL recommend PHMSA adopt this definition of “confirmed discovery,” API and AOPL also recommend PHMSA ensure that the reporting definition established here and the regulatory requirement set through the final OQ rule is consistent.

**A24 (response):** PHMSA should define the terms “activating” and “mobilizing.” As written, it is not clear how A24a differs from A24b. The Associations offer the following additions to provide clarity to A24a: **“Did the Operator activate the emergency response team in the Onshore Oil Spill Response Plan? (e.g., notify the qualified individual)”**



to B12. The Associations request that PHMSA make the following modifications: 1) include additional details on the installation method; 2) create a separate question for cased versus uncased; and 3) add a question on the length of the water crossing.

API and AOPL offer the following suggested changes to Part B – Additional Location Information (bold/underlined/double strikethrough):

B12. Did ~~the~~ Accident Occur in a Crossing: ☐ Yes ☐ No

If Yes, B12.a specify type: ☐ Bridge crossing Specify: ~~☐ Cased ☐ Uncased~~  
☐ Railroad crossing ~~(select all that apply)~~ Specify: ~~☐ Cased ☐ Uncased~~  
☐ Road crossing ~~(select all that apply)~~ Specify: ~~☐ Cased ☐ Uncased~~  
☐ Water crossing Specify: ~~☐ Cased ☐ Uncased~~

**If Yes, B11.b pipe installation method:** ☐ **direct install**  
☐ **placed after assembly**  
☐ **pulled through existing conduit**  
☐ **bored/drilled**

**If yes, B11c. Was the pipe cased? ☐ Yes ☐ No**

If B12a = water crossing, answer B12b through e

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**B12f Is this water crossing 100 feet or more in length from high water mark to high water mark? ☐ Yes ☐ No**

## **Part C- Additional Facility Information**

In this section, PHMSA proposes modifying the selections for the items that failed as well as collecting information on plastic pipe. PHMSA is requesting both the date of manufacture and the date of installation for the failed item.

While the changes to the answers for “Item Involved” are generally accepted, API and AOPL recommend a few changes that will help operators further distinguish necessary details while also allowing for backward trend analyses.

**C3 (Item Involved in Accident):** PHMSA requests information on pipe data in a variety of questions throughout the form. PHMSA should only request the information under C3 to avoid duplication. PHMSA should also keep auxiliary piping as an item listed under C3 “Item Involved in Incident.” Removing auxiliary piping in this context will impact long-term trending. As suggested below, API and AOPL have added “auxiliary piping” to the form between “relief lines and equipment” and “drain lines.” Other necessary adjustments are also suggested in order to provide for further clarification and data analysis.

**C4 (year of item installed):** The Associations appreciate the addition of this question as it will be helpful for additional data analysis.

The Associations offer the following changes to Part C – Additional Facility Information (bold/underlined/double strikethrough/highlighted in yellow):

C3. Item involved in Incident: (select only one)

☐ Pipe ⇨ Specify: ☐ Pipe Body ☐ Pipe Seam

**If Pipe Body: Was this a Puddle/Spot weld?** ☐ Yes ☐ No

C3.a **Nominal Pipe Size Outside Diameter (in)** \_\_\_\_ C3.b Wall thickness (in): \_\_\_\_

\*\*\*\*\*

☐ Weld/**Fusion**, including heat-affected zone ⇨

\*\*\*\*\*

☐ **Valve, excluding Regulator/Control Valves**

☐ Mainline ⇨ Specify: ☐ Butterfly ☐ Check ☐ Gate ☐ Plug ☐ Ball ☐ Globe ☐ Other \_\_\_\_\_  
C3.s formerly C3.t Mainline valve manufacturer: \_\_\_\_\_ OR  
☐ Unknown

☐ Relief Valve – **including thermal and pressure. Report tank relief valves under the Tank/Vessel, Relief Valve**  
☐ Auxiliary or Other Valve- **report auxiliary valves on tanks under tank/vessel, appurtenance**

Time last maintenance or inspection was performed: \_\_/\_\_/\_\_\_\_/ (month/day/year)

☐ **Pump, including auxiliary piping, connections, valves, and equipment, but excluding product drain lines and tubing.**

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Time last maintenance or inspection was performed: \_\_/\_\_/\_\_\_\_/ (month/day/year)

☐ **Meter, including auxiliary piping, connections, valves, and equipment, but excluding product drain lines and tubing.**

☐ **Scraper/Pig Trap, including auxiliary piping connections, valves, and equipment, but excluding product drain lines and tubing**

☐ **Sump, including auxiliary piping connections and equipment, but excluding product drain lines and tubing**

☐ **Filter/Strainer/Separator, including auxiliary piping connections, valves, and equipment, but excluding product drain lines and tubing.**

☐ Repair Sleeve or Clamp

☐ Tapping Equipment

☐ **Tap Fitting Pipe Fitting**

If Pipe Fitting, specify the associated item:

☐ **Elbow**

☐ **Tee**

☐ **Reducer**

☐ **Thread-o-let/Weld-o-let**

☐ **Pipe Nipple/Stopple**

☐ **Plug**

☐ **Other** Please specify: \_\_\_\_\_

☐ **Flange Assembly, including Gaskets**

☐ Relief lines and Relief Equipment

☐ **Auxiliary Piping**

If Aux Piping, specify the associated item:

☐ **Pump**

☐ **Meter**

☐ **Scraper/Pig Trap**

☐ **Sump**

☐ **Filter/Strainer/Separator**

☐ Drain Lines

☐ Tank/Vessel

☐ Other please specify

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## **Part D – Additional Consequence Information**

In this section, PHMSA proposes new questions relating to soil type, injury severity categories, the volume of product consumed by fire, the number of buildings impacted by the incident, and the length of building evacuations.

**D2 (a) (soil types):** Soil absorption rates will differ based on the product released and the soil type. In addition to these factors, operators may remove soil that was not contaminated as a precautionary measure during spill response and clean-up. Therefore, using the volume of soil removed from a release area may not be a statistically useful measure to determine the spread of the release. The Associations recommend removing D2 (a) from the questionnaire.

**D5 (water contamination):** PHMSA should clarify if the water contamination is limited to permanent bodies of water. For instance, does this question include rain water caught in a berm?

**D8 and D9 (persons with injuries):** API and AOPL suggest that questions D8 and D9 on persons sustaining injuries, but are not listed in A11, be combined into one question that simply requires operators to list the number of individuals who sustained an Occupational Safety and Health Administration (OSHA) recordable incident. As written, the questions are not clear and could lead to misinterpretation. PHMSA should leverage existing federal requirements where appropriate.

**D11 and D12 (buildings “affected”):** PHMSA instructions specify “affected” to mean any building either damaged or evacuated due to the release. This is unclear and will cause confusion. API and AOPL suggest adding the words “evacuated or required repair” next to “Buildings Affected.”

The Associations offer the following changes to Part D – Additional Consequence Information (bold/underlined/double strikethrough):

D2. Soil contamination: ☐ Yes ☐ No

~~D2.a If Yes, amount of soil hauled away plus amount of soil treated on site (cubic yards): \_\_\_\_\_~~

\*\*\*\*\*

~~D8. Number of persons with injuries requiring treatment in a medical facility but not requiring overnight in-patient hospitalization:~~

~~If a person is included in D8, do not include them in D9.~~

~~D9. Number of persons with injuries requiring treatment by EMTs at the site of incident:~~

D8. Number of Occupational Safety and Health Administration (OSHA) recordable incidents \_\_\_\_\_

\*\*\*\*\*

Buildings Affected

~~D11~~10. Number of residential buildings affected (evacuated or required repair): \_\_\_\_\_

~~D12~~1. Number of business buildings affected (evacuated or required repair): \_\_\_\_\_

## **Part E – Additional Operating Information (LD Systems)**

In this section, PHMSA proposes to add questions relating to Maximum Operating Pressure (MOP) and the length of the segment in between valves.

**E2(a)(MOP):** The responses provided on the form are solely focused on a hydrostatic test during post-construction. The Associations request that more options be made available to operators. PHMSA should also clearly define the current options or reference the appropriate regulation.

The Associations also suggest adding wording to the questions regarding leak detection systems in order to closely follow the language suggested by API and AOPL in Part A. Clearly defined language will help ensure consistency in operator responses.

**E5 (length of segment):** PHMSA should ensure that over 6 digits may be entered for the length of the segment.

API and AOPL offer the following changes to Part E – Additional Operating Information (bold/underlined/double strikethrough):

**E5 formerly E5.c** Length of segment initially isolated between valves (ft): ////////

**E96.** Was a Supervisory Control and Data Acquisition (SCADA)-based system in place on the pipeline or facility involved in the Accident?

- |   |  |                              |                             |
|---|--|------------------------------|-----------------------------|
| <input type="checkbox"/> No                           | E6.a Was it operating at the time of the Accident?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Yes <input type="checkbox"/> | E6.b Was it fully functional at the time of the Accident?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|   | E6.c Did SCADA-based information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the <u>initial indication detection</u> of the Accident? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|   | E6.d Did SCADA-based information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the <u>confirmed discovery</u> of the Accident?          | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

**E107.** Was a CPM leak detection system in place on the pipeline or facility involved in the Accident?

- |   |  |                              |                             |
|---|--|------------------------------|-----------------------------|
| <input type="checkbox"/> No                           | E7.a Was it operating at the time of the Accident?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Yes <input type="checkbox"/> | E7.b Was it fully functional at the time of the Accident?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|   | E7.c Did CPM leak detection system information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the <u>initial indication detection</u> of the Accident? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|   | E7.d Did CPM leak detection system information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the <u>confirmed discovery</u> of the Accident?          |                              |                             |

## **G3 – Excavation Damage**

The Associations appreciate PHMSA's proposal to request additional data regarding exemptions from state damage prevention laws when the cause of the incident is excavation damage. API and AOPL agree that data would help stakeholders determine states in which damage prevention law exemptions may be leading to more frequent excavation damage of pipelines. However, the



Associations suggest that PHMSA further generalize the question by adding the following (bold and underlined) after “1c:”

1c. If yes, select one of the following:

- ☐ Excavator is exempt
- ☐ Activity is exempt and did not exceed the limits of the exemption
- ☐ Activity is exempt and exceeded the limits of the exemption
- ☐ Other mandatory text field:

**1 d. If yes, exempting authority:** \_\_\_\_\_

**1 e. If yes, exempting criteria:** \_\_\_\_\_

### **G4 – Other Outside Force Damage**

In this section, PHMSA proposes to determine outside force sub-causes and requests additional information about driver performance and protection from damage when the cause is identified as “damage by car, truck, or other motorized vehicle/equipment not engaged in excavation.” PHMSA also proposes to request information such as whether the driver violated state or local driving laws, whether they were in control of the vehicle at the time of the collision, and the estimated speed at time of collision. This request should be clearly defined. Reporting on a third party’s driver performance and medical information (intoxication levels might refer to medications) might violate individual privacy rights unless the information is publicly available.

PHMSA should understand that in certain cases, such as a “hit and run,” operators may not be able to answer all the questions following the “G4 – Other Outside Force Damage” section or obtain this information from law enforcement officials. There should be clarification on how to complete the incident form in those situations. Also, API and AOPL ask that a statement be added to ensure operators are aware they need to complete questions 5 through 11. See below for recommended addition (bold and underlined):

<input type="checkbox"/> Damage by Car, Truck, or Other Motorized Vehicle/Equipment NOT Engaged in Excavation	1. Vehicle/Equipment operated by: <i>(select only one)</i> <div style="display: flex; justify-content: space-around; align-items: center;"> <input type="radio"/> Operator           <input type="radio"/> Operator's Contractor           <input type="radio"/> Third Party         </div> <p><b><u>If this sub-cause is picked, please complete questions 5-11 below.</u></b></p>
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### **G5 – Material Failure of Pipe or Weld**

In this section, PHMSA requires the selection of a sub-cause when material failure of pipe or weld causes the incident. PHMSA has proposed adding a design to the “Construction-, Installation-, or Fabrication-related” sub-cause to reduce the number of causes listed as “other.” PHMSA also adds another environmental cracking option, “hard spot,” again to reduce the selection of “other.” Finally, PHMSA includes a question to collect the post-construction pressure test value.

In the instructions accompanying the incident form, PHMSA’s uses the term, “improper design practices,” when describing how to complete section G5. However, this term is not defined, so it

is unclear what PHMSA believes is a “Design-related” material failure of pipe or weld. API and AOPL request PHMSA provide examples or give clarification, which will ensure operators properly differentiate between the answers needed under “G7- Incorrect Operation” and those required in this category.

## **G6- Equipment Failure**

Under this section, PHMSA proposes minor adjustments by adding two additional factors (improper maintenance and erosion/abnormal wear) that may contribute to equipment failure. The use of the factor “erosion/abnormal wear” is not clear. API and AOPL request that PHMSA clarify what is meant by this latter addition. Erosion and abnormal wear is a very broad term, but is an important sub-cause to capture for analyses of incident trends. Not providing the proper clarification could confuse operators, causing them to just check “Other.”

## **Part J – Integrity Inspections**

Under this section, PHMSA proposes collecting additional inspection data to provide insights about the effectiveness of the various types of tools. API and AOPL suggest that PHMSA update their list with more specific tools and in-line inspection (ILI) technology that is currently available. The Associations offer the following list of tools, as a replacement of the ones given in J1. A (bold/underlined/double strikethrough):

	year of most recent run					year of previous run				
<del>⊖</del> <b>Magnetic Flux Leakage Tool</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Ultrasonic</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Geometry</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Caliper</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Crack</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Hard Spot</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Combination Tool</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Transverse Field/Triaxial</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Camera Tool</b>	/	/	/	/	/	/	/	/	/	/
<del>⊖</del> <b>Other, specify tool:</b>	/	/	/	/	/	/	/	/	/	/

year of most recent run

year of previous run

**Tool propulsion system:**

- ☐ **Free swimming** / / / / / / / / / / /  
☐ **Tethered** / / / / / / / / / / /

**Tool Technology**

- ☐ **Axial MFL** / / / / / / / / / / /  
☐ **Spiral/Helical MFL** / / / / / / / / / / /  
☐ **Circumferential/ Transverse Wave MFL** / / / / / / / / / / /  
**For each MFL tool selected specify** ☐ **Extra High Resolution** ☐ **High Resolution** ☐ **Standard/Low Resolution**  
☐ **Ultrasonic** / / / / / / / / / / /  
**Was the UT tool attuned to detect** ☐ **Crack** ☐ **Wall Measurement**  
☐ **Geometry** / / / / / / / / / / /  
**Was the Geometry tool** ☐ **Mechanical** ☐ **Electromagnetic**  
☐ **EMAT** / / / / / / / / / / /  
☐ **Hard Spot** / / / / / / / / / / /  
☐ **Camera** / / / / / / / / / / /  
☐ **Inertial Navigation** / / / / / / / / / / /  
☐ **CPCM** / / / / / / / / / / /  
☐ **Other, specify tool:** \_\_\_\_\_ / / / / / / / / / / /

**\*Magnetic Flux Leakage Tool (MFL)**

**\*Electromagnetic Acoustic Transducer (EMAT)**

**\*Cathodic Protection Current Measurement (CPCM)**

## **Part K - Contributing Factors**

PHMSA proposes to collect information on multiple root causes. API and AOPL believe that this will be a useful section for operators to provide information on the multiple factors that may have led to an unintentional release.