July 22, 2016

Docket Management Facility
U.S. Department of Transportation
West Building, Room W12-140
1200 New Jersey Avenue SE
Washington, DC 20590-0001

Re: Docket No. PHMSA-2014-0092: *Pipeline Safety: Request for Revision of a Previously Approved Information Collection: National Pipeline Mapping System Program* (OMB Control No. 2137-0596)

TransCanada Corporation and its subsidiaries ("TransCanada") appreciate the opportunity to provide comments on the Pipeline and Hazardous Materials Safety Administration's ("PHMSA") proposed revisions to the National Pipeline Mapping System ("NPMS") information collection program. TransCanada operates 56,100 miles of natural gas pipelines and 664 billion cubic feet of storage capacity.

Sincerely,

Vern J. Meier
Vice President, Pipeline Safety & Compliance

cc: Office of Management and Budget ("OMB"), Desk Officer for PHMSA

UNITED STATES OF AMERICA
BEFORE THE
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

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

Comments of TransCanada Corporation

I. Background

On July 30, 2014, PHMSA published a notice and request for comments in the Federal Register titled: "Pipeline Safety: Request for Revision of a Previously Approved Information Collection: National Pipeline Mapping System ("NPMS") Program (OMB Control No. 2137–0596)" seeking comments on proposed changes to the NPMS data collection. Within this notice, PHMSA laid out its intentions to revise the currently approved NPMS data collection to expand the data attributes collected and to improve the positional accuracy of NPMS submissions. Various stakeholders, including TransCanada, provided comments on the proposed changes.

Subsequently, on August 27, 2015, PHMSA published another notice in the Federal Register to address the comments it received and request additional comments. TransCanada and several other stakeholders submitted such additional comments.

On June 22, 2016, PHMSA published an additional notice in the Federal Register to address and respond to the additional comments it received (this notice shall be referred to herein as the "Notice"). In it, PHMSA modifies, removes, and retains certain attributes from its prior proposal. TransCanada hereby submits its comments on this Notice, as discussed below.

II. Modified or Removed Attributes

In the Notice, PHMSA proposes to either modify or remove the following proposed attributes from its revisions to the NPMS data collection:

- Positional accuracy,
- Highest percent operating Specified Maximum Yield Strength,

- Decade of Installation,
- Year of last corrosion, dent, crack, and other ILI inspections,
- Coated/uncoated,
- Cathodic protection,
- Type of coating,
- Year of original pressure test and its pressure,
- Year of last pressure test and its pressure, and
- Gas Storage Fields.

TransCanada appreciates PHMSA's consideration of the comments it received and its commitment to continue to work with the stakeholders to refine and improve upon the proposed revisions by modifying the attribute requirements. TransCanada is supportive of many of the changes PHMSA has made to the proposed Information Collection Request since it first issued a proposal in 2014. Regarding the specific attributes listed above, TransCanada comments as follows:

A. Positional Accuracy

i. Modifications

PHMSA proposes to modify this data element from its prior form. Specifically, in the prior notice, PHMSA proposed, among other requirements, that gas transmission operators be required to submit data at +/- 50 feet accuracy for all segments which are in a "right-of-way for a designated interstate; freeway, expressway, or other principal 4-lane arterial roadway as defined in the Federal Highway Administration's 'Highway Functional Classification Concepts' within its potential impact radius" (individually and collectively, "Roadway(s)"). However, after further examination, PHMSA came to the same conclusion as multiple commenters that the referenced geographic information system ("GIS") layer supplied to determine the location of Roadways was spatially inaccurate and could not be relied upon to definitively designate the location. Accordingly, PHMSA removed the category of segments within Roadways such that these segments fall under the general "all other gas pipeline segments" that must be mapped to a positional accuracy of +/- 100 feet.

In order to alleviate the noted burden of providing this information within a short period of time, PHMSA also proposes to extend the deadline to submit this information to 2024 (reflecting data as of 12/31/2023). PHMSA specifically notes that operators may, but need not, provide such information prior to that deadline.

ii. TransCanada's Comments

TransCanada supports PHMSA's proposed modifications. While complying with this requirement will require approximately $7.5 million of in-field surveys to confirm the spatial accuracy for pipelines that cannot currently accommodate a free-swimming ILI tool with Inertial Measurement Unit, the concept of confirming the location of an operator's pipeline is something TransCanada strongly supports. Extending the deadline to submit this information to 2024 will create a better balance between the benefits and burdens of providing this information, and is therefore also proper.

iii. TransCanada's Request for Clarification

TransCanada respectfully requests that PHMSA clarify how this requirement will align with its recent Notice of Proposed Rulemaking entitled "Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines"[1] (the "Pipeline Safety Rule"). As PHMSA is aware, the Pipeline Safety Rule seeks to expand certain integrity management requirements beyond the High Consequence Area ("HCA") by creating a new category: the Moderate Consequence Area ("MCA"). MCAs are a subset of non-HCA locations and are defined with respect to their proximity to buildings intended for human occupancy, "occupied sites," and certain categories of roads. This is similar in intent to some of those criteria that would require a pipe segment have centerline accuracy to within 50 feet, with the exception that the NPMS proposal is tied to "one or more buildings intended for human occupancy" and the proposed Pipeline Safety Rule includes in the definition of MCA "five or more buildings intended for human occupancy."

PHMSA has not yet issued its final Pipeline Safety Rule, and thus the creation and scope of the MCA category are not yet confirmed. However, if MCAs are part of the final Pipeline Safety Rule, PHMSA must explain to operators whether they must report positional information of segments within MCAs to +/-50 feet or +/- 100 feet accuracy. Without such clarification, confusion is likely to ensue, which will lead to inconsistent results, thereby negatively impacting the utility of the NPMS.

B. Highest percent operating Specified Maximum Yield Strength

i. Modifications

PHMSA also proposes to modify this data element from its prior form. Previously, PHMSA defined this data element as "hoop stress corresponding to the maximum operating pressure

[1] PHMSA, Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines, 81 Fed. Reg. 20,722 (April 8, 2016).

('MOP') or maximum allowable operating pressure ('MAOP') as a percentage of Specified Minimum Yield Strength ('SMYS')."

ii. TransCanada's Comments

TransCanada supports PHMSA's proposed modifications and would note this closely aligns to how operators currently report data annually to PHMSA via the Natural and Other Gas Transmission and Gathering Pipeline Systems Annual Report.

C. Decade of Installation

i. Modifications

PHMSA proposes to modify this data element from its prior form. Previously, PHMSA asked operators to submit the "predominant" decade of installation on a pipe segment, which would signify 90% or more of the physical pipe represented by the segment. However, in order to lower the burden to operators, PHMSA intends to modify this attribute to be defined as either "actual" or "predominant" decade of installation.

ii. TransCanada's Comments

TransCanada supports PHMSA's proposed modifications and would note this closely aligns to how operators currently report data annually to PHMSA via the Natural and Other Gas Transmission and Gathering Pipeline Systems Annual Report.

D. Year of Last Corrosion, Dent, Crack and Other ILI

i. Modifications

PHMSA proposes to modify this data element to include the assessment method (inline inspection, direct assessment method, or hydrostatic pressure test) and the year of last assessment. PHMSA indicates it intends these changes to streamline the information in this data element and in the pressure test elements. However, PHMSA continues to propose to require that this information be submitted in the second submission year after the effective date.

ii. TransCanada's Comments

TransCanada supports PHMSA's modifications to the substance of the element as an effective means to streamline the submission of information. However, TransCanada does not support PHMSA's requirement to submit this data within two years from the effective date of these

revisions. Operators currently track this information on assessments as required for their Integrity Management Program(s), however some may not have yet migrated this into their GIS system and could do so over the course of the next assessment cycle. Accordingly, TransCanada suggests that PHMSA adopt a more reasonable timeframe of seven years, as it has for positional accuracy.

E. Coated/Uncoated and Cathodic Protection

i. Modifications

PHMSA proposes to modify these data elements from their prior form. Previously, PHMSA proposed to require 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. In order to reduce the burden on operators, PHMSA has agreed to limit the data element to whether the pipe is coated, in a "yes/no" format.

ii. TransCanada's Comments

TransCanada supports PHMSA's proposed modifications to this data set.

F. Year of Last Pressure Test and Its Pressure

i. Modifications

PHMSA is proposing to modify this data element in conjunction with the roll up of the pressure test and inline inspection elements into the new "Assessment Method" element (discussed in Section II.D., *supra*). Specifically, PHMSA proposes to remove the requirement to always submit the year of the last pressure test, with the caveat that if the method of assessment was a pressure test, the year of the test is required in the Assessment Year field.

ii. TransCanada's Comments

TransCanada agrees that, assuming PHMSA maintains its proposal to incorporate the pressure test and inline inspection elements into the new "Assessment Method" element, the modification discussed above is proper. This type of data fits within that structure, and the same level of benefits will be derived by reporting the information in the manner discussed above. However, TransCanada continues to oppose the two-year timeframe associated with the new "Assessment Method," as discussed in Section II.D., *supra*. On the grounds discussed therein, TransCanada reiterates its opposition to the two-year timeframe to the extent it applies to this element.

G. Gas Storage Fields

i. Modifications

PHMSA proposes to modify this data element to adopt AGA's request that the choices for field type be changed to aboveground tanks, underground cavern, depleted reservoir, or aquifer storage, and also include a choice for injection wells. PHMSA also clarified that this element will be considered SSI when contained in the NPMS system.

ii. TransCanada's Comments

As PHMSA notes in its Notice, TransCanada previously filed comments opposing this data element. TransCanada hereby reiterates its concern regarding the lack of utility for PHMSA. Accordingly, TransCanada remains opposed to providing this information through the annual NPMS submission.

H. Removed Attributes – Type of Coating and Year of Original Pressure Test and Its Pressure

i. Attributes Removed

PHMSA proposes to remove the attributes of "Type of Coating" and "Year of Original Pressure Test and its Pressure" from the NPMS information collection requirements. PHMSA commented that, in light of the new "Assessment Method" element, neither of these attributes remain necessary to serve its internal needs or those of its stakeholders, and removing them will decrease the burden to operators.

ii. TransCanada's Comments

TransCanada supports PHMSA's removal of these attributes from the reporting requirements.

III. Retained Attributes

In the Notice, PHMSA proposes to retain several attributes originally proposed in 2014 with no substantial modifications, including the following:

- Pipe Joining Method,
- Seam Type,
- Class,
- Could affect HCA,

- Pump and Compressor Stations,
- MLV Locations and Attributes,
- Breakout Tanks and Gas Storage Locations, and
- Inline Inspections.

TransCanada hereby incorporates its prior comments regarding these attributes, and respectfully further comments as follows.

A. Seam Type

i. Retained Attribute

PHMSA proposes to require operators to submit data on the seam type of each pipe segment. PHMSA plans to use this information to determine which type of integrity management inspection assessment should apply. PHMSA also states that this information is important for risk analyses and to confirm MAOP/MOP. PHMSA has added the option of "unknown" seam type. PHMSA is also considering limiting this information to Classes 3, 4, and HCAs.

ii. TransCanada's Comments

TransCanada supports PHMSA's proposed modifications to this data set, and supports limiting the collection of this data to Class 3 and 4 locations and HCAs.

B. "Could Affect HCA"

i. Retained Attribute

PHMSA proposes operators identify pipe segments which could affect HCAs as defined by 49 C.F.R §§ 192.903 and 195.450, but adds that this attribute only applies to hazardous liquid pipeline segments. Pipe segments can be classified as affecting or not affecting each of the following: a "highly populated area," an "other populated area," an Ecological Unusually Sensitive Area ("USA"), a Drinking Water USA, and a Commercially Navigable Waterway. PHMSA adds that access to this information will be limited to government officials to mitigate security risks, and Drinking Water USAs when contained in NPMSA will be considered SSI. Otherwise, PHMSA intends to move forward with the "could affect HCA" attribute as originally proposed. PHMSA states that this information will help emergency response planners identify pipelines with greater potential for significant damage and identify pipelines subject to integrity management procedures.

ii. TransCanada's Comments

If this information will be collected for the NPMS, TransCanada supports PHMSA's decision to limit access to "could affect" information to government officials. However, TransCanada cautions that consolidating and identifying those areas where pipeline releases could cause the greatest impact across the country should be carefully considered as a potential public security risk if such information were the subject of unauthorized access and/or misuse. As such, TransCanada respectfully requests that PHMSA exclude this attribute from the NPMS data collection.

C. Pump and Compressor Stations

i. Retained Attribute

PHMSA proposes that operators be required to submit a geospatial point file containing the locations of pump (for liquid operators) and compressor (for gas transmission operators) stations. PHMSA states that pump and compressor stations are vulnerable areas, and emergency responders need to know their locations for adequate emergency planning. Additionally, the stations are often referenced as inspection boundaries for PHMSA's inspectors. PHMSA intends to move forward with this attribute as originally proposed. PHMSA adds that this information when contained in the NPMS system will be considered SSI.

ii. TransCanada's Comments

TransCanada respectfully requests that PHMSA exclude this attribute from the NPMS data collection. If, however, PHMSA will require submission of this information to the NPMS, TransCanada supports PHMSA's decision to classify this information as SSI. TransCanada agrees with PHMSA's observation that "pump and compressor stations are potentially vulnerable areas." In particular, the high visibility of aboveground stations raises potential concerns regarding their security. Given the possible security risk created by publicizing locations of pump and compressor stations, specific location information should remain secure at all times. Pump and compressor stations are integral components of pipeline infrastructure.

D. Mainline Block Valve Locations

i. Retained Attribute

PHMSA proposes to require that operators submit a geospatial point file containing the locations of mainline block valves, the type of valves and the type of valve operators. PHMSA states that valve location can assist emergency responders in coordinating with operators during an

emergency, and may also be useful to the agency in identify vulnerable points along the pipeline. PHMSA adds that this information will be considered SSI.

ii. TransCanada's Comments

TransCanada respectfully requests that PHMSA exclude this attribute from the NPMS data collection, but if this information is to be collected, TransCanada supports PHMSA's decision to categorize this information as SSI. TransCanada requests that, for safety and risk reasons, emergency responders not operate pipeline valves, instead leaving such sensitive operations to the company's trained and qualified personnel. Since TransCanada's personnel are better prepared and equipped to handle these issues, TransCanada questions the utility of collecting this information to provide to first responders.

TransCanada also notes that for gas pipelines, valves do not decrease the probability of a failure or the consequence of a failure, and for liquid pipelines, the location of valves is not a direct measure of consequences because topography and operational considerations greatly impact the release. As a result, TransCanada believes that PHMSA's access to this information through audits, in which the operator can communicate all relevant considerations, would prove more useful.

E. Breakout Tanks

i. Retained Attribute

PHMSA proposes to require the submission of breakout tank data. PHMSA adds that operator contact information has been removed from the attribute because it is already collected in the operator's transmittal letter accompanying the submission of such information. PHMSA states it has also updated commodity codes and revisions codes as needed. Otherwise, PHMSA intends to proceed with this attribute as originally proposed. PHMSA claims that this information helps inspectors locate individual tanks because a tank farm may contain both breakout tanks and other tanks.

ii. TransCanada's Request for Clarification

TransCanada does not support the collection of this information through the annual NPMS submission. This requirement would impose a burden on operators, and PHMSA has not made clear how collection of the subject information would improve the inspection process.

F. Inline Inspections

i. Retained Attribute

PHMSA proposes operators indicate whether their system is capable of accommodating an inline inspection ("ILI") tool. PHMSA proposes collecting this information as originally proposed.

ii. TransCanada's Comments

TransCanada supports the collection of this information.

IV. General Comments on Security and Accessibility

TransCanada respectfully requests that PHMSA exclude certain proposed attributes from the NPMS data collection in order to avoid potential significant risk to safety and security. Specifically, attributes regarding pump and compressor station locations, valves, and "could affect HCA" (herein referred to as "Sensitive Attributes") can potentially be used for malicious purposes. By collecting this information, PHMSA will create opportunities for this to happen. TransCanada also questions the utility of the mandatory collection of this information, given the pipeline industry's history of successful collaboration with first responders in addressing situations. TransCanada respectfully requests that PHMSA evaluate these critical issues and respond to stakeholders' comments and inquiries before finalizing revisions to the NPMS information collection program.

A. Information Falling Within Sensitive Attributes is Dangerous in the Wrong Hands

According to the Department of Homeland Security ("DHS"), the energy sector "provides one of the key lifeline functions upon which all other critical infrastructure sectors rely."[2] A functioning energy infrastructure is of paramount importance to the security and economy of the United States, supplying "fuels to the transportation industry, electricity to households and businesses, and other sources of energy that are integral to growth and production."[3] It should come as no surprise, then, that the DHS considers the energy sector among the 16 critical infrastructure sectors "whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof."[4]

[2] Department of Homeland Security, Energy Sector-Specific Plan (2015).
[3] *Id.*
[4] Department of Homeland Security, Critical Infrastructure Sectors (Oct. 27, 2015).

TransCanada shares the concerns regarding the security vulnerabilities of the NPMS, as detailed in comments filed by other stakeholders previously. PHMSA should not collect the information falling within Sensitive Attributes without adequate assurances that PHMSA can protect it from unauthorized access.

Substantial concerns exist regarding the potential for mandatory disclosure of this information under federal and/or state public disclosure laws. Disclosure to the general public under one of these laws would also provide it to a potential perpetrator.

Without strict, well-defined limitations on access, this risk of an unintended disclosure or a data security breach increases. Since PHMSA's proposal does not provide such limitations, TransCanada requests that PHMSA remove the Sensitive Attributes from it.

B. Lack of Utility

In light of the potentially grave consequences of misuse of data proposed for addition to the NPMS, numerous stakeholders have questioned the comparative utility of collecting sensitive infrastructure information in a central repository that is updated merely annually. Over the course of decades of operation, pipeline operators have developed robust partnerships with emergency responders, providing responders with timely access to the most up-to-date information regarding pipeline operations and facilities in emergency circumstances. This approach has successfully balanced emergency responders' need for information and the security of sensitive pipeline infrastructure information, and PHMSA has provided no support for its assertion to the contrary. Other federal regulatory agencies have implemented a similar approach. For example, under the Occupational Safety and Health Administration's ("OSHA") Hazard Communication program, chemical manufacturers are not required to disclose trade secret formulations on Safety Data Sheets, as long as the complete composition is immediately made available to a treating physician or nurse for purposes of emergency or first-aid treatment[5] (notably, the health care professional must submit a written statement of need and execute a confidentiality agreement as soon as circumstances permit). This demonstrates that solutions can be reached without compromising public safety by providing too much or too little dissemination of information.

V. Conclusion

TransCanada is committed to the safe operation of our pipelines, and to contributing to further improvement of pipeline safety industrywide. We appreciate the opportunity to comment on the proposed revisions to the National Pipeline Mapping System Program. TransCanada supports the submission of meaningful data to improve PHMSA's ability to provide risk-based decisions

[5] 29 C.F.R. §1910.1200(i).

and oversight regarding the national pipeline infrastructure, as well as providing emergency responders access to relevant information enhancing their ability to respond effectively to emergencies.