Discussion Topics

- An overview of NAPSR
- Pipeline Safety Statutes and Regulations
- An overview of PHMSA
- The PHMSA/State Partnership
- State Rules/Safety Initiatives
- Underground Facilities Damage Prevention Programs
What is NAPSR?

An organization of State Pipeline Safety Program Managers and Inspection personnel who serve to support, encourage, develop and Enhance Pipeline Safety.

NAPSR Mission: To strengthen pipeline safety programs by improving pipeline safety standards, and promoting education, training and the integration of new technology.

http://www.napsr.org/
NAPSR Members

➢ The 48 Continental States, Washington DC and Puerto Rico – Most members represent Public Utilities Commissions or similar agencies.

➢ Arkansas and California each have two agencies which are members.

➢ Hawaii and Alaska are not NAPSR members since they have no state pipeline safety programs. PHMSA is responsible for the intrastate pipelines in these states.
Federal Pipeline Safety Statutes

49 USC Chapter 601
Reauthorized by Congress Every Four Years

➢ Pipeline Inspection, Protection, Enforcement and Safety Act of 2006
➢ Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011
➢ Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016
➢ The 2020 Reauthorization is currently underway. It will result in the suggested appropriations for PHMSA and its associated grants and may result in new mandates and/or new statutes.
Pipeline Safety Regulations

US Department of Transportation

Pipeline and Hazardous Materials Safety Administration (PHMSA)

**Part 192**: Transportation of Natural and Other Gasses by Pipeline – Minimum Federal Safety Standards
PHMSA Mission: To protect people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives.

Two Enforcement Branches:

- Office of Hazardous Materials Safety;
- Office of Pipeline Safety
The Partnership of PHMSA & States

States have safety jurisdiction over Intrastate natural gas pipelines, as agents of PHMSA, in accordance with certifications under 49 USC § 60105.

PHMSA has safety jurisdiction over Interstate natural gas pipelines and all hazardous liquid pipelines. Some states are agents of PHMSA for the inspection of these pipelines. Enforcement is by PHMSA.
States may enact rules which are more stringent than Federal Regulations.

Minimum Federal Safety Standards shall still be met.
Compendium of State Pipeline Safety Requirements

Is a summary of all State’s rules, by category, which are more stringent than Federal Regulations.

Produced by a NAPSR Committee – 346 pages

Link to 2013 Compendium
State Safety Initiatives

Examples of more stringent state requirements:

- Enhanced Reporting
  - Leaks found and repaired
  - Emergency response times
  - Unplanned outages
  - Odorant levels

- More frequent intervals for Operation and Maintenance tasks
  - Leak Surveys
  - Valve maintenance
➢ Training requirements
   ➢ Federal requirements are vague
   ➢ Personnel (Operator) Qualification requirements
      ➢ Secured testing sites
      ➢ Individualized testing for hands-on tasks
   ➢ Odorant level (detectible at a lower concentration of gas-in-air)
   ➢ GPS locating of valves and other appurtenances
State Safety Initiatives (Continued)

- Installation Requirements
  - Locating other utilities when Horizontal Directional Drilling is used
  - Burial Depth
  - Clearance from other utilities
Various State Initiative highlights found on page 12 of the Compendium

- Maine requires operators to use GPS and record all valves, tees, exposed sections by both depth and location. (The federal government has no such requirement and record keeping is an industry issue.)
- Florida requires much stricter cathodic protection requirements for steel pipelines.
- New Hampshire defines acceptable emergency response times (30 minutes/45 minutes). (NTSB latest report says 95 minutes is excessively long. The federal government has never issued a violation on delayed response times to our collective knowledge.)
- New York does not allow operators to downgrade any leaks. (The federal government does not grade leaks at all.)
- Virginia requires one operator to RROD new construction and repairs. (Federal regulations do not mention RRODs.)
- Oregon has a landslide protection program because they get so much annual rainfall. (There is no equivalent federal provision.)
- Washington requires a cathodic protection read if exposed pipe and coating is damaged.
- Kansas requires quality assurance inspection of all outside contractors. (Federal regulations require only periodic workshops on quality assurance at this time.)
- Texas requires all Grade 3 leaks to be repaired within 36 months. (Under federal regulations, a Grade 3 leak can remain indefinitely; there is no corresponding classification system.)
- Arkansas requires anodes be shown on all system maps. (The federal government does not.)
- Mississippi requires operators to undertake over 100 hours of classroom and field training each year. (The federal government has no training requirements.)
- South Carolina requires outdoor meters for all pipeline systems unless impractical. (There is no equivalent federal government requirement.)
- Idaho requires NFPA 54 compliance before an operator is permitted to distribute gas. (The federal government does not.)
- Illinois requires a full training program for operators, not just the minimum Operator Qualifications required by the federal government.
- Wisconsin requires special precautions if overhead electric transmission lines are located near pipeline facilities. (The federal government can offer only Advisory Bulletins.)
- New Jersey requires depth of cover 50% deeper than required by federal regulations.
- Georgia has a cast iron replacement program for its largest pipeline operator. (The federal government has only issued Advisory Bulletins.)
- Washington requires responses within 15 minutes for detection thresholds of 8% leak for full flow and no flow conditions applicable to hazardous liquid operators. (The federal government has only begun early discussions of this.)
- Massachusetts requires all transmission lines to be designed as Class 3 and 4 locations.
- Missouri requires operators provide isolation zones so relight accomplished within 8 hours.
➢ More variations in state agencies having jurisdiction than with pipeline safety

➢ PHMSA evaluates State Damage Prevention Programs annually – Focus is primarily on pipelines
Adequacy of One-Call Law Enforcement Programs
As of December 9, 2017

- Adequate (24)
- Inadequate (27)
- Contesting (1)

Map produced December 9, 2017 by the U.S. Department of Transportation (U.S. DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA)

This map is for reference only. PHMSA makes no representations or warranties of any kind, expressed or implied, about the completeness, accuracy, reliability, suitability or availability with respect to the map for any purpose. PHMSA expressly disclaims liability for any errors and omissions in the contents of this map.
Determinations of Adequacy of One-Call Law Enforcement Programs from 2018 Audits
As of August 19, 2019

Adequate (42)
Inadequate (9)
Pending (1)
Keys to Effective Damage Prevention Programs

➢ A robust training program for Excavators and Operators (utilities)

➢ Active investigation and enforcement

➢ A penalty structure that serves as a deterrent
Effective Damage Prevention Programs (Continued)

➢ No Exemptions (such as State DOTs)

➢ Excavation Notification Requirements; including pre-marking the excavation area

➢ Mandatory participation by Operators

➢ Positive response requirement
Questions?

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