

Washington State Citizens Committee on Pipeline Safety

Meeting Minutes

Washington Utilities and Transportation Commission
1300 Evergreen Park Drive S.W., Olympia, WA 98504
October 2, 2014

Present members:

Bob Beaumier, Chair
Terri Briere, Vice Chair
Tim Sweeney
Robert Oenning, Conference Bridge
David Taylor
Ron Schmitt
Carl Weimer
Ron Bowen
Jody Morehouse
Ed Cimaroli
Nick Peelo

Absent members:

Randy Tarter

Other attendees:

David Lykken, UTC Pipeline Safety Program
Joe Subsits, UTC Pipeline Safety Program
Jim Fernald, UTC Pipeline Safety Program
Marina Woodard, UTC Pipeline Safety Program
Lynda Holloway, UTC Pipeline Safety Program
Ann Rendahl, Director of Policy and Legislative Affairs
Jason Lewis, UTC Transportation Policy Advisor
Scott Zimmerman, Dept. of Ecology
Linda Pilkey-Jarvis, Dept. of Ecology
Brad Tower, Olympic Pipe Line Co.
Ernesto Ybarra, UA Local 32
Sonja Lutz, Pipeline Safety Trust
Francis Roemer, William NWP
Verlyn Bailly, Pipeline Association of WA (PAW)/TransCanada
Mike Eutsey, CNG

Agenda Items:

1. **Welcome, Meeting Protocols, Introduction and Adoption of June 19, 2014 Minutes**
The meeting was brought to order by Bob Beaumier who welcomed all attendees. In a unanimous vote, the Committee adopted the June 19, 2014, meeting minutes as written.

2. **2014 Stakeholder Report Discussion**

The committee had a lengthy discussion on the development of the upcoming 2014 annual stakeholder report. Tim reminded the committee on Chairman Danner's previous discussion with the committee and suggestions in developing the annual report. In that conversation, he suggested describing any current pipeline issues and efforts to ensure pipelines are properly maintained and operated, including the committee's endeavors throughout the year.

In response to the committee's clarification question regarding the definition of the "stakeholder report" and "workplan," Bob Beaumier explained that the stakeholder report is established to identify the committee's retrospective efforts and accomplishments. The workplan (as noted in bylaws) is established to set the future important pipeline related topics and committee's goals for the next calendar year.

Terri noted that she was unclear regarding the committee's functions, roles and responsibilities. In order to be a robust and practical committee, she would like to see the development of a workplan and accomplishments, which would more clearly describe the impact of the committee's overall activities. Dave Lykken explained that the function of the committee is to advise the state agencies, other appropriate federal and local government agencies and officials on matters relating to gas and liquid pipelines.

Bob Beaumier suggested forming a sub-committee for the "Stakeholder Report" and "Workplan." Jason did not think it was needed at this time, however the committee may consider reviewing this possibility in the future if the committee still believes that an established sub-committee would streamline the process.

Jason noted that he had prepared a communication outline for preparing the annual report. This outline will assist the committee in determining who to reach out to, and how to use the data which will consequently make it easier for the legislature to better understand information contained in the annual report.

Action:

Jason Lewis will work with the committee in preparing the draft 2014 stakeholder report by utilizing his proposed outline. The draft report will be sent to the committee for review, and finalized at the next meeting. Following approval, Marina will send out the report in January 2015.

3. **Oil Transportation Study Briefing**

Jason Lewis provided an overview of the "Marine & Rail Oil Transportation Study" conducted by the Dept. of Ecology (Ecology) in consultation with the Utilities & Transportation Commission (UTC), WA Military Dept. Emergency Management (EMD), the Federal Railroad Administration (FRA), and the Dept. of Transportation (WSDOT).

In June 2014, Governor Inslee issued Directive 14-06 that required Ecology to draft a preliminary report with findings and recommendations by October 1, 2014, to assess the

oil transportation safety in Washington. An interim report is due to the Governor and Legislature by December 1, 2014, with the final report due by March 1, 2015.

On September 26, 2014, a multi-agency (UTC, WSDOT, Dept. of Ecology, and EMD) submitted comments of Federal Notice of Proposed Rulemaking (NPRM) to U.S. DOT relating to Enhanced Tank Car Standards and Operational Control for High-Hazard Flammable Trains, Docket No. PHMSA-2012-0082 (HM-251). *(This document is posted on CCOPS website).*

Ecology will be hosting two public meetings in Spokane on October 28, 2014, and Olympia on October 30, 2014, to gather feedback on this issue.

The study, workshops and public meetings information can be found on the Ecology's website at: <http://www.ecy.wa.gov/programs/spills/oilmovement/2014MRstudy.html>

4. **Geographic Response Plan (GRP) Update**

Linda Pilkey-Jarvis with Dept. of Ecology provided updates on the Geographic Response Plan (GRP). *(This document is posted on CCOPS website).*

5. **Pipeline Association of Washington (PAW) Update Presentation**

Verlyn Bailly provided an update presentation of the Pipeline Association of Washington (PAW). Verlyn is employed with TransCanada and President of PAW, which is a national non-profit organization, consisting of pipeline operators in Washington. PAW was established in 2004 to promote the pipeline safety public awareness. *(This document is posted on CCOPS website).*

Verlyn announced that the association is hosting three Emergency Responder Training sessions. The sessions will be held on November 4th in Bellevue, November 5th in Monroe, and November 6th in Bellingham. An email invitation will be sent out to all CCOPS members who are interested.

6. **Dept. of Ecology (DOE) Update**

Scott Zimmerman provided an Ecology update to members. *(This document is posted on CCOPS website).*

7. **UTC Update**

David Lykken provided the following updates:

- **Pipeline Program Vacancies**

UTC is in the process of filling the two engineer positions. One position will replace Patti Johnson who retired at the end of July 2014. An additional engineering position was created to work on Damage Prevention inspection and enforcement, and in anticipation of future retirement plans. With these additions, the pipeline safety program will have nine full time inspectors. Out of 84 total applications received, 10 applicants were selected for interviews which will be

conducted within the next few weeks. Both positions are planned to be filled by the end of the year.

- CA Public Utility Commission (CA PUC) Visit
Staff from the CA PUC visited the UTC Pipeline Safety Program on September 25, 2014. The purpose of the visit was to learn and understand more about the WA state program implementation process, best practices, risk assessment and inspections tools, and the program's established policy and procedures. PHMSA recommended CA PUC to engage with other states program to identify ways to improve their program since the San Bruno incident. WA was one of the states that was recommended by PHMSA.
- UTC Participation in State Petroleum Advisory Group (SPEAG)
David Lykken and Joe Subsits participated in the State Petroleum Emergency Advisory Group meeting on September 30, 2014, in Olympia, WA. This group is managed by Dept. of Commerce consisting members from various state agencies including FEMA, WA Emergency Management Division, WA State Patrol, and the Dept. of Ecology.
- PHMSA Reauthorization by Congress
Next year (2015), PHMSA will undergo their Reauthorization by Congress. This process occurs every four years and authorizes PHMSA as the enforcement agency for pipeline safety. The committee is welcome to provide written comment to congress regarding this reauthorization.
- Dig Law Report to Legislature on Dig Law RCW 19.122
The UTC will be required to report to the legislature by December 1, 2015, regarding the effectiveness and progress since the revised dig law was passed in January 2013. Multiple stakeholder workshops will be held in the future to solicit input and information from the public that will be used in development of the written report. Committee members are welcome to attend these workshops.
- NAPSR
David Lykken has been elected as the vice-chair of NAPSR (National Association of Pipeline Safety Representatives). David handed out a copy of the proposed state program metrics document that was developed by NAPSR and PHMSA. This set of metrics came out of one of a number of safety recommendations issued by the NTSB (National Transportation Safety Board) as a result of the September 2010 San Bruno incident. The NTSB asked PHMSA to "Work with state public utility commissions to (1) implement oversight programs that employ meaningful metrics to assess the effectiveness of their oversight programs and make those metrics available in a centralized database, and (2) identify and then correct deficiencies in those programs." The information contained in the state reports, is based on data submitted by the regulated pipeline companies to PHMSA as part of their annual reports, and annual certification data submitted by the state

pipeline safety programs. The metrics consist of program performance in six specific areas that include:

- Damage Prevention Program
- Inspection Activity
- Inspector Qualification
- Leak Management
- Enforcement
- Incident Investigation

- Updates - 3/31/2014 Williams Plymouth LNG Incident

This incident remains under investigation.

- Updates on Alcohol, Tobacco and Firearms (ATF) Involvement during staff investigations

David Lykken and Joe Subsits further clarified with staff regarding ATF's involvement during two previous incident investigations. As a result, David reported that their involvement was not as disruptive as initially reported. During the last NAPSRS meeting, when Dave raised this concern with his peers, it was discovered that there are others experiencing the same issue. David and Robert Miller (AZ) will be meeting with a representative from the ATF during the upcoming Pipeline Safety Trust conference this November in New Orleans to discuss the issues. David did note that staff now have an improved working relationship with the ATF when conducting these types of investigations.

- Federal Rulemaking

The following PHMSA rules are pending:

- Hazardous Liquid (proposed rule pending)
- Excavation Damage (final rule pending)
- Miscellaneous rulemaking (final rule pending)
- Gas Transmission – Gathering (proposed rule pending)
- Expansion of the Excess Flow Valve rules (proposed rules pending)
- Leak Detection & Automatic Shut-off Valves (proposed rules pending)
- Updating Technical Standards by Reference (proposed rules pending)

Action:

Bob Beaumier moved that the committee draft a letter to U.S. DOT in regards to their delay in adopting new pipeline safety rules. The motion was passed unanimously. Carl Weimer agreed to draft the letter and will email members for review and approval.

8. **Damage Prevention Update**

Lynda Holloway provided the following updates:

- Dirt Analysis Quarterly Dig Report – Developed for education outreach. Available on Pipeline Safety program website.

- Newsletter – Emailed quarterly to Dig Law interested parties list.
- Letters to Homeowner and Excavators –UTC sends letters to offenders that damage the gas lines. Information is obtained from Virtual DIRT. Repeat offenders have been identified and will be investigated by engineering staff. Penalties may be assessed to repeat offenders.
- Dig Law Safety Committee - The committee reviews all complaints received and provide recommendations to the UTC for enforcement. The committee is currently working on several issues, including “Positive response to the dig tickets” and hoping to conclude with recommendations.
- Dig Law Education Training – Training was conducted at the Dept. of Labor and Industries (LNI) on June 27, 2014.
- Advertising Campaign – Spent over \$800K on radio and TV advertisements. The campaign is geared towards homeowners. The advertisements ran from March 1 to July 31, 2014.
- TV/Radio Interview – Lynda and Anna Gill were involved in several interviews in promoting the Call Before You Dig campaign.
- Survey – Advertising agency hired a contractor to conduct a survey of 400 homeowners before and after the advertising campaign. The result of the survey indicates significant improvement of homeowner’s knowledge.
- 2015 Expenditure – WA Pipeline Safety Program will spend \$600K from penalty assessment money on future media campaign. An additional \$75K may be added to the advertisement. Additional emphasis will be placed on advertising in Hispanic communities.
- Promotional Handouts – David and Lynda will be selecting and purchasing additional types of promotional handouts items that can be distributed during home shows, training and other events.

Carl reported that CGA has just released their 2013 report.

9. **CCOPS Bylaws Review**

Bob Beaumier announced that he will work with Jason in reviewing the current bylaws. Any committee member that is interested in being part of the review group, should contact Bob directly.

(Note: During the 12/2/2014 meeting, Bob Beaumier corrected himself that he had also asked Bob Oeening to be part of the review group).

10. **Future Agenda Review (FAR) 2014 and Other Business**

- Moving Dilbit in Pipelines, presentation by Rick Kuprewicz with Accufacts.
- Review and approval of 2014 Stakeholder Annual Report.
- Review of draft letter to U.S. DOT – Delay on adoption of rules.
- The November 20th committee meeting is re-scheduled for December 2, 2014. The meeting will be held at the UTC.

Adjourn

The meeting adjourned at 2:40 pm.