

Washington State Citizens Committee on Pipeline Safety

Meeting Minutes

Washington Utilities and Transportation Commission
1300 Evergreen Park Drive S.W., Olympia, WA 98504
May 5, 2016**Present members:**David Taylor, Chair
Ron Bowen, Vice-chair
Bob Beaumier
Greg Baruso
Juliana Williams
Janet Alderton
Randy Tarter
Nick Peelo
Carl Weimer (via conference call)**Absent members:**Erik Poulsen
Jody Morehouse
Ron Schmitt**Other attendees:**Alan Rathbun, UTC Pipeline Safety Program
Joe Subsits, UTC Pipeline Safety Program
Marina Woodard, UTC Safety and Consumer Protection Division
Denise Crawford, UTC Pipeline Safety Program
Lynda Holloway, UTC Pipeline Safety Program
Debbie Becker, UTC Pipeline Safety Program
Dennis Ritter, UTC Pipeline Safety Program
Darren Tinnerstet, UTC Pipeline Safety Program
Jason Lewis, UTC Transportation Policy Advisor
Scott Zimmerman, Dept. of Ecology
Eric Martuscelli, Cascade Natural Gas Corporation**Agenda Items:**

- 1) **Welcome, Meeting Protocols, Introduction and Adoption of March 22, 2016 Minutes**
The meeting was brought to order by Dave Taylor who welcomed all attendees. In a unanimous vote, the Committee adopted the March 22, 2016 meeting minutes as written.
- 2) **Election of Vice-chair**
In a unanimous vote, Ron Bowen was elected as vice-chair.

3) **Cybersecurity**

Juliana Williams presented the following briefing on cybersecurity:

Cybersecurity Fundamentals

- Business systems and operational systems
 - SCADA
 - Physical security
 - Risk to electric sector v. natural gas sector
- Malware, spear phishing, denial of service, vendor weakness, etc.
- Access v. Impact
 - Isolation
 - Minimization
- Prevention v. resilience, Business Continuity Planning

National Efforts

- DHS coordinating federal cybersecurity efforts
- NIST Framework 2013 – Identify, protect, detect, respond, and recover.
<http://www.nist.gov/cyberframework/>
- Energy Policy Modernization Act
- Information Sharing through Oil and Natural Gas Information Sharing and Analysis Center (ONG-ISAC)
<http://ongisac.org/>
- GridEx tabletop exercise every two years

State Efforts

- Comprehensive Emergency Management Plan
 - Cybersecurity Annex:
<http://mil.wa.gov/uploads/pdf/PLANS/wastatesignificantcyberincidentannex20150324.pdf>
- Evergreen Cyber tabletop exercise
- Washington Cybersecurity Summits
<http://www.snopud.com/AboutUs/cybersummit.ashx?p=2167>
- Cybersecurity Guide for the State of Washington Critical Infrastructure
http://www.snopud.com/Site/Content/Documents/cyber/Cybersecurity_WA_915.pdf
- Public Records Act – RCW 423.56.420(4)

UTC Efforts

- Critical Infrastructure Staff Team – Serve on Critical Infrastructure Committee for NARUC

- Meetings with Electric and Natural Gas LDC's
- Critical Infrastructure Staff Team
- Annual reporting for Electric Utilities
- Water Summit
- Commissioner briefings from Military Department

4) **UTC Pipeline Fee Methodology Rulemaking – Dockets PG-160121 & PL-160122**

Alan Rathbun provided an update on UTC Pipeline Fee Methodology Rulemaking. A workshop was held at the UTC on April 20, 2016. Staff discussed the areas of perceived inequity in the current allocation model, for example, allocating overhead costs based upon pipeline miles. A new fee methodology may likely contain the following changes:

- 1.) Allocating overhead costs by units of operation
- 2.) Allocating fees to master meter operators who currently pay no pipeline safety fee
- 3.) Deleting credit to the pipeline companies when the commission assesses penalties for damage prevention

Also discussed was the statutory provisions in RCW 80.24.060 and RCW 81.24.090 that reference the Citizens Committee role in creating a regulatory incentive program for pipeline safety programs. The regulatory incentive program shall not shift the costs among companies paying pipeline safety fee and shall not decrease the revenue to pipeline safety programs. Committee members may pursue this further at future CCOPS Meetings.

5) **Review of Pipeline Safety Website – Feedback from Survey**

Joe Subsits discussed the results of the Pipeline Safety Website Survey. *(This document is posted on CCOPS website)* The Committee members further discussed:

- How the layout could be enhanced to make items easier to find for the common lay person
- Summaries for each section and embedded charts would be helpful
- The website needs more images – people respond to images
- Find out which pages receive the most hits and prioritize in that manner
- An explanation on how to view the information on the pipeline maps is needed
- A Pipeline 101 tutorial would be beneficial
- Recommendation to forward survey to operators for better input

6) **Department of Ecology Update**

Scott Zimmerman provided the members with the Department of Ecology Update. *(This document is posted on CCOPS website)*

Committee members briefly discussed the processes of transferring or bunkering of fuel from vessels and the booming requirements involved.

Scott invited Committee Members to view the tabletop drills. Please contact Scott if you are interested in viewing any of the tabletop drills.

7) **UTC Update**

Alan Rathbun provided the following UTC updates:

- **PHMSA Audit of Damage Prevention Program**
The Pipeline Safety Damage Prevention Program was audited for the first time on April 26, 2016. This is a new process that PHMSA just started this year. The UTC Damage Prevention Program has not received the official response with the point total. Overall, PHMSA was impressed with the Damage Prevention Programs commitment to public awareness and how the penalty assessment actions are publicized. The program was also complimented on its transparency. The areas of improvement include:
 - Demonstrating a balanced enforcement program by also penalizing operators for inaccurate locates
 - Investigating every dig-in – currently resources are limited
- **PHMSA's Proposed Rulemaking on Gas Transmission and Gathering Lines – Docket No. PHMSA-2011-0023**
This is a substantial rulemaking with quite a few changes being proposed. The comment period ends June 7, 2016. NAPSRS has asked for a 30-day extension. The Pipeline Safety Program is not ready to address any comments that they may have on this proposed rulemaking. One area of concern has to do with the limited jurisdiction of gathering lines and the classification of the lines used for removing methane in landfills that gets fed back into the gas system. If the committee is interested in commenting, staff will facilitate a conference call before the comment period deadline.
- **PHMSA Reauthorization - Update on House Bills at the UTC level**
Jason Lewis provided a briefing on the two bills currently in the House that are under review for the Transportation and Infrastructure Committee and the Energy Committee. Staff is working on reconciling the two bills. The UTC has focused their efforts on provisions related to the PHMSA interstate agent agreement.
- **NAPSRS Western Region Meeting**
Alan Rathbun and Joe Subsits will be attending the NAPSRS Western Region Meeting the week of May 9-13, 2016, in St. George, Utah. Attendance at this meeting includes all state programs in the Western Region of PHMSA as well as PHMSA staff. Items for discussion include regulatory changes and best practices.
- **Local Emergency Planning Committee (LEPC)**
Alan has been invited to speak at Washington State Emergency Management LEPC meeting. Topics for discussion include a briefing on the UTC Pipeline

Safety Program and incident response, what role staff plays in responding to an incident.

- Greenwood Incident
On March 9, 2016, UTC staff responded to a natural gas explosion in Seattle's Greenwood neighborhood. This incident remains under investigation.

8) **Damage Prevention Update**

Lynda Holloway provided the following Damage Prevention Updates:

- Utility Coordinating Council (UCC) Meetings
Lynda has been presenting at UCC Meetings all over the state and continues to attend the UCC quarterly meetings.
- 811 Forum in Republic, Washington
Lynda is scheduled to present at the 811 Forum in Republic on May 18, 2016.
- Dozer Day – Puyallup Fairground – June 4-5, 2016
The UTC is sponsoring Dozer Day Seattle and will have a booth next to Washington 811. Educational materials will be handed out to public. Staff will be on hand for outreach and questions. If you would like to volunteer for this event, go to www.seattle.dozerday.org
- Safety Committee Review
The Safety Committee will be holding a meeting to review complaints that they have received, here at the UTC on May 25, 2016 at 9:00am. Anyone may attend.
- Propose Legislative Changes to the Dig Law - RCW 19.122
The UTC is looking at adding language for design locates in the law. The proposed changes include, all new utilities go in as being locatable and deleting the sunset date of enforcement of 2020.
- New Damage Prevention Compliance Investigator
Darren Tinnerstet was hired as the new Damage Prevention Compliance Investigator. Darren has worked for the Commission as a Compliance Investigator, since February 2014, in the Consumer Protection division. His experience includes handling the Safety Committee referrals for Dig Law investigations. Darren provided the CCOPS members with a copy of the most recent press release for Dig Law violations. *(This document is posted on CCOPS website)*

9) **Pipeline Safety Inspection Schedule**

Joe Subsits presented a PowerPoint on the elements involved in establishing a Pipeline Safety Inspection Schedule. *(This document is posted on CCOPS website)* There was considerable discussion about master meter systems.

Juliana questioned whether the state, UTC, or operators track the volume of leaks? If so, do we have an idea of the magnitude each year?

Joe responded that the operators are responsible for tracking and monitoring leaks. Alan added that there is a reporting mechanism for fugitive gas that also takes into account many elements such as purging, damage events, and blow off during construction.

10) **CCOPS Agenda Items for the Remainder of 2016**

Alan discussed items where he feels the CCOPS members could have the greatest positive impact on Pipeline Safety. Ultimately, the decision on agenda items is up to the Committee.

- Public Awareness
How effective is PHMSA's public awareness program? Where are our pipelines? What are the risks? How can the public find out more about pipelines?
- Land use around pipelines
Increasing the awareness of local governments who have direct control over land use decisions. What land use is wise and prudent around high pressure pipelines?
- Legislation on Dig Law - RCW 19.122
The UTC may submit agency request legislation in 2017
- Regulatory Incentive Program
- Analyzing the Pipeline Safety Program
- Review of Damage Prevention Program

The September 15, 2016 meeting needs to be rescheduled. UTC Staff proposes a two day meeting in Bellingham, Washington, with a tour on the first day and a half day meeting on the second day. The tour may include visiting the Olympic Pipeline 1999 explosion site, as well as other pipeline related sites in the area. This would also be a good opportunity for the members to see the land use issues and development around the pipelines in the area.

In a unanimous vote, the Committee accepted the proposed site visit for the September 2016 Meeting.

Action(s):

Denise will email Committee Members date choices for the next meeting.

Staff will keep the Committee Members posted with the new meeting date(s) and logistics.

11) **Public Comments**

Eric Martuscelli asked how presentations, such as that on drones, would advance the mission of the CCOPS.

Janet responded that she feels that the more the Citizens Committee knows about new technology, the more able they are to assist in facilitating changes that are beneficial to both the operator and the public.

12) **Review of Action Items, Topics for Next Meeting, and other Business**

Alan reminded the members that there are three Citizen Committee Member whose terms that will expire on July 31, 2016. To reapply, please visit the CCOPS website and fill out the online application for Governors consideration.

Adjourn

The meeting adjourned at 2:34 pm.