

Washington State Citizens Committee on Pipeline Safety
Meeting Minutes
Utilities and Transportation Commission
1300 South Evergreen Park Drive SW, Olympia, WA 98504
March 23, 2017

Present members:

David Taylor, Chair
Bob Beaumier
Carl Weimer
Greg Baruso
Juliana Williams
Carl Weimer
Janet Alderton – Via Conference Bridge Line
Ron Schmitt
Karen Cash
Nick Peelo
Randy Tarter

Absent members:

Ron Bowen

Other attendees:

Alan Rathbun, UTC Pipeline Safety Program
Joe Subsits, UTC Pipeline Safety Program
Denise Crawford, UTC Pipeline Safety Program
Darren Tinnerstet, UTC Pipeline Safety Program
Debbie Becker, UTC Pipeline Safety Program
Ann Rendahl, UTC Commissioner
Jason Lewis, UTC Policy Planning and Research
Nhi Irwin, Dept. of Ecology
Andrew Mark, Kinder Morgan

Agenda Items:

NOTE: The minutes reflect the amended order in which the items were considered.

1) **Welcome, Meeting Protocols, Introduction and Adoption of December 15, 2016 and January 26, 2017 Minutes**

The meeting was brought to order by Dave Taylor who welcomed all attendees. In a unanimous vote, the Committee adopted the December 15, 2016 and January 26, 2017 meeting minutes as written.

2) **Review of the Washington UTC Pipeline Safety Program – What would it look like?**

Carl Weimer presented the Committee with examples of pipeline reports prepared by the Pipeline Safety Trust (PST). The reports include some basic data about pipelines, i.e.

description about the types of pipelines, construction, maintenance, public awareness, land use, blast zone data, and emergency response. Carl also prepared a template for the UTC Pipeline Safety Program report. *(These reports are posted on the CCOPS website)*

Commissioner Rendahl supports an assessment of the UTC Pipeline Safety from an outside entity. The report could be used for education and outreach.

Staff hopes to use this report as a gap analysis.

Action(s):

Ron Schmitt proposes that the PST come up with an outline and timeline for the Pipeline Safety report to present at the May meeting. He also requested that the commission look into funding for the report.

Motion passed.

Carl Weimer will provide the requested information at the May meeting.

Alan Rathbun will provide the commission's response regarding funding.

3) **Outline of the tasks performed by Pipeline Safety**

Presented by Joe Subsits, Alan Rathbun and Debbie Becker *(this document is posted on the CCOPS website)*

The committee discussed the different types of pipelines, inspections, incident investigations, regulations, and enforcement.

4) **Dept. of Ecology Update**

Nhi Irwin reviewed the Pipeline Oil Spill Contingency Plans, Drill Updates, and Geographic Response Plans. *(This document is posted on the CCOPS website)*

5) **UTC Update**

Alan Rathbun and Lauren McCloy presented the following:

2017 Legislation Session

Agency request Dig Law amendments (House Bill 1064/Senate Bill 5091) both bills passed out of the house of origin and have been passed out of the policy committees in the opposite house. Each bill sits in the Rules Committee awaiting floor action, in the respective chamber.

House Bill 2135

House Bill 2135 stems from the Greenwood incident. The bill proposes the ability to take up to \$500,000, at the request of the Governor, from the Pipeline Penalty Account and submit it to the Dept. of Commerce to use for grants or loans. The grants or loans then would be provided to businesses for costs incurred as a result of damage caused by a significant pipeline incident. *(This document is posted on the CCOPS website)*

The broader policy discussion is, should the utilities or the states rule get involved in mitigating the outcomes of pipeline accidents on customers and their businesses.

The Committee decided not to take action on House Bill 2135 at this time.

New Commissioner for the UTC

Jay Balasbas has been named by Governor Inslee as the new Commissioner, taking the seat of Phil Jones, whose term recently expired. *(This press release is posted on the CCOPS website)* Lauren reports that there was a confirmation hearing for the new UTC Commissioner, Jay Balasbas.

PHMSA Regulatory Update

An amendment to 49 CFR Parts 190, 191, 192, 195 and 199 that takes effect on March 24, 2017. *(This document is posted to the CCOPS website)*

The amendments include:

- PHMSA cost recovery for design safety review
- Amendment to incident notification requirements
- Part 192 – several modifications including welding procedures and qualification of welders and control room management
- Part 195 – several modifications including welding procedures and qualification of welders and control room management
- Part 199 – amendments pertaining to drug and alcohol testing requirements

Other PHMSA rulemaking is in limbo, awaiting clarification of an executive order issued by the new administration.

Karen Cash discussed the Excess Flow Valve (EFV) Rule that takes effect April 14, 2017. The main difference for LDC's in this rule is in regards to the requirement to notify customers, who currently do not have an EFV, of their rights to have one installed.

Alan noted that the interim final rule on Unground Gas Storage (Down Well) comment period has been extended to May 19, 2017. This interim rule is already in effect.

Commission Rule-Making

Staff previously reported on intended modifications to the fee setting methodology rules in both gas and hazardous liquid programs. This rulemaking which was put on hold due to potential agency legislation which did not go forward. Therefore, staff is restarting the process and a stakeholder meeting will be scheduled likely in late spring or early summer.

Settlement Agreement with Cascade Natural Gas Corporation – Docket PG-150120

The UTC approved a settlement agreement between Pipeline Safety staff and CNGC, in response to a complaint filed against the company for violating state and federal pipeline safety regulations. Under the settlement agreement, CNGC will pay \$1 million, and could

face an additional \$1.5 million in penalties if the company fails to complete a comprehensive compliance program by agreed deadlines.

Operator Evaluation of Pipeline Safety Program

As part of our annual meeting with operators, a survey is conducted to solicit comments and recommendations on the Pipeline Safety Program's performance. Debbie Becker reviewed the survey with the Committee members. *(This document is posted on the CCOPS website)*

Recruitment for Pipeline Safety Director

Alan Rathbun's last day with the Commission is May 31st. Interviews are in progress with hopes to have a new director on board in early May.

6) **Damage Prevention Update**

Debbie Becker provided an update on the UTC Damage Prevention Program

Washington Interscholastic Academic Association Events (WIAA)

The Damage Prevention Program has participated in many of the state wide WIAA events including: football, dance, basketball, wrestling and gymnastics events. The outreach from participating in these events has been pretty substantial.

Locator and Excavator Training

The Damage Prevention Program will be conducting Locator and Excavator training with monies provided through grants. In less than 24 hours after sending out an email about the classes being offered, the program had over 200 registrants for these classes. Within a week, six of the seven classes were full. There is a substantial need for more trainings. The program is looking at extending the contracts with the trainers of these classes and using some money from the Damage Prevention Penalty Assessment Account to cover the cost of training.

Damage Prevention Enforcement Actions

A comprehensive list of Damage Prevention penalties actions from 2014 to current was distributed and reviewed. *(This document is posted on the CCOPS website)*

Q4 2016 DIRT Analysis

A total of 432 damage reports were submitted to the DIRT database in the fourth quarter of 2016. This number represents a 26% decrease in reports received for the same time last year. Locate requests increased by 11% in the fourth quarter of 2016, over the fourth quarter of 2015. *(This document is posted on the CCOPS website)*

7) **Update on Land Use Around Pipelines – Outreach**

Carl Weimer provided an update on Land Use Outreach.

Carl Weimer, Alan Rathbun and Jim Doherty will be presenting at the 2017 Planners Association of Washington (PAW) Conference in Lake Chelan on May 5.

Dave Taylor has submitted a request to present at the Association of Washington Cities (AWC). He is still waiting for a response.

Action(s):

Juliana Williams requested that the PAW and/or the AWC Conference Land Use presentations be recorded as a training tool and for outreach to other municipalities.

Dave Taylor and Carl Weimer will coordinate the recording.

8) **Committee Priorities for 2017 and beyond**

A nominating committee was created for selecting the officers for next year: Bob Beaumier, Greg Baruso and Dave Taylor.

9) **Public Comments**

No Public Comments

10) **Review of Action Items and Other Business**

Juliana Williams requested that the members actively recruit for the current and upcoming vacancies.

The Pipeline Safety Program would like to see a citizen who lives along a pipeline serving on the Committee.

Alan Rathbun suggested starting a group that represents the local governments, such as the City and County Consortium which was started as a result of the Bellingham incident. This was a group of local governments that worked together to address issues of common needs around pipelines. Maybe this is something that can be done through WSAC and AWC. This would give the Committee a liaison to help address land use.

Please contact Carl Weimer if you have any topics that you want included in the Pipeline Safety report.

Adjourn

The meeting adjourned at 2:55pm