

Pipeline Safety Update



Dates of Interest

January 2014

- 31 Comments due on OFR's
Incorporation by Reference
NPRM

February 2014

- 9-12 [NARUC Winter Committee Meetings](#), Washington, DC
- 10-13 [Pipeline Pigging and Integrity Management Conference](#), Houston, TX
- 25-26 [Meeting of the Technical Pipeline Advisory Committee and the Liquid Pipeline Advisory Committee](#), Location TBA
- 25 [Comments due](#) on DOT's Proposed Procedures for Grantees
- 27 PHMSA Public Workshop on Safety Management Systems

March 2014

- 9-14 [NACE Corrosion 2014 Conference](#), San Antonio, TX
- 11-13 [CGA Excavation Safety Conference & Expo](#), Phoenix, AZ
- 23-25 [APGA Security & Integrity Foundation \(SIF\) Operations Conference](#), Miramar Beach, FL

April 2014

- 8-10 [API 2014 Pipeline Conference and Cybernetics Symposium](#), San Antonio, TX
- 16 PHMSA Class Location Methodology [Workshop](#), Location TBA

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Welcome to the 70th issue of Van Ness Feldman's Pipeline Safety Update. We begin our 4th year by sporting a new, refreshed look and welcoming Keith Coyle, a former PHMSA attorney, to our Pipeline Safety Team. Many thanks to you, our readers, for your support.

In this issue, read the NTSB's recommendation for pipeline safety, take note of upcoming PHMSA meetings and workshops, and catch up on what you may have missed in 2013.

NTSB's 2014 Top 10 Most Wanted List Includes Pipeline Safety

Pipeline safety is on the National Transportation Safety Board's (NTSB) 2014 [Top 10 Most Wanted List for Transportation Improvements](#).¹ According to NTSB, pipeline companies can improve safety by using more advanced in-line inspection technologies, expanding the use of pipeline inspection tools, and improving communications with emergency responders and local communities. NTSB also states that regulators can more effectively address safety issues by ordering reluctant operators to implement certain improvements. For example, NTSB states that the Pipeline and Hazardous Materials Safety Administration (PHMSA) should require that operators install automatic shutoff valves and remote controlled valves.

Spending Bill Includes \$119 Million for PHMSA's Pipeline Safety Programs

On January 17, 2014, President Barack Obama signed a \$1.1 trillion spending bill that funds the federal government through the end of September 2014. The [bill](#) includes \$119 million for PHMSA's pipeline safety programs, representing an increase of \$12.8 million over 2013 levels. The bill also includes an additional \$5.4 million for research and development activities.²

PHMSA Activities

PHMSA to convene joint meeting of the Technical Advisory Committees. PHMSA is convening a [joint meeting](#) of the Technical Pipeline Safety Standards Committee (GPAC) and Technical Hazardous Liquid Pipeline Safety Standards Committee (LPAC) on February 25-26.³ Among other things, the committees will discuss whether to adopt section 4.2 of ASTM D2513-09a, "Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and Fittings," for PE materials. Section 4.2 addresses the use of rework materials. The meeting will be held in the Washington, D.C. area and will not be webcast. PHMSA will release additional details at a later date.

PHMSA to hold Safety Management Systems workshop in February. PHMSA is holding a workshop addressing Safety Management Systems (SMS) topics on February 27, the day after the Technical Advisory Committees meetings.

PHMSA announces Class Location Methodology workshop. PHMSA has scheduled a [public workshop](#)⁴ on whether applying gas transmission integrity management (IM) requirements beyond high consequence areas (HCA) would mitigate the need for class location requirements. The workshop will feature presentations from PHMSA, state representatives, and other stakeholders, as well as panel discussions and an overview of the comments received in response to PHMSA's August 1, 2013 [Notice of Inquiry on](#)

In this issue:

- PHMSA posts information on LNG facility siting requirements.
- PHMSA updates R&D database to reflect new projects.
- PHMSA responds to senators' questions on pipeline safety.
- DOT seeks comments on new procedures for grantees.
- Updates from California, Nevada, North Dakota, and Washington
- AOPL and API announce Pipeline Safety Excellence Initiative and release 2013 Performance Report.
- Common Ground Alliance will hold Excavation Conference & Expo.
- 2013 Recap



**Know what's below.
Call before you dig.**

Federal Funding Resource Center

Van Ness Feldman continually identifies and provides updates on federal funding opportunities related to energy, environment, natural resources, and public lands, including PHMSA grants.

www.vnf.com/Funding

To sign up for the weekly updates, e-mail vnf@vnf.com with "FFO Subscribe" in the subject line.

[Class Location Requirements](#)⁵ and August 25, 2011 [Advanced Notice of Proposed Rulemaking on the Safety of Gas Transmission Pipelines](#).⁶

PHMSA posts information on LNG facility siting requirements. PHMSA has created a new [webpage](#)⁷ providing information on its role in the siting of liquefied natural gas (LNG) facilities and as a cooperating agency in the Federal Energy Regulatory Commission's review of applications for LNG projects. The new website includes frequently asked questions and a list of projects under review by PHMSA.

PHMSA updates R&D database to reflect new projects. PHMSA recently updated its research and development [database](#)⁸ to reflect new grants that have been awarded for pipeline safety-related research projects. The projects address effects of hydrocarbon permeation on plastic pipe strength and fusion performance; strain-based design and assessment of pipeline segments with and without fittings; improving leak detection system design redundancy and accuracy; repair/replacement considerations for pre-regulation pipe; threat/anomaly mitigation decision-making process; and improving models to consider complex loadings, operational considerations, and interactive threats.

PHMSA responds to senators' questions on pipeline safety. On January 3, PHMSA Administrator Cynthia Quarterman [responded](#)⁹ to [concerns](#)¹⁰ raised by Senators Debbie Stabenow (D-MI), Carl Levin (D-MI), and Dick Durbin (D-IL) about the increased use Enbridge Energy Partner's Line 5, an oil pipeline that ruptured in 2010 near Marshall, Michigan. Administrator Quarterman explained to the Senators that PHMSA has taken additional measures to ensure the safety of the system, including by requiring Enbridge to perform a comprehensive integrity review of Line 5 and the other pipelines in the Lakehead system. Enbridge also has updated its oil spill response plan which is electronically available to on-scene spill response coordinators or agencies in the event of an incident.

Status of PHMSA Rulemakings. The table below reflects the most current publicly available information on the status of PHMSA rulemakings as reported in the Department of Transportation's (DOT) January 2014 Significant Rulemaking Report [here](#).¹¹ Additional information from the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs (OIRA) is [here](#).¹² DOT's January report contains several updates and one new rulemaking as indicated in bold.

Rulemaking & Next Action	Estimated Date to OMB	DOT Estimated Publication Date	OIRA Estimated Publication Date
Excess Flow Valves; NPRM	January 30, 2014	May 9, 2014	May 2014
Issues Related to Use of Plastic Pipe in the Gas Pipeline Industry; NPRM	No Date Announced	April 2014	April 2014
Safety of Gas Transmission Pipelines; NPRM	March 18, 2014	June 30, 2014	July 2014
Safety of On-Shore Hazardous Liquid Pipelines; NPRM	January 21, 2014	May 1, 2014	April 2014
Valve Installation and Minimum Rupture Detection Standards; NPRM	September 18, 2014	December 29, 2014	TBD
Enforcement of State Excavation Damage Laws; Final Rule	January 21, 2014	May 1, 2014	March 2014
Miscellaneous Amendments to Pipeline Safety Regulations; Final Rule	February 7, 2014	May 16, 2014	August 2014
Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments; Final Rule	No Date Announced	No Date Announced	No Date Announced

DOT Activities

DOT seeks comments on new procedures for grantees. On December 27, 2013, DOT issued a [Notice](#)¹³ requesting comments on new requirements and procedures applicable to grantees that submit and

State-Specific Association Meetings

February 2014

- 4-5 [Independent Oil and Gas Ass'n of WV Winter Meeting](#), Charleston, WV
- 10-12 [Texas Damage Prevention Summit](#), San Marcos, TX
- 18-19 [Louisiana Mid-Continent Oil & Gas Ass'n Annual Meeting](#), New Orleans, LA

March 2014

- 17-19 [Louisiana Damage Prevention Summit](#), Baton Rouge, LA

Regulations and Code Compliance

Upcoming PHMSA State Seminars

February 2014

- 3-7 Montana (Gas)
- 10-14 Colorado (LPG and Gas)
- 25-27 Iowa (Gas)

PHMSA offers training on gas and hazardous liquid pipeline safety regulations. More information is available [here](#).

receive payments from DOT Operating Administrations, including PHMSA. The new process is now electronic and requires that system verify their identities in advance. Comments on the new procedures are due February 25, 2014.

Updates from Select States

California

CPUC staff issues report recommending risk-based pipeline safety approach. On January 6, the staff of the California Public Utilities Commission (CPUC) released a white paper, [Quantifying Risk: Building Resiliency into Utility Planning](#).¹⁴ The paper urges adoption of a risk-based approach to safety regulation as a complement to the traditional compliance-based model.

Nevada

Nevada PUC approves new regulations to facilitate gas pipeline replacement. On January 8, the Nevada Public Utilities Commission approved [regulations](#)¹⁵ establishing an application process for accelerated recovery of eligible costs associated with replacing natural gas pipelines to address safety and reliability concerns that are incurred by operators in between general rate cases.

North Dakota

Industrial Commission revises and expands oil and gas regulations. On December 19, 2013, the North Dakota Industrial Commission adopted [revised regulations](#) establishing new regulatory and reporting requirements for the state's oil and gas industry, including underground gathering lines.¹⁶ New requirements apply to construction and abandonment of underground pipelines, require the submission of geographical information and shape files, and expand notification requirements in the event of an accident or release.

North Dakota Governor announces members of Pipeline Safety Advisory Panel and holds first meeting. On December 27, 2013, Gov. Jack Dalrymple [announced](#) the members of the new Pipeline Technology Working Group, an advisory panel that will research available technologies for enhancing pipeline safety.¹⁷ Members include private-sector engineers, and representatives from the North Dakota Public Service Commission, the North Dakota State University Center for Surface Protection, the North Dakota Pipeline Authority, PHMSA, and pipeline companies operating in the state. Gov. Dalrymple [convened](#) the panel's first meeting on January 14, 2014.¹⁸

Washington

Washington Citizens Advisory Committee 2013 Stakeholder Report. On January 15, 2014, the State of Washington Citizens Advisory Committee on Pipeline Safety submitted its [2013 Annual Stakeholder Report](#)¹⁹ describing the Committee's goals and activities during 2013.

Industry Updates

AOPL and API announce Pipeline Safety Excellence Initiative and release 2013 Performance Report. On January 15, the Association of Oil Pipelines (AOPL) and the American Petroleum Institute (API) announced their [Pipeline Safety Excellence](#) initiative reflecting the principles and commitments of operators to build and operate safe liquid pipelines and to achieve zero incidents.²⁰ Consistent with the commitment to publically share results of industry-wide safety performance, AOPL and API also released their first [Annual Liquid Pipeline Safety Performance Report and Strategic Plan 2013](#), describing the new initiative, industry-wide pipeline safety teams, pipeline safety performance results, and the API-AOPL 2014 Strategic Plan.²¹

Common Ground Alliance will hold Excavation Conference & Expo. The Common Ground Alliance will hold its [2014 Excavation Conference and Expo](#)²² on March 11-13 in Phoenix, Arizona. CGA's December 2013 Monthly Update is [here](#).²³

Van Ness Feldman counsels clients on pipeline safety compliance, enforcement, and litigation under the Pipeline Safety Laws and Regulations and related statutes. If you are interested in additional information regarding pipeline safety matters, please contact [Susan Olenchuk](mailto:Susan.Olenchuk@vnf.com) at (202) 298-1896 or sam@vnf.com, [Jim Curry](mailto:Jim.Curry@vnf.com) at (202) 298-1831 or jbc@vnf.com, [Keith Coyle](mailto:Keith.Coyle@vnf.com), at (202) 298-1811 or kjc@vnf.com or any member of the firm's [Natural Gas & Oil practice groups](#).

Read our analysis of the Pennsylvania Supreme Court's decision invalidating portions of the state's Act 13: [Fractured Pennsylvania Supreme Court Issues Decision on Constitutionality of Oil and Gas Law](#), by Shippen Howe and Keith Coyle

2013 Recap

New DOT Secretary

In July, former Charlotte, North Carolina mayor, Anthony Foxx became the new Secretary of Transportation, following the departure of Ray LaHood.

Legislation

Incorporation by Reference. The Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (2011 Act) prohibited PHMSA from incorporating by reference into its regulations any new pipeline safety standard or guidance document unless it was available to the public, free of charge, on an internet website. In August, the statute was [revised](#)²⁴ to provide PHMSA with additional time, until January 3, 2015, to comply; remove references in the provision to PHMSA guidance documents; and eliminate the requirement that industry standards be published on an internet website.

Status of PHMSA's Implementation of 2011 Act. PHMSA has established a [website](#)²⁵ where it tracks its progress in meeting the congressional mandates of the 2011 Act.

New Regulations

Enforcement Reforms. In September, the PHMSA published a [final rule](#)²⁶ amending its Part 190 administrative, including enforcement, procedures for the pipeline safety program. The final rule was designed to address procedural and other requirements specified in the 2011 Act, align the regulations with agency practices, and provide clarity. Van Ness Feldman produced a [redline](#)²⁷ showing how PHMSA's regulations were amended.

Pending Regulatory Initiatives

Hazardous Liquid and Gas Transmission Rules. PHMSA continues to develop two proposed rules that are expected to propose substantial changes to the federal safety standards for natural gas and hazardous liquid pipelines. Currently, PHMSA expects to publish the hazardous liquid pipeline notice of proposed rulemaking (NPRM) in May 2014, and the gas pipeline NPRM in June 2014.

Integrity Verification Process. In August, PHMSA unveiled a new integrity verification process (IVP) intended to address certain mandates in the 2011 Act and respond to NTSB recommendations. IVP would require that operators identify gas transmission pipe segments that are located in HCAs or moderate consequence areas, a new risk category that would include non-HCA pipe in more densely populated areas and some rural locations. Operators would be required to screen those segments for conditions that fall within certain categories of concern (e.g., pipe lacking documented MAOP or pipe material information, or constructed using problematic construction techniques or materials) and verify the integrity of such pipe segments. PHMSA is expected to incorporate IVP principles into the pending rulemaking to modify gas pipeline regulations.

Class Location and Integrity Management Requirements. In August, PHMSA published a [notice](#)²⁸ seeking comment on whether to apply its gas transmission IM program requirements to pipelines located outside of HCAs and, if so, whether doing so would eliminate the need for its class location requirements. A mandate in the 2011 Act requires that PHMSA evaluate these issues and provide its findings to Congress in January 2014.

Incorporation by Reference. In August, PHMSA issued an [NPRM](#)²⁹ proposing to incorporate by reference into the pipeline safety regulations numerous new and updated voluntary consensus standards.

Federal Enforcement of State Damage Prevention Programs. The Pipeline, Inspection, Protection, Enforcement, and Safety Act of 2006 gave PHMSA the authority to issue regulations providing for federal enforcement of excavators who damage pipelines in states found to ineffectively enforce their damage prevention laws. In April 2012, PHMSA issued an [NPRM](#)³⁰ to implement that authority, and in

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December 2012, the LPAC and GPAC voted in favor of the NPRM. PHMSA currently expects to issue a final rule in May 2014.

Excess Flow Valves. In response to a 2001 NTSB recommendation and subsequent PHMSA activities and public meetings, in 2012, PHMSA issued an advanced notice of proposed rulemaking (ANPRM) seeking comments regarding the implications of expanding the current excess flow valve (EFV) installation to gas services other than for single-family residences. The 2011 Act required that PHMSA submit a report to Congress responding to the NTSB's recommendation in January 2014. PHMSA is expected to issue an NPRM in May 2014.

Incident and Accident Response

GAO Report. In January, the U.S. Government Accountability Office (GAO) issued a [report](#)³¹ on the ability of gas and liquid pipeline operators to respond to releases. GAO found that, given the numerous variables involved in a pipeline incident, PHMSA could help improve operator incident response times by developing a performance-based approach, but also observed several limitations on the ability to develop performance-based goals. GAO noted the competing benefits and risks associated with automated valves and recommended a case-by-case approach to their use.

PHMSA Advisory Bulletin. In January, PHMSA issued an [advisory bulletin](#)³² providing notification that it plans to issue a proposed rule establishing specific time limits for telephonically or electronically notifying the National Response Center of accidents and incidents involving pipeline facilities. The notice encourages operators to report accidents or incidents within one hour of confirmed discovery.

State Enforcement of Pipeline Safety Programs

DOT OIG Report on Management Challenges. In December DOT's Office of Inspector General (OIG) issued a [report](#)³³ identifying DOT's top management challenges for 2014. OIG identified several challenges associated with PHMSA's oversight of state safety programs.

Revisions to State Enforcement Programs. Several states, [Illinois](#),³⁴ [West Virginia](#),³⁵ [Ohio](#),³⁶ [North Dakota](#),³⁷ modified their pipeline safety enforcement regulations. [Texas](#)³⁸ enacted legislation expanding jurisdiction of the Texas Railroad Commission to include previously exempt intrastate pipeline facilities, in particular certain rural hazardous liquid gathering lines and Class 1 intrastate gas gathering lines.

PHMSA Audit of CPUC Safety Program. In response to concerns raised by the Mayor of San Bruno, California, and Congresswoman Jackie Speier (D-CA), PHMSA [stated](#)³⁹ in July that it would review the CPUC's enforcement of its intrastate gas pipeline safety program and take action, as appropriate, to achieve adequate performance.

Diluted Bitumen. In March, the National Wildlife Federation and other advocacy groups [petitioned](#)⁴⁰ PHMSA and the Environmental Protection Agency to issue safety regulations for pipelines that transport oil sands crude, also known as diluted bitumen. The petitioners requested, among other things, that the agencies tailor safety regulations to address the physical properties of diluted bitumen and increase PHMSA's presence in approving or reviewing proposed oil sands pipelines. The petitioners also seek a moratorium on the construction or expansion of such pipelines.

PHMSA Enforcement

PHMSA initiated 251 pipeline safety enforcement actions in 2013, the second highest total in the past five years but slightly less than the 274 cases the agency initiated in 2012. PHMSA also proposed approximately \$9.7 million in total civil penalties in 2013, nearly \$1 million more than the agency proposed in 2012 and its highest total for any single year on record. However, PHMSA only issued 76 orders and decisions on reconsideration in 2013, well below the level of activity that the agency maintained during any of the four previous years, all of which included the issuance of more than 110 orders and decisions. Current statistics on PHMSA's pipeline safety enforcement activities are available [here](#)⁴¹.

Notable Litigation and Court Decisions

City and County of San Francisco v. DOT, et al. In an action brought under the citizen suit provision of the Pipeline Safety Act, City and County of San Francisco (City) claimed that PHMSA failed to ensure that the CPUC complied with its duties to enforce pipeline safety standards in California. In February, the U. S. District Court for the Northern District of California [dismissed](#)⁴² the complaint agreeing with the DOT Defendants that the City's claims could not be filed under the citizen suit provision. A subsequent order dismissed an amended complaint filed under the Administrative Procedure Act (APA), ruling that the City did not demonstrate that the DOT Defendants failed to perform any duty that is mandatory or non-discretionary, a threshold requirement for pursuing its claims under the APA. An appeal is pending before the U.S. Court of Appeals for the Ninth Circuit.

ONEOK Hydrocarbon, L.P., et al. v. DOT, et al. In April, the U.S. District Court for the Northern District of Oklahoma [dismissed](#)⁴³ a case involving a challenge to PHMSA's authority to regulate the facilities located on the grounds of a natural gas liquids (NGL) fractionation plant. The Court found that the agency action in question, *i.e.*, PHMSA's decision to inspect the NGL plant, was an order that could only be reviewed in the federal courts of appeal under the Pipeline Safety Act's judicial review provision. Separately, ONEOK also filed a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit challenging PHMSA's letters of interpretation asserting jurisdiction over the facilities.

Bridger Pipeline, LLC. In October, PHMSA and Bridger Pipeline, LLC (Bridger) executed a [consent agreement](#)⁴⁴ resolving a long-standing pipeline safety enforcement action. Under the agreement, Bridger agreed to pay PHMSA a reduced civil penalty of \$45,000 for failing to perform a timely review of its employee's activities following a release of hazardous liquids and to implement certain revisions to the company's operations and maintenance procedures. Bridger also agreed to dismiss a petition for review that had been filed in the U.S. Court of Appeals for the Tenth Circuit where the Court had asked the parties to address certain jurisdictional issues in the case generally related to the timeliness of the petition for review. Because PHMSA and Bridger executed their consent agreement before the Tenth Circuit ruled, those issues remain open questions.

Laclede Gas. Co. v. St. Charles Cty., Mo. In April, U.S. Court of Appeals for the 8th Circuit [ruled](#)⁴⁵ that an operator could file a citizen suit under the federal pipeline safety laws against a local government for threatening to cause physical damage to a natural gas pipeline. The case involved a longstanding dispute between St. Charles County, Missouri, and Laclede Gas Company over who should bear the cost of relocating certain gas pipelines to accommodate local public works projects.

PEER v. PHMSA. In April, Public Employees for Environmental Responsibility (PEER) filed a [complaint](#)⁴⁶ in the U.S. District Court for the District of Columbia against PHMSA alleging that the agency failed to disclose records in response to two Freedom of Information Act (FOIA) requests in 2012. The FOIA request seeks pipeline operator facility response plans and related records.

Other PHMSA Guidance

Advisory Bulletin on Reducing Flooding Damage. In July, PHMSA issued an [advisory bulletin](#)⁴⁷ urging operators to direct their resources in a way that enables them to determine potential effects of flooding on pipeline systems, and specifying actions operators can take to prevent and mitigate damage to facilities.

Updates from Canada

NEB Regulations on Monetary Penalties. In June, Canada's National Energy Board (NEB) issued Administrative Monetary Penalties [regulations](#)⁴⁸ outlining the maximum daily penalties for violations of laws and regulations that promote safety and environmental protection in the energy industry, including for pipelines.

CEPA Facilities Integrity Management Guidance. In May, the Canadian Energy Pipeline Association (CEPA) released a set of integrity management [recommended practices](#)⁴⁹ for facilities portions of transmission

pipeline systems. CEPA developed the recommended practice to create a formal mechanism to manage the integrity of facilities such as pumping and compressor stations.

NEB Amended Onshore Pipeline Safety Regulations. In April, the NEB [amended](#)⁵⁰ its onshore pipeline safety regulations to clarify and consolidate management system requirements, require pipeline companies to appoint an accountability officer and implement other requirements dealing with security, integrity, and emergency management, and annual reporting.

Other Reports and Studies

GAO Report on 7-Year Reassessment Interval for Gas Transmission IM. In June, the GAO issued a [report](#)⁵¹ addressing the requirement that gas transmission pipeline operators perform pipeline risk assessments every 7 years as part of operators' IM programs. The report concluded that allowing risk-based reassessment intervals beyond 7 years presents oversight, resource, and implementation challenges, including lack of guidance in developing and justifying risk models to calculate reassessment intervals. GAO recommended that PHMSA develop guidance for calculating reassessment intervals and collect information on resources needed to implement risk-based reassessment intervals longer than 7 years.

AGA Report on Cast Iron Pipe. In September, the American Gas Association (AGA) released a [report](#)⁵² entitled "Managing the Reduction of the Nation's Cast Iron Inventory," to serve as a foundation for discussing cast iron pipe inventory, management, and replacement in light of PHMSA's obligation under the 2011 Act to develop a report on cast iron pipe replacement.

AGA Guidelines on Construction Oversight. In April, AGA issued [guidelines](#)⁵³ intended to provide information and guidance to operators to further improve construction quality on new and replaced transmission pipelines, distribution mains and services.

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¹ NTSB Most Wanted List: Enhance Pipeline Safety Fact Sheet

http://www.nts.gov/safety/mwl2014/05_MWL_PipeSafety.pdf.

² H.R. 3547, Consolidated Appropriations Act of 2014, p. 1470:

http://docs.house.gov/billsthisweek/20140113/CPRT-113-HPRT-RU00-h3547-hamdtzsamdt_xml.pdf.

³ PHMSA, Meeting of the Technical Pipeline Advisory Committee and the Liquid Pipeline Advisory Committee:

<http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=94>.

⁴ PHMSA, Class Location Methodology Public Workshop:

<http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=95>.

⁵ Pipeline Safety: Class Location Requirements, 78 Fed. Reg. 46,560 (Aug. 1, 2013).

<http://www.gpo.gov/fdsys/pkg/FR-2013-08-01/pdf/2013-18286.pdf>

⁶ Pipeline Safety: Safety of Gas Transmission Pipelines, Advanced Notice of Proposed Rulemaking, 76 Fed. Reg. 53,086 (Aug. 25, 2011).

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-25/pdf/2011-21753.pdf>

⁷ PHMSA LNG Webpage:

<http://primis.phmsa.dot.gov/lng/index.htm>.

⁸ PHMSA Research and Development Database:

<http://primis.phmsa.dot.gov/matrix/>.

⁹ Letter from Cynthia Quarterman, PHMSA Administrator, to Debbie Stabenow, U.S. Senate (Jan. 3, 2014):

<http://www.freep.com/assets/freep/pdf/C421730217.PDF>.

¹⁰ Letter from Debbie Stabenow, U.S. Senate, et al., to Cynthia Quarterman, PHMSA Administrator (Dec. 11, 2013):

- http://www.stabenow.senate.gov/?p=press_release&id=1216.
- ¹¹ DOT Significant Rulemaking Report for January 2014:
<http://www.dot.gov/sites/dot.dev/files/docs/Jan%202014%20Internet%20Report.doc>
X
- ¹² OIRA DOT Rulemaking Status Page:
http://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGE_NCY_RULE_LIST¤tPub=true&agencyCd=2100&Image58.x=52&Image58.y=10.
- ¹³ DOT, Notice of New Requirements and Procedures for Grant Payment Request Submission (Dec. 27, 2013):
<http://www.gpo.gov/fdsys/pkg/FR-2013-12-27/pdf/2013-30995.pdf>.
- ¹⁴ Cal. Pub. Util. Comm'n, Quantifying Risk: Building Resiliency into Utility Planning (Jan. 6, 2014):
<http://www.cpuc.ca.gov/NR/rdonlyres/3B556E52-4661-43FA-8C4C-040E418B208F/o/PPDQuantifyingRisk.pdf>.
- ¹⁵ Nevada Public Utilities Commission, Docket No. 12-11010 Order (January 8, 2014).
<https://www.dmr.nd.gov/oilgas/or23159.pdf>
- ¹⁶ Indus. Comm'n of N.D., Adopting New Rules and Amendments to the "General Rules and Regulations for the Conservation of Crude Oil and Natural Gas":
<https://www.dmr.nd.gov/oilgas/or23159.pdf>.
- ¹⁷ Press Release, Dalrymple Forms Advisory Panel on Pipeline Technology (Dec. 27, 2013):
<http://governor.nd.gov/media-center/news/dalrymple-forms-advisory-panel-pipeline-technology>.
- ¹⁸ Press Release, Dalrymple Kicks Off First Meeting of the Pipeline Technology Working Group (Jan. 10, 2014):
<http://governor.nd.gov/media-center/news/dalrymple-kicks-first-meeting-pipeline-technology-working-group>.
- ¹⁹ Citizens Advisory Committee on Pipeline Safety, 2013 Stakeholder Report:
<https://remote.vnf.com/docs/2013%20Stakeholder%20Report.pdf>.
- ²⁰ Press Release, Pipeline Operators Launch Pipeline Safety Excellence Initiative (Jan. 15, 2014):
http://www.aopl.org/pdf/AOPL_Pipeline_Safety_Excellence_Release.pdf.
- ²¹ Ass'n of Oil Pipelines and Am. Petroleum Inst., Annual Liquid Pipeline Safety Performance Report and Strategic Plan 2013:
<http://aopl.org/pdf/draft-2013-annual-safety-perf-report.pdf>.
- ²² CGA Excavation Conference and Expo: <http://www.cgaconference.com/>
- ²³ CGA Monthly Report
<http://www.commongroundalliance.com/Template.cfm?Section=Home&Template=/ContentManagement/ContentDisplay.cfm&ContentID=8097>
- ²⁴ Act of Aug. 9, 2013:
<http://www.gpo.gov/fdsys/pkg/PLAW-113publ30/pdf/PLAW-113publ30.pdf>.
- ²⁵
<http://phmsa.dot.gov/portal/site/PHMSA/menuitem.6f23687cf7boobof22e4c6962d9c8789/?vgnnextoid=3bf33dd3892fb310VgnVCM1000001ecb7898RCRD&vgnnextchannel=8fd9fo8df5f3fo1oVgnVCM1000008355a8coRCRD&vgnnextfmt=print>
- ²⁶ Pipeline Safety: Administrative Procedures: Updates and Technical Corrections, 78 Fed. Reg. 58,897 (Sept. 25, 2013):
<http://www.gpo.gov/fdsys/pkg/FR-2013-09-25/pdf/2013-23047.pdf>.
- ²⁷ 49 C.F.R. Part 190, Marked to Show Changes in PHMSA's Final Rule:
[https://remote.vnf.com/docs/VNF%20Redline%20\(protected\)%20of%20PHMSA%20Proposed%20Part%20190%20Changes%20Aug%20%202013%202012.pdf](https://remote.vnf.com/docs/VNF%20Redline%20(protected)%20of%20PHMSA%20Proposed%20Part%20190%20Changes%20Aug%20%202013%202012.pdf).
- ²⁸ Pipeline Safety: Class Location Requirements, 78 Fed. Reg. 46,560 (Aug. 1, 2013):
<http://www.gpo.gov/fdsys/pkg/FR-2013-08-01/pdf/2013-18286.pdf>.
- ²⁹ Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments, 78 Fed. Reg. 49,996 (Aug. 16, 2013).
<http://www.gpo.gov/fdsys/pkg/FR-2013-08-16/pdf/2013-19348.pdf>.
- ³⁰ Pipeline Safety: Damage Prevention Programs, 77 Fed. Reg. 19,800 (Apr. 2, 2012):

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- <http://www.gpo.gov/fdsys/pkg/FR-2012-04-02/pdf/2012-7550.pdf>.
- ³¹ GAO Report on Pipeline Incident Response
<http://www.gao.gov/assets/660/651408.pdf>
- ³² PHMSA Advisory Bulletin
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- ³³ DOT Office of the Inspector General, FY 2014 Top Management Challenges
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