



PRACTICE CONTACTS

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ENERGY

PIPELINE SAFETY

Van Ness Feldman provides a full range of pipeline safety services for operators of gas and liquid pipelines and LNG facilities. Attorneys with extensive experience in the pipeline industry and with key regulatory agencies, including the Pipeline and Hazardous Materials Safety Administration (PHMSA), provide guidance on day-to-day compliance questions; defend operators in federal and state enforcement proceedings; advise in litigation proceedings; provide post-incident counseling; counsel on regulatory and legislative policy matters; coordinate with consultants and other technical professionals to review or draft compliance plans; help prepare for audits and inspections; lead internal investigations; assist with special permit applications and implementation; and help develop regulatory strategies for using new materials and technologies.

Our advice to clients is multi-faceted, taking into consideration big-picture safety objectives and an appreciation of business, regulatory, and legal risks facing companies. In response to enforcement actions, we team with client's engineering and business personnel to develop case strategies; prepare strong response documents, and develop and implement creative solutions. When necessary, the firm represents clients in civil pipeline safety litigation in the federal and state courts.

Van Ness Feldman's Pipeline Safety Group publishes a bi-weekly "Pipeline Safety Update" to inform clients, colleagues, and other stakeholders of important developments affecting pipeline safety. To ensure regular delivery of this resource, please [register here](#).

REPRESENTATIVE MATTERS

- Defend operators in enforcement proceedings and have successfully achieved withdrawals of Notices of Probable Violations, including proposed civil penalties and compliance orders.
- Counsel on compliance and interpretive questions on how to apply regulations and policies to real-life operational circumstances and business planning.
- Advise operators on PHMSA jurisdictional and regulatory classifications.
- Counsel operators on strategies for validating pipeline Maximum Allowable Operating Pressure (MAOP) and Maximum Operating Pressure (MOP).
- Represent pipeline operators in federal appellate proceedings.
- Assist trade association and pipeline operators in drafting comments on a PHMSA notice of proposed rulemaking that has significant and far-reaching implications for gas pipeline operators and assisting with outreach to FERC.
- Help operators prepare and update written compliance procedures for Control Room Management, Distribution Integrity Management, and other PHMSA regulatory programs.
- Conduct on-site, pre-audit reviews of compliance procedures and documents for liquid and gas pipelines preparing for PHMSA inspections, including integrated inspections.
- Provide training and seminars for professional credit to management, operational and in-house legal staff regarding PHMSA jurisdiction, programs, and processes.
- Advise operators on pipeline safety compliance issues in connection with the acquisition and sale of assets.
- Assist interstate gas pipelines with pipeline FERC rate and abandonment implications of pipeline safety

regulatory developments.

- Assist pipelines in obtaining special permits.

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