



Dates of Interest

March 2014

- 31 [Comments due](#), PHMSA Information Collection Activities
- 31 [Comments due](#), DOT's Regulatory Review Process
- 31 [Applications for Technical Assistance Grants due](#) (date extended).

April 2014

- 8-10 [API 2014 Pipeline Conference and Cybernetics Symposium](#), San Antonio, TX
- 13-16 [GPA 2014 Convention](#), Dallas, TX
- 16 [PHMSA Class Location Methodology Workshop](#), Crystal City, VA
- 28 – 5/2 [NAPSR Southern Region Meeting](#), Panama City, FL

May 2014

- 6-8 [Southern Gas Ass'n Practical In-Line Inspection Workshop](#), Tulsa, OK
- 19-23 [NAPSR Western Region Meeting](#), Cody, WY
- 20-23 [AGA Operations Conference](#), Pittsburgh, PA
- 21-23 [Southern Gas Ass'n Integrity Management for Gas Transmission Pipeline Workshop](#), Houston, TX

Pipeline Safety Update

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NTSB chair stepping down; NTSB releases report on Sissonville accident; NTSB investigates pipeline failure in New York City; PHMSA extends TAG application deadline; Status of PHMSA rulemakings; Washington Citizens' Group on Pipeline Safety seeks new voting member

NTSB Chair Stepping Down

Deborah A.P. Hersman, chairman of the National Transportation Safety Board (NTSB) [announced](#)¹ on March 11 that she will be stepping down from the position April 25, 2014 to become the President and CEO of the National Safety Council. The current vice chairman, Christopher Hart, will assume the role of Acting Chairman.

Other NTSB Developments

NTSB Releases Report on Sissonville Accident. The NTSB released its [Accident Report](#)² on the December 2012 natural gas pipeline incident near Sissonville, West Virginia. The NTSB concluded that the probable cause of the pipeline rupture was external corrosion of the pipe wall because of deteriorated coating and ineffective cathodic protection and failure to detect the corrosion. The NTSB recommended that the Pipeline and Hazardous Material Safety Administration (PHMSA) revise its integrity management regulations to add principal arterial roadways to the list of identified sites that establish a high consequence area (HCA). The NTSB also recommended that the operator provide pipeline controllers with guidance on responding to alerts; modify its SCADA system to improve the ability of operators to identify potential system malfunctions; and ensure that integrity-related information gathered on pipelines located in HCAs is considered in assessing the risk and integrity of non-HCA pipelines.

NTSB Investigates Pipeline Failure in New York City. The NTSB continues to investigate a pipeline explosion that occurred on March 12 in the Manhattan neighborhood of East Harlem. The investigatory team issued [preliminary findings](#)³ on March 18.

PHMSA Activities

PHMSA Extends TAG Application Deadline to March 31. PHMSA has extended until March 31, 2014, the deadline for submitting applications for a [Technical Assistance Grant](#).⁴ The grants are designed to support the pipeline safety-related activities of local communities and non-profit entities.

Status of PHMSA Rulemakings. The table below reflects the most current publicly available information on the status of PHMSA rulemakings as reported in the [DOT's March 2014 Significant Rulemaking Report](#).⁵ Additional information from the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs (OIRA) is [here](#).⁶ New information is highlighted in bold.



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

Regulations and Code

Compliance:

**Upcoming PHMSA State
Seminars**

April 2014

- 1-3 North Dakota (Gas)
- 7-11 Minnesota
(Gas & Liquid)
- 7-10 Georgia (Gas)
- 21-25 Washington (Liquid)

May 2014

- 6-8 New Mexico
(Gas & Liquid)

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

**State-Specific Association
Meetings**

April 2014

7-10 [Minnesota Office of Pipeline Safety, 2014 Pipeline Safety Educational Conference](#),

Breezy Point, MN

8-10 [Virginia State Corporation Commission Damage Prevention Conference](#), Virginia Beach, VA

Rulemaking & Next Action	Estimated Date to OMB	DOT Estimated Publication Date	OIRA Estimated Publication Date
Excess Flow Valves; NPRM	March 17, 2014	June 27, 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	May 8, 2014	August 20, 2014	July 2014
Safety of On-Shore Hazardous Liquid Pipelines; NPRM	March 20, 2014	July 9, 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	March 13, 2014	June 25, 2014	March 2014
Miscellaneous Amendments to Pipeline Safety Regulations; Final Rule	March 27, 2014	July 9, 2014	August 2014
Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments; Final Rule	March 7, 2014	June 18, 2014	TBD

Selected State Updates

Washington Citizens' Group on Pipeline Safety Is Seeking New Voting Member. On March 21, the Washington Citizens Commission on Pipeline Safety, which advises state agencies and federal local agencies on pipeline safety matters, announced that it has an opening for a voting committee member to represent the citizens and general public. Submit applications [here](#).⁷

FOR MORE INFORMATION

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 or any PHMSA or pipeline related matter, please contact [Susan Olenchuk](#) at (202) 298-1896 or sam@vnf.com, [Jim Curry](#) at (202) 298-1831 or jbc@vnf.com, [Keith Coyle](#), at (202) 298-1811 or kjc@vnf.com, or [Michael O'Neill](#) at (202) 298-1904 or mlo@vnf.com or any member of the firm's Pipeline & LNG practice group.

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¹ Deborah A.P. Hersman, Chairman, NTSB "It's Been a Great Ride" (Mar. 11, 2014): <http://safetycompass.wordpress.com/2014/03/11/its-been-a-great-ride/>.

² NTSB, Pipeline Accident Report, NTSB/PAR-14/01, PB2014-103977: <http://www.nts.gov/doclib/reports/2014/PAR1401.pdf>.

³ NTSB, "NTSB Issues Investigative Update for East Harlem, N.Y., Gas Explosion" (Mar. 18, 2014): <http://www.nts.gov/news/2014/140318b.html>.

⁴ PHMSA, Technical Assistance Grants Application:

<http://www.grants.gov/web/grants/search-grants.html?keywords=DTPH5614SN000003>.

⁵ DOT Significant Rulemaking Report for March 2014:

<http://www.dot.gov/sites/dot.gov/files/docs/MAR%202014%20INTERNET%20REPORT.docx>

⁶ OIRA DOT Rulemaking Status Page:

http://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST¤tPub=true&agencyCd=2100&Image58.x=52&Image58.y=10.

⁷ Gov. Jay Inslee, "Application for Gubernatorial Appointment to a Board or Commission" (Mar. 21, 2014):

<https://fortress.wa.gov/es/governor/boardsapplication>.