



Dates of Interest

July 2017

- 24 Comments due on [DOT Notice of Review of Policy, Guidance, and Regulation](#)
- 25 [Public hearing](#) on Enbridge Pipeline (Lakehead), permit application
- 31-8/4 [NAPSR Southwestern Region Meeting](#), Tulsa, OK

August 2017

- 4 Comments due on [Draft Final Report regarding Alternatives to Enbridge's Straits Pipeline](#)
- 4 Comments due on [Enbridge's permit application](#) to install anchor supports on Line 5 pipelines
- 8 Applications due for [proposals for Pipeline Safety R&D Program Research Awards](#)
- 8-9 [APGA Security and Integrity Foundation, South Carolina Pipeline Safety Seminar & Conference](#), Columbia, SC
- 19 Reply Comments due on [Draft Final Report regarding Alternatives to Enbridge's Straits Pipeline](#)
- 21-25 [NAPSR Eastern Region Meeting](#), Boston, MA
- 29-30 [Western Regional Gas Conference](#), San Diego, CA
- 29-31 [AGA Gas Utility Operations Best Practices Leak Survey/Leak Management Roundtable](#), Newark, NJ

Pipeline Safety Update

ISSUE NO. 127 – JULY 19, 2017

Susan Olenchuk, Bryn Karaus, and Barbara Deathe

PHMSA extends deadline for submitting 2016 annual reports for underground natural gas storage facilities. DOT's Office of Inspector General initiates audit of PHMSA's Pipeline Safety R&D Program. PHMSA requests proposals for Pipeline Safety R&D Program research awards. PHMSA releases smartphone app for pipeline safety regulations. Updates from Canada. Updates from other agencies. Select updates from states.

PHMSA Extends Deadline for Submitting 2016 Annual Reports for Underground Natural Gas Storage Facilities

On July 14, the Pipeline and Hazardous Materials Safety Administration (PHMSA) [announced](#) an extension of the deadline for operators of underground natural gas storage facilities to submit annual reports for calendar year 2016. PHMSA established the reporting requirement in its [interim final rule](#) adopting safety regulations for such storage facilities, and required that the first annual report be submitted July 18, 2017. PHMSA is extending the deadline because the Office of Management and Budget has not approved PHMSA's request to collect the information from storage operators. PHMSA will establish a new filing date after OMB approves PHMSA's information collection request.

DOT's Office of Inspector General Initiates Audit of PHMSA's Pipeline Safety Research and Development Program

On July 12, the Department of Transportation's (DOT) Office of Inspector General (OIG) [announced](#) that it has initiated an audit of PHMSA's Pipeline Safety Research and Development (R&D) Program to assess the program's effectiveness. OIG will examine PHMSA's processes for coordinating with stakeholders, mitigating selection panel members' conflicts of interest, identifying and using outcomes of research conducted by others, and measuring the benefits of R&D outcomes. The audit is required under section 22 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2016.

PHMSA Requests Proposals for Pipeline Safety R&D Program Research Awards

On July 17, PHMSA [announced](#) that its Pipeline Safety R&D program is accepting proposals for awards for research focused on preventing pipeline threats, leak detection, anomaly detection and characterization, underground natural gas storage, and liquefied natural gas. Eligible applicants include academic institutions, individuals, nonprofit and for-profit organizations, states, U.S. territories and possessions, American Indian tribes, and local governments. Applications are due August 8, 2017. Additional information on PHMSA's Pipeline Safety R&D program is [here](#).

PHMSA Releases Smartphone App for Pipeline Safety Regulations

On July 6, DOT and PHMSA [announced](#) the release of the oCFR mobile application, which provides mobile access to the pipeline safety regulations in 49 CFR Parts 190-199, as well as the hazardous materials regulations in 49 CFR Parts 100-180. The free oCFR app is available in Apple's App Store and the Google Play Store for use on iOS and Android devices.

Dates of Interest (continued)

September 2017

- 5 Comments due on [TSA Information Collection Request](#)
- 19-22 [AOPL Annual Business Conference](#), Seattle, WA
- 25 [SGA Webinar Leak Detection 1 – Gas Pipelines](#)
- 25-29 [NAPSR National Meeting](#), Columbus OH

State-Specific Association Meetings

August 2017

- 6-7 [Pennsylvania Public Utility Commission, Gas Safety Seminar](#), State College, PA
- 15-16 [Louisiana Gas Ass'n Cathodic Protection Seminar](#), Westwego, LA
- 17-19 [Arkansas Gas Ass'n Annual Conference](#), Fort Smith, AR
- 20-21 [Texas Gas Ass'n PHMSA Pipeline Safety Training Seminar](#), San Antonio, TX



Know what's below.
Call before you dig.

PHMSA Rulemakings Update. We have temporarily discontinued our PHMSA Rulemakings Update until DOT resumes releasing its Significant Rulemaking Reports or OMB's Office of Information and Regulatory Affairs (OIRA) updates the [Unified Regulatory Agenda](#).

UPDATES FROM CANADA

CEPA releases pipeline industry performance report. On June 28, the Canadian Energy Pipeline Association (CEPA) released its third annual [Transmission Pipeline Industry Performance Report](#). The report provides data regarding the association's members in the areas of safety, the environment and socio-economic contributions.

UPDATES FROM OTHER AGENCIES

TSA requests extension for information collection regarding facility information of the top 100 most critical pipelines. The Transportation Security Administration (TSA) issued a [notice](#) seeking public comment on a requested extension from OMB for a currently approved information collection request to continue collecting critical facility security information from the top 100 most critical pipelines using the Critical Facility Security Review form. Comments on the request are due September 5.

SELECT UPDATES FROM STATES

MICHIGAN

On June 29, multiple state agencies released a [draft final report](#) analyzing possible alternatives to Enbridge Energy Partners, L.P.'s Line 5 crude oil pipeline that is located along the bottom of Lake Michigan along the Straits of Mackinac. The analysis was recommended by the Michigan Petroleum Pipeline Task Force [Report](#) in July 2015 and was prepared by independent contractor Dynamic Risk Assessment Systems, Inc. Three public feedback sessions are scheduled for July 24 - 25. Comments on the report are due August 4; replies to posted comments are due August 19.

On May 9, 2017, Enbridge Pipelines (Lakehead), submitted to the Michigan Department of Environmental Quality (MDEQ) an [application](#) for a permit authorizing the installation of up to 22 anchor support structures into the Lake Michigan lake bed for the Line 5 crude oil pipelines that are located in the Straits of Mackinac. The MDEQ is convening public hearing on July 25. will be held on July. Public comments are due August 4.

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, [Bryn Karaus](#) at (202) 298-1821 or bsk@vnf.com, or any member of the firm's [Pipeline & LNG](#) practice group.

© 2017 Van Ness Feldman, LLP. All Rights Reserved. This document has been prepared by Van Ness Feldman for informational purposes only and is not a legal opinion, does not provide legal advice for any purpose, and neither creates nor constitutes evidence of an attorney-client relationship.