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SUSAN A. OLENCHUK

PARTNER



CONTACT

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PRACTICES

Cybersecurity & Emerging Technologies

Oil, Gas, & LNG

EDUCATION

The Catholic University of America, Columbus School of Law

University of Michigan

BAR AND COURT ADMISSIONS

District of Columbia Bar

Virginia State Bar

U.S. Court of Appeals for the District of Columbia Circuit

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Ninth Circuit

Pennsylvania Public Utility Commission

Professional Background

Susan Olenchuk has nearly three decades of experience providing strategic counsel on pipeline safety compliance, enforcement, and policy matters before the Pipeline and Hazardous Materials Safety Administration (PHMSA) and state pipeline agencies, as well as on rate, tariff, certificate, compliance and enforcement matters before the Federal Energy Regulatory Commission (FERC). A former President of the Energy Bar Association, Susan is a member of Van Ness Feldman's Executive Committee and previously served as a practice group leader of the Firm's Pipeline & LNG Practice.

Pipeline Safety Compliance, Enforcement and Strategic Counseling

Known for her deep knowledge of pipeline safety issues, Susan represents operators of gas transmission and distribution pipelines, natural gas underground storage facilities, hazardous liquid pipelines, and LNG facilities in enforcement matters before the PHMSA and state agencies. She works with in-house counsel, engineers, and consultants to prepare thoughtful, well-supported factual and legal arguments to ensure due process and achieve satisfactory outcomes. When necessary, she defends clients in administrative litigation and represents them in federal courts.

Susan also works with clients to address day-to-day compliance questions involving the pipeline safety regulations of both the PHMSA and state regulators and counsels on emerging regulatory issues, such as the jurisdictional status and regulation of pipelines carrying renewable natural gas (RNG), the safety of pipelines transporting hydrogen gas blends, and anticipated new regulations of pipelines that transport CO2. She also helps clients engage in rulemaking proceedings, counsels on legislative matters, and provides on-site seminars and training on PHMSA programs, policies, processes, and jurisdiction for CLE credit.

FERC Compliance Counseling

Susan has significant experience counseling on rate, tariff, certificate, compliance, and rulemaking proceedings affecting natural gas pipelines. She advises on corporate compliance matters under FERC's affiliate Standards of Conduct and undue preference requirements under the Natural Gas Act. Clients benefit from her experience evaluating internal processes and procedures and developing workable and effective compliance plans and training materials that reflect best practices, conform with regulatory guidance and mandates, and achieve corporate objectives.

Representative Experience

Representative PHMSA Experience:

Enforcement Successes

- Defended pipeline operators in multiple enforcement proceedings involving a full range of pipeline safety regulations. She has achieved withdrawals of Notices of Probable Violations, proposed civil penalties and compliance orders and the successful resolution of enforcement proceedings via Consent Agreement.
- Assisted in successfully resolving enforcement proceeding involving the application of PHMSA's Part

192 MAOP and record-keeping requirements to gas distribution pipelines constructed before 1970.

- Helped operator negotiate favorable consent agreement to resolve the application of PHMSA's Part 195 regulations to natural gas liquid fractionation facilities.
- Counseled LNG operator on a corrective action order proceeding that involved a hearing and helped with implementation issues.
- Assisted hazardous pipeline operator in managing notice of proposed safety order.
- Counseled operators with respect post-incident issues involving drug and alcohol testing.
- Advised operator in district court litigation involving jurisdictional status of plant piping.

Regulatory Counseling and Problem Solving under the Pipeline Safety Act

- Provided gas pipeline operators with regulatory certainty in applying Part 192 MAOP requirements and conversion regulations to transmission and gathering pipelines, successfully helping operators manage real-life operational circumstances, conserve resources, and achieve business and operational objectives.
- Provided hazardous liquid pipeline operator compliance guidance and regulatory certainty in applying integrity management regulations to non-line pipe.
- Assists operators in evaluating regulatory issues related to pipelines that transport renewable natural gas.
- Assists pipelines in determining whether gas pipeline segments should be classified as transmission, distribution, or gathering.
- Provided gas pipeline operator regulatory certainty with respect to the construction of new road crossings over existing pipeline.
- Provided gas pipeline operators regulatory certainty regarding the classification of farm taps facilities and their regulatory status.
- Helped provide regulatory certainty to pipeline operators in assessing whether their pipelines are subject to PHMSA jurisdiction, and if so, which regulations apply.
- Guided pipeline operator in applying odorization requirements for new and existing pipelines.
- Assisted gas and hazardous liquid pipeline operators in determining jurisdictional and classification status of terminal piping.
- Helped gas pipeline operator prepare applications for special permits.
- Reviewed written compliance procedures for Control Room Management, Distribution Integrity Management, Operating and Maintenance, Emergency Response, and other PHMSA regulatory programs to assess compliance with regulatory requirements.
- Helps operators assess the impact of new PHMSA regulations in rate and abandonment proceedings before FERC.
- Identified compliance issues in connection with the acquisition and sale of assets.

Legislative and Regulatory Policy

- Helped trade association and pipeline operators prepare comments on complex notice of proposed rulemaking that may significantly amend safety standards for gas transmission and gathering pipelines; guided trade association on outreach to FERC regarding rate and abandonment implications of PHMSA's notice of proposed rulemaking.

In-House Training

- Provides training and seminars to management, operational staff, and in-house legal staff regarding

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PHMSA jurisdiction and regulatory programs.

Representative FERC Experience:

- Advises natural gas pipelines and customers in rate, tariff, certificate, and rulemaking proceedings.
- Assists interstate gas pipelines with pipeline FERC rate and abandonment implications of pipeline safety regulatory developments.
- Counsels natural gas pipelines and LDCs on implementation and compliance issues arising under FERC's affiliate Standards of Conduct and undue preference policies.
- Counsels pipelines on jurisdictional issues associated with natural gas transportation and storage services provided under Section 311 of the NGPA.

Awards and Honors

"Lawyer of the Year" by *Best Lawyers*

Oil and Gas Law, 2027

Legal 500 - Recommended Attorney

Energy Regulation - Oil & Gas, 2019-2022

"Best Lawyers in America" by *Best Lawyers*

Energy Law, 2014-2027
Energy Regulatory Law, 2024-2025
Oil and Gas Law, 2023-2027

Chambers USA

Energy: PHMSA Specialists: 2024-2026 Energy: Oil & Gas (Regulation & Litigation): 2019-2023

Super Lawyers

2020

Articles and Presentations

- Energy Law Academy Couse 101: FERC Regulation of Natural Gas, Energy Bar Association (EBA), New Orleans Louisiana, 12/09/2025
- AGA Annual Legal Forum, American Gas Association, Vail Colorado, 07/21/2024
- AGA Annual Legal Forum 2023, 07/24/2023
- AGA Annual Legal Forum 2022, 07/18/2022
- Energy Law Academy Course 101: FERC Regulation of Natural Gas, 11/15/2021
- Critical Infrastructure: Cybersecurity in the Post-Colonial Pipeline World, 06/30/2021
- 16th Annual Platts Gas Storage Outlook Conference , Houston TX, 01/08/2018
- S&P Global Market Intelligence, Washington DC, 12/15/2016
- The Basics of FERC Ratemaking for Interstate Pipelines, New Mexico State University, Albuquerque NM, 10/10/2016
- AGA 2016 Legal Forum, Asheville NC, 07/10/2016
- Energy Bar Association Annual Conference, Energy Bar Association, Washington DC, 06/07/2016
- 2016 API Pipeline Conference, American Petroleum Institute, Carlsbad CA, 04/05/2016
- The Basics of Natural Gas Pipeline Ratemaking Course, New Mexico State University - Center for Public Utilities, Albuquerque NM, 10/11/2015
- Shale Insight 2015, Marcellus Shale Coalition, Philadelphia PA, 09/16/2015

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- 6th Annual Pipe Tech Americas Summit, San Antonio TX, 04/22/2015
- The Basics of Natural Gas Pipeline Ratemaking Course, New Mexico State University - Center for Public Utilities, Albuquerque NM, 10/12/2014
- EBA's Natural Gas Primer: An Introduction to FERC Regulation of the Natural Gas Industry, Energy Bar Association, Chicago IL, 05/19/2014
- Pipeline Safety Seminar, Marcellus Shale Coalition, Canonsburg PA, 02/25/2014
- Association of Oil Pipelines 2013 Annual Business Conference, Newport Beach CA, 09/17/2013
- AGA Legal Forum 2013, American Gas Association, Newport RI, 07/14/2013
- Pipeline Records Verification: Compliance Questions for Operators, Pipeline and Gas Journal, Vol. 239 Issue 9, 09/01/2012
- The Potential Impact of New Pipeline Safety Laws on PHMSA's Regulatory Initiatives, Pipeline and Gas Journal, Vol. 239 Issue 4, 04/01/2012
- The Potential Impact of New Pipeline Safety Laws on PHMSA's Regulatory Initiatives, Pipeline and Gas Journal, Vol. 239 Issue 4, 04/01/2012
- The National Transportation Safety Board's Report on San Bruno: Implications for Pipeline Safety, Pipeline & Gas Journal, Vol. 238 Issue 11, 11/01/2011
- The National Transportation Safety Board's Report on San Bruno: Implications for Pipeline Safety, Pipeline & Gas Journal, Vol. 238 Issue 11, 11/01/2011
- Pipeline Safety: Attorneys Ready for the Challenge , Pipeline & Gas Journal, Vol. 238 Issue 8, 08/01/2011
- AGA Legal Forum 2011, American Gas Association, Santa Fe NM, 07/17/2011
- Hydro Licensing and the Endangered Species Act: Implications of FERC's Current Approach, Hydro Review
  Recipient of the Author's Award as the No.1 ranked article by readers, Vol. 26 Issue 3, 06/01/2007
- Report of the Judicial Review Committee, Energy Law Journal, Vol. 27 Issue 1, 06/01/2006
- The Pipeline Safety Improvement Act of 2002, Energy Law Journal, co-authored with Theresa I. Zolet, Vol. 24 Issue 1, 02/01/2003

Alerts

- PHMSA Proposes Comprehensive Revisions to Safety Regulations for LNG Facilities, 11/02/2026
- PHMSA Proposes to Amend Pipeline Anomaly Response Criteria for Gas Transmission Pipelines and Hazardous Liquid and Carbon Dioxide Pipelines, 07/09/2026
- PHMSA Issues Multiple Rulemakings to Update, Clarify, or Amend the Federal Pipeline Safety Regulations and to Incorporate Updated Industry Standards, 04/27/2026
- PHMSA Issues Advisory Bulletin to Owners and Operators of Natural Gas Distribution Systems with Plastic Piping and Components in Wake of Deadly Candy Factory Explosion, 01/23/2026
- PHMSA Issues Final Rule Allowing Integrity Management Alternative for Class Location Changes, 01/15/2026
- PHMSA Requests Comments on Modernizing Hazardous Materials Regulations to Facilitate Safe Transportation Using Highly Automated Transportation Systems, 12/15/2025
- PHMSA Requests Comments on Repealing or Amending Pipeline Safety Regulations and Hazardous Materials Regulations to Eliminate Undue Burdens and Improve Government Efficiency, 06/04/2025
- PHMSA Requests Comments on Repair Criteria for Gas Transmission, Hazardous Liquid and Carbon Dioxide Pipelines and on Inspections of Breakout Tanks, 05/21/2025

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- PHMSA Initiates Rulemaking Proceeding to Update LNG Safety Regulations, 04/30/2025
- PHMSA Suggests Tighter CO_2 Pipeline Safety Regulations Amid Growing Infrastructure for Carbon Capture, 01/15/2025
- PHMSA Proposes to Require Gas Pipelines to Implement Advanced Leak Detection Programs, 05/16/2023
- TSA Requests Input from Pipeline and Rail Sectors on Cyber Risk Management to Inform New Regulations , 12/05/2022
- EPA Proposes New Methane Regulations for Oil and Gas Facilities, 11/03/2021
- FERC Extends Certain Filing Deadlines and Takes Other Actions in Response to the Impacts of COVID-19, 03/20/2020
- Court Ruling on Post-Spill Access to Records Highlights Importance of Corporate Safety Culture, 08/15/2017
- PHMSA Issues Long-Awaited Proposed Hazardous Liquid Pipeline Rule, 10/06/2015
- White House Releases Climate Action Plan to Reduce Methane Emissions, 03/31/2014
- OUTLOOK 2014: KEY POLICY DEVELOPMENTS, 01/23/2014