

Pipeline Safety Rule Making

RM09-001



The Process

Pre-rule Making Commission Process

- Comment period for operators – April 30
- Staff reply – May 11
- Commission decides on a final version of the rules
- On to the formal rule making...

Rule Making Legislative Process

- Publish proposed rules
- Written comments accepted
- Live commission hearing
- Commission Order
- Submission of rules to Rules Committee
- Hearing with the Rules Committee

Administrative items

Definitions

- * follow federal definitions

Default Process

- * follow PUC process unless specified

General Operator Obligations

- * Cooperative effort

Inspections

- * scheduled, upon complaint, follow up, safety threat

PUC Hearing

- * available at any time upon request to resolve any conflict

Fines and penalties

- * statutory – requires commission approval

Routine Inspection - Report

Inspection report drafted after each inspection

- Summary of probable noncompliance issues (if any)
 - Notice of Probable violation
 - Warning
 - Notice of concern
- Remediation plan if applicable
- Time frames may be extended by inspector
- Copy provided to the Operator

Routine Inspection – Report

Pipeline Operator Response to Report

- If probable violations or warning exist
 - Admit the violation and comply with inspectors recommendations
 - Written dispute of any portion of the inspectors findings and recommendation.

RESULTS

- Amended report and/or recommendations
- hearing

INCIDENTS – report and investigate

- Operator Incident Reporting Requirements
 - Earliest practical time
- Incident Investigation
 - Docketed
 - Inspector investigation
 - Requests for information – 10 day reply time
 - Disputes resolved by the commission

INCIDENTS – operator reply to report

- 30 day reply period
 - Can be extended upon request
 - Failure to reply considered consent
- Agree with inspection report
 - Result = settlement for commission approval
- Substantiated disagreement with inspection report
 - Result = amended inspector report or hearing
- Either party may request hearing at any time in the process

Other Items

- Change in ownership
 - Notification requirement
- Annual reports
 - Submit a copy of Form RSPA F7100.1-1 and/or Form RSPA F 7100.2-1

Changes to Staff's proposed rules

- Notice requirements for new construction
 - To apply to new distribution lines greater than 1 mile
 - To apply to new transmission lines of any length
- Eliminate rule on landfill gas