

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Gas Pipeline Safety
Rulemaking**

Case No. GS-15-187

PUBLIC SERVICE COMMISSION STAFF TESTIMONY

February 18, 2016

My name is Craig Reamann. I am a Gas Pipeline Safety Inspector in the Compliance and Competitive Markets Division of the Public Service Commission. I have been asked to read the following testimony of Patrick Fahn for this proceeding. He is the Director of the Compliance and Competitive Markets Division of the Public Service Commission.

The purpose of this testimony is to describe the proposed administrative rule changes pertaining to pipeline safety. Under North Dakota Administrative Code chapter 69-09-03, the Commission adopts by reference the most recent amendments to pipeline safety regulations adopted by the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA).

For gas pipeline safety, this proposed rule change adopts, by reference, amendments to safety regulations that have been adopted by PHMSA since November 6, 2014, current to December 31, 2015.

For hazardous liquids pipeline safety, the Public Service Commission currently has statutory authority but hasn't initiated a hazardous liquids safety program agreement with PHMSA. With Legislative budget approval, the

Commission could implement a hazardous liquids safety program in the future and therefore is continuing to adopt updated PHMSA hazardous liquids pipeline safety rules.

A description of PHMSA rule amendments since November 6, 2014, current to December 31, 2015 is attached.

This concludes the testimony.

Thank you.

GS-15-187 Pipeline Safety Rulemaking

Adoption of Title 49 Code of Federal Regulations Part 194 – Response Plans for Onshore Oil Pipelines

SUMMARY: In its last Pipeline Safety Rulemaking (Case No. GS-14-761), the Commission adopted 49 CFR Part 195 -- Transportation of Hazardous Liquids by Pipeline by reference. The Commission now realizes that, implementation of a hazardous liquids pipeline safety program requires that 49 CFR Part 194 also be adopted. Part 194 contains requirements for oil spill response plans to reduce the environmental impact of oil discharged from onshore oil pipelines.

Summary of Amendments to the Code of Federal Regulations after November 6, 2014 through December 31, 2015

Federal Register 60 FR 12762: amendment to various sections of 49 CFR 191 – Transportation of Natural and Other Gas by Pipeline: Annual Reports Incident Reports, and Safety-Related Condition Reports

PHMSA SUMMARY: Amended the pipeline safety regulations to make miscellaneous changes that update and clarify certain regulatory requirements. These amendments address several subject matter areas including the performance of post-construction inspections, leak surveys of Type B onshore gas gathering lines, qualifying plastic pipe joiners, regulation of ethanol, transportation of pipe, filing of offshore pipeline condition reports, and calculation of pressure reductions for hazardous liquid pipeline anomalies.

PHMSA (Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation)

Federal Register 80 FR 163: amendment to several sections of 49 CFR 192 – Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards

PHMSA SUMMARY: Amended the Federal pipeline safety regulations to incorporate by reference new, updated or reaffirmed editions of the voluntary consensus standards that are applicable to pipelines subject to the requirements of the Federal pipeline safety regulations.

Voluntary consensus standards are technical standards developed or adopted by domestic and international organizations. These organizations use agreed-upon

procedures to update and revise their published standards every three to five years to reflect modern technology and best technical practices.

Federal Register 80 FR 12762: amendment to several sections of 49 CFR 192 – Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards

PHMSA SUMMARY: Amended the pipeline safety regulations to make miscellaneous changes that update and clarify certain regulatory requirements. These amendments address several subject matter areas including the performance of post-construction inspections, leak surveys of Type B onshore gas gathering lines, qualifying plastic pipe joiners, regulation of ethanol, transportation of pipe, filing of offshore pipeline condition reports, and calculation of pressure reductions for hazardous liquid pipeline anomalies.

Federal Register 80 FR 168: amendment to various sections of 49 CFR 195 – Transportation of Hazardous Liquids by Pipeline

PHMSA SUMMARY: Amended the Federal pipeline safety regulations to incorporate by reference new, updated or reaffirmed editions of the voluntary consensus standards that are applicable to pipelines subject to the requirements of the Federal pipeline safety regulations.

Federal Register 80 FR 12752: amendment to various sections of 49 CFR 195 – Transportation of Hazardous Liquids by Pipeline

PHMSA SUMMARY: Amended the pipeline safety regulations to make miscellaneous changes that update and clarify certain regulatory requirements. These amendments address several subject matter areas including the performance of post-construction inspections, leak surveys of Type B onshore gas gathering lines, qualifying plastic pipe joiners, regulation of ethanol, transportation of pipe, filing of offshore pipeline condition reports, and calculation of pressure reductions for hazardous liquid pipeline anomalies.

Federal Register 80 FR 168: amendment to 49 CFR 199.11

PHMSA SUMMARY: Amended the Federal pipeline safety regulations to incorporate by reference new, updated or reaffirmed editions of the voluntary consensus standards that are applicable to pipelines subject to the requirements of the Federal pipeline safety regulations.