

Bauske, Shelly A.

Subject: ND Public Service Commission Case No. GS-20-370 - Pipeline Safety Rulemaking - Notice of Public Hearing - Please See Attached
Attachments: Notice of Public Hearing.pdf

On September 22, 2020, the Notice of Public Hearing and Proposed Rules was emailed to:

BLAZEI@ALKANENRG.COM; MiHennigan@marathonpetroleum.com; scott.seibert@auxsable.com; aporter@calibermidstream.com; granville@srt.com; Dean.Volesky@crestwoodlp.com; dalej@bepc.com; Patrick.darras@mdu.com; mbast@hess.com; ted_meinhold@kindermorgan.com; eric.bengtson@lmsllc.com; Patrick.darras@mdu.com; holly_camilli@xtoenergy.com; blazei@alkanenrg.com; jswaren@oasispetroleum.com; Kevin.burdick@oneok.com; agarcia@summitmidstream.com; hburks@targaresources.com; Aaron.W.Martinez@tsocorp.com; Luke.A.Litteken@xcelenergy.com; jmorrison@crowleyfleck.com; lbender@fredlaw.com; kranda@kelschlaw.com

From: Bauske, Shelly A.
Sent: Tuesday, September 22, 2020 10:11 AM
Subject: ND Public Service Commission Case No. GS-20-370 - Pipeline Safety Rulemaking - Notice of Public Hearing - Please See Attached

Shelly Bauske
Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck ND 58505-0480
701-328-4070
701-328-2410 (fax)
sbauske@nd.gov

8 **GS-20-370** Filed: 9/22/2020 Pages: 5
Email - Notice and Proposed Rules

Public Service Commission

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Public Service Commission
Weights and Measures
Rulemaking

Case No. WM-20-369

Public Service Commission
Pipeline Safety
Rulemaking

Case No. GS-20-370

NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES AND
NOTICE OF PUBLIC HEARING

August 26, 2020

PLEASE TAKE NOTICE that the Public Service Commission will hold a public hearing to address proposed amendments to Article 69-10 and to amend Section 69-09-03-02.

A hearing will be held on the proposed rules at **10:00 a.m. Central Time on September 28, 2020, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota.** The public is also encouraged to view the hearing electronically via <https://psc.nd.gov/public/meetings/live.php> or listen telephonically via 1-888-585-9008 with room code 259-316-322.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

Case No. WM-20-369 - Article 69-10 - Testing and Safety

The purpose of the proposed amendments to Article 69-10 is to update and clarify the administrative rules regarding standards for certifying and maintaining commercial weighing and measuring devices. The proposed amendments are not expected to have an impact on the regulated community in excess of \$50,000.

Case No. GS-20-370 - Section 69-09-03-02 – Pipeline Safety

The purpose of this amendment is to adopt 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). This rule change adopts amendments to safety regulations that have been adopted by PHMSA

current to August 20, 2020. The proposed change is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules and amendments may be reviewed at the Public Service Commission's offices on the 12th floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may be requested by writing the above address, emailing ndpsc@nd.gov, or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at www.psc.nd.gov under Case Search.


Oral or written comments on the proposed rules may be submitted to the above address, email, and phone numbers. Oral and written comments received by the close of business on October 8, 2020 will be fully considered.

Interested persons may attend and submit comments at the hearing. If an interested person not attending the hearing in person would like to provide input during the hearing, call 701-328-4081 to be placed on a list. On September 28, 2020, the Commission will call you back to receive your input at the time determined by the hearing officer.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Commission at the above telephone number or address at least 24 hours prior to the public hearing.

PUBLIC SERVICE COMMISSION


Julie Fedorchak
Commissioner


Brian Kroshus
Chairman


Randy Christmann
Commissioner

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Pipeline Safety
Rulemaking

Case No. GS-20-370

**CHAPTER 69-09-03
PIPELINE SAFETY**

Section
69-09-03-01 Safety
69-09-03-02 Adoption of Regulations

69-09-03-01. Safety.

Pipeline facilities used for the intrastate distribution and transmission of natural and other gas, liquefied natural gas, or hazardous liquids shall be designed, constructed, and operated to meet the safety standards set forth in regulations of the United States department of transportation adopted in section 69-09-03-02. The commission may require such proof of compliance as it deems necessary.

History: Amended effective July 1, 1986; January 1, 1988; April 1, 2015;_____.

General Authority: NDCC 28-32-02, 49-02-04

Law Implemented: NDCC 49-02-01.2, 49-02-04

69-09-03-02. Adoption of regulations.

The following parts of title 49, Code of Federal Regulations in effect as of ~~July 31, 2019~~ August 20, 2020, are adopted by reference:

1. Part 190 - Pipeline Safety Programs and Rulemaking Procedures.
2. Part 191 - Transportation of Natural Gas and Other Gas by Pipeline, Annual Reports, Incident Reports, and Safety-Related Condition Reports.
3. Part 192 - Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.
4. Part 193 - Liquefied Natural Gas Facilities: Federal Safety Standards.
5. Part 194 - Response Plans for Onshore Oil Pipelines.
6. Part 195 - Transportation of Hazardous Liquids by Pipeline.

7. Part 199 - Drug and Alcohol Testing.

Copies of these regulations may be obtained from:

Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

History: Effective June 1, 1984; amended effective July 1, 1986; January 1, 1988; March 1, 1990; February 1, 1992; August 1, 1993; August 1, 1994; February 1, 1996; July 1, 1997; July 1, 1998; September 1, 1999; August 1, 2000; January 1, 2002; November 1, 2003; May 1, 2005; July 1, 2006; April 1, 2008; January 1, 2010; April 1, 2012; April 1, 2015; October 1, 2016; July 1, 2018; July 1, 2020;_____.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 49-02-01.2