House Energy and Commerce
Subcommittee on Energy and Power

Additional Questions for the Record
March 1, 2016 Hearing on Pipeline Safety Reauthorization

The Honorable Lois Capps

1. **Administrator Dominguez, please elaborate on the various mechanisms that PHMSA currently has to mandate increased frequency (e.g., more frequent than once per five year in a high consequence area) of inspections for individual pipelines?**

   RESPONSE: PHMSA, under normal circumstances, does not have regulatory authority to require operators to modify or increase the number of their in-line inspection (ILI) surveys. If an operator does not properly conduct risk assessments for threats to the pipeline, PHSMA, through the enforcement process, could require an increased number of ILI surveys.

   A. Are there specific triggers, such as a history of increasing anomalies that automatically result in increased inspection frequencies?

   RESPONSE: In the event of a pipeline accident or to abate a condition that "is or would be hazardous" to life, property or the environment, PHMSA can mandate through the enforcement process increased number of ILI surveys along with other preventative and mitigative measures. This type of enforcement action can be implemented through a corrective action order under 49 C.F.R. § 190.233.

   B. How many times has PHMSA required increased inspection frequency in the last ten years and can you please provide several examples?

   RESPONSE: Over the last 10 years, PHMSA has issued 76 Corrective Action Orders, Safety Orders and other actions directing safety improvements on regulated pipelines. Within those orders, PHMSA either required new or rerun of ILI inspections in 53 different cases. In most cases, the requirement for ILI inspection was part of a larger remedial work plan designed to address specific safety concerns and included more than single ILI inspections. In six cases, PHMSA ordered companies to increase the long-term frequency of their ILI runs.

   Examples:

   - Following a pipeline failure in Virginia, Williams was required to run a high-resolution magnetic flux leakage (metal loss) tool and a deformation tool on the section of its Transcontinental Line A pipeline.

- As part of a remedial work plan, Conoco Phillips was required to run an ILI and increase their ILI frequency based on the findings.
- Southern Natural Gas was required to conduct an ILI as part of a remedial work plan and subsequently conducted accelerated maintenance ILIs.
- ANR Pipeline was required to review previous ILI information as part of a remedial work plan and incorporate the results into their ILI schedule.
- Rockies Express was required to conduct a high-resolution caliper tool run of Spread I within 30 days of an order and subsequently perform a second high-resolution caliper tool run at a later date so that results could be compared.

2. **Please provide examples of the type of incidents that would warrant issuing an Emergency Order if PHMSA were granted this authority. For example, could the understanding that insulated pipes are more prone to corrosion be addressed using an Emergency Order?**

   RESPONSE: In the event that PHMSA is granted emergency order authority, the types of situations in which the agency could use this authority will likely be very dependent on the final text of the statutory provision and its precise scope. In addition, any prerequisites or limitations in the provision may apply to various emergencies differently and may have to be applied on a case-by-case basis. As we understand the intent, this authority would be limited to implementing requirements that are relatively short-term in duration and limited in scope to addressing imminent hazards. If that is the case, the agency would limit its use of the authority to require operators of all affected facilities to abate a condition, practice, or activity that poses an immediate threat to life or significant harm to property or the environment. Examples could include instances where pipeline components have significant failure rates, such as a particular model of a valve known to have manufacturing defects. With respect to insulated pipes, PHMSA would need to tailor the emergency order such that it applied to only those lines for which there was evidence that the insulation was the cause of a corrosion threat that constituted an imminent hazard under the circumstances in which those lines were being operated.

3. **Are operators required to provide interim confirmation that spill response plans are up to date between required update intervals?**

   RESPONSE: PHMSA requires pipeline operators to resubmit response plans every 5 years following the original date of submission or approval. Plans for facilities that could pose "significant and substantial harm" to the environment are re-reviewed and approved by PHMSA, if appropriate, while plans for facilities that could pose "substantial harm" to the environment are simply resubmitted to PHMSA.[1] A line section can be expected to cause significant and substantial harm to the environment in the event of a discharge of oil into or on the navigable waters or adjoining shorelines if the pipeline is:

   - Greater than 6 5/8 inches in diameter;

[1] 49 C.F.R. § 194.121(a)

- Longer than 10 miles in length;
- Experienced two or more reportable releases in the last five years, or, one release greater than 1,000 barrels in the same timeframe;
- Containing any electric resistance welded pipe, manufactured prior to 1970, operates at a maximum operating pressure established under 49 CFR Part 195.406 that corresponds to a stress level greater than 50 percent of the pipe's specified minimum yield strength;
- Located within a five mile radius of potentially affected public drinking water intakes; and
- Located within a one mile radius of potentially affected environmentally sensitive areas.

Additionally, operators must immediately modify their response plans to address different operating conditions or information that would substantially affect the implementation of a response plan. Operators must submit the updated plan to PHMSA within 30 days of making such a change.[2]

4. **Can you tell me both the number of pipelines and the total mileage of pipelines in coastal areas?**

RESPONSE: PHMSA has identified 81 pipelines that intersect the "coastal recreation water" lines, also referred to as beach lines. PHMSA has identified 134 miles of gas transmission and hazardous liquid pipelines within 1,000 feet of coastal recreation shorelines. Of these pipelines, 94 miles are already within a high consequence area (HCA) area mapped in the NPMS and 66 miles are hazardous liquid pipelines.

A. Are any of these coastal pipelines not in designated high consequence areas?

RESPONSE: Of the 81 coastal pipelines identified, a total of 29 gas transmission and hazardous liquid pipelines totaling 40 miles are not within an HCA.

5. **Can you please elaborate on what records are available in the public database and on how the public can gain access to these documents?**

RESPONSE:

PHMSA's pipeline safety program provides a variety of data about federally-regulated and state-regulated natural gas pipelines, hazardous liquid pipelines, and liquefied natural gas facilities on its website at: http://www.phmsa.dot.gov/pipeline/library/data-stats. The operators of these facilities report this data in accordance with Part 191 and Part 195 of PHMSA's pipeline safety regulations. PHMSA's website provides downloads of the raw data, yearly summaries, multi-year trends of safety performance metrics, and inventories tracking the removal of aging and other higher-risk infrastructure.

[2] 49 C.F.R. § 194.121 (b)

PHMSA provides pipeline data sets for the following:

Annual Report Data from Gas Distribution, Gas Gathering, Gas Transmission, Hazardous Liquids, and Liquefied Natural Gas (LNG) Operators

Operators are required to submit annual reports to PHMSA. Reports include information such as total pipeline mileage, commodities transported, mileage by material, and installation dates. Gas Transmission and Hazardous Liquids reports include integrity inspection and assessment data. Gas Distribution reports include integrity management performance measures.

Incident / Accident Data from Gas Distribution, Gas Gathering, Gas Transmission, and Hazardous Liquids and LNG Operators

Operators of LNG facilities and gas and hazardous liquid pipelines are required to submit reports to PHMSA within 30 days of an incident or accident (49 CFR Parts 191, 195). Reports include incident times and locations, injury and/ or fatality counts, commodity spilled/gas released, causes of failure, evacuation procedures, and other relevant information.

Safety-Related Condition Reports (SRCRs)

PHMSA tracks Safety-Related Condition Reports submitted by operators of LNG facilities and gas and hazardous liquid pipelines when certain hazards (e.g., corrosion, movement caused by extreme weather) are discovered.

Mechanical Fitting Failure Data from Gas Distribution Operators

Gas distribution pipeline operators are required to submit annual reports on all hazardous leaks that involved a mechanical fitting (49 CFR Parts 191, 192). Operators submit date and location information, the type of mechanical fitting involved, and the apparent causes of leaks.

Safety Program Data for Pipeline and LNG Operators

Since 2012, operators of pipelines and liquefied natural gas plants have been required to submit Safety Program data to PHMSA (49 CFR Parts 191.22 and 195.64). Data is submitted for each safety program applicable to the pipeline system type. When safety program data changes, operators are required to notify PHMSA of the change.

Federal Inspection and Enforcement Actions

PHMSA also provides information about federal inspections and any resulting enforcement actions via its Operator Information and Enforcement webpages.

Operator Information includes by-operator details on pipeline miles, incidents, federal inspections, and federal enforcement.
http://primis.phmsa.dot.gov/comm/reports/operator/Operatorlist.html?nocache=1041

Enforcement includes details about federal enforcement actions, including access to key documents from each case.
http://primis.phmsa.dot.gov/comm/reports/enforce/Enforcement.html?nocache=6507

State Pipeline Safety Partners

State Pages provide access to inspection and enforcement data submitted by our State Pipeline Safety Partners. http://primis.phmsa.dot.gov/comm/states.htm?nocache=9721.

National Pipeline Mapping System

PHMSA's National Pipeline Mapping System allows the public to view and obtain maps of pipelines in their communities on a county-by-county basis. Other users, including Federal, state and local officials and pipeline operators, can request and be granted a password that will allow access to information limited to their particular jurisdiction. Federal officials may obtain pipeline mapping information for the entire U.S., while state/local government officials may access information for their appropriate state or county. Mapping information for pipeline operators is restricted to their specific operator identification numbers.

A. Are In-Line Inspection reports available in the PHMSA Public Database, including anomaly reports, corrective action requirements, and confirmation that anomalies are addressed?

RESPONSE: No, PHMSA does not require pipeline operators to submit their internal inspection results to the agency following their completion, however, corrective action orders are made public and are available on PHMSA's website.

B. Are any additional steps taken to ensure the information is easily accessible and understandable such as a summary?

RESPONSE: PHMSA routinely conducts inspections of pipeline operators to determine an operator's compliance with Federal pipeline safety regulations. Each year, PHMSA evaluates many thousands of operator records and procedures involved in the construction, operation, testing, and maintenance of pipelines, including in-line inspection results. PHMSA evaluates the adequacy of these items at operator facilities, within operator control rooms, or areas in the field. PHMSA does not usually take possession of detailed and complex internal inspection records. PHMSA takes possession, or makes copies, of documents that indicate probable violation of

safety requirements or safety concerns and may be referenced as part of an enforcement record.

While we review these records extensively during our inspections, PHMSA does not require pipeline operators to submit their internal inspection results to the agency following their completion. PHMSA does, however, maintain on file the final inspection reports our inspectors prepare that will discuss any issues observed by PHMSA during the period of inspection, including possible issues of operator non-compliance, and will provide details regarding these issues and any enforcement actions taken against an operator.

C. Can you provide statistics on the use of this database or a sense of the ease of accessing this repository?

RESPONSE: Pipeline operators are not required to submit their internal inspection results to PHMSA following their completion and thus the agency does not maintain a pipeline operator internal inspection results database. PHMSA can and will provide access to any of its own inspection reports evaluating operator compliance to fulfill Freedom of Information Act requests received from the public.