



Briefing: PIPES Act of 2020

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ABOUT APGA

About APGA

Over 700 member utilities in 38 States

APGA is the only not-for-profit trade organization representing America's publicly owned natural gas local distribution companies.

APGA members stats:

- Serves approx. 5 Million Customers
- Members have approx. 21,000 Employees
- Members operate 120,000 Miles of Main
- Sizes range from 38 to 500,000+ meters



Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020 (PIPES Act of 2020)

December 27, 2020

The mandates impacting gas distribution systems include:

1. Leak Detection & Repair  Section 113
“Gas Pipeline Leak Detection Rule”
 2. Inspection and Maintenance Plans  Section 114 Mandate
 3. Distribution Integrity Management Plans
 4. Emergency Response Plans
 5. Operations & Maintenance Manuals
 6. Pipeline Safety Management Systems
 7. Pipeline Safety Practices
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- PIPES Act – Part 2
“Safety of Gas Distribution Pipelines Rule”

Inspection and Maintenance Plans

O&M plans are currently evaluated on:

1. Incorporation of relevant pipeline safety information
2. The appropriateness of the plan for the particular kind of pipeline or facility
3. The reasonableness of the plan
4. The extent to which the plan will contribute to public safety and protect the environment

Inspection and Maintenance Plans

The mandate requires O&M plans be evaluated on:

1. Incorporation of relevant pipeline safety information
2. The appropriateness of the plan for the particular kind of pipeline or facility
3. The reasonableness of the plan
4. The extent to which the plan will contribute to
 - A. Public Safety
 - B. Eliminating hazardous leaks and minimizing releases of natural gas from pipeline facilities**
5. The protection of the environment
- 6. The extent to which the plan addresses the replacement or remediation of pipelines that are known to leak based on the material, design, or past operating and maintenance history of the pipeline**

*Self Executing Mandate - Operators have until **December 27, 2021** to update their O&M plans.*

- Pilot inspection questions drafted by a Task Group
 - PHMSA and NAPSR staff (Ohio & Illinois)
- During the pilots, inspections are jointly performed by PHMSA and state regulators
- Pilots have already started
 - ... to my knowledge no gas distribution operator has gone through a pilot*
- Inspections take between 1-4 hours
- Questions & Considerations provided to the inspectors to guide conversation
- Enforcement vs. Recommendations is still undetermined for PHMSA
 - Ultimately will be up to each state how to approach

PHMSA Pilot Inspections

- Questions broken into sections...
 1. Scoping Questions (all operators)
 2. Transmission
 - Leaks/ Releases, Regulator Stations, Leak Mitigation / Repair, Testing, Flaring & General
 3. Underground Natural Gas Storage
 4. Liquefied Natural Gas
 5. Gas Distribution Companies & Master Meter
 - Compression, Drivers & Engines, Leaks/ Releases, Testing, Flaring & General
 6. Gas Gathering & Boosting
 7. Non-Natural Gas – Using natural gas as fuel, power, appurtenance, or instrument gas
 8. Leak-Prone Pipe
 - Leaks / Releases, Leak Mitigation / Repair

Leak Detection & Repair

PHMSA to write regulations that require operators to conduct leak detection & repair programs that:

1. 'meet the need for gas pipeline safety'
2. Protect the environment

The leak detection programs shall be able to identify, locate and categorize all leaks that are:

1. Hazardous to human safety or the environment
or
2. Have the potential to become explosive
or hazardous to human safety



Leak Detection & Repair

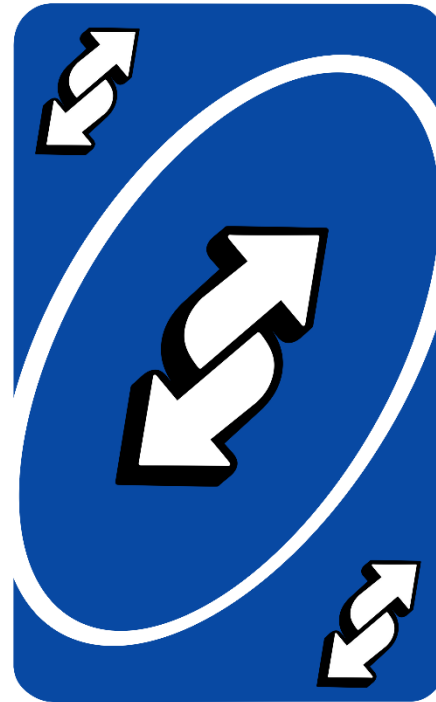
- The regulation must include ‘minimum performance standards that reflect on the capabilities of commercially available advanced technologies’.
- The leak detection & repair program should be appropriate for:
 - The type of pipeline
 - The location of pipeline
 - The material of the pipeline
 - The material transported by the pipeline

Leak Detection & Repair

- The final regulation shall:
 - Require the use of advanced detection technologies that detect leaks through
 - Continuous monitoring on or along the pipeline, or
 - Through periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology
 - Identify scenarios where operators may use leak detection practices that depend on human senses
 - Include a schedule for repairing or replacing leaking pipe, except...
A pipe with a leak so small that it poses no potential hazard, with appropriate deadlines.

Leak Detection & Repair

- The final regulation cannot
 - *Reduce the frequency of surveys*
 - *Extend the duration of any timelines for the repair or remediation of leaks*



Distribution Integrity Management Programs

PHMSA to write a regulation to ensure DIMP plans include:

1. Risks from cast iron pipes
2. Risks from operating low pressure systems
3. Factors other than past observed abnormal operating condition= Evaluate for 'future potential threats'.
 - *So operators avoid using risk ranking of zero for low probability events otherwise supported by engineering analysis or operational knowledge.*

Emergency Response Plans

PHMSA must write regulation that requires operators to establish:

1. Communication with first responders and public officials ‘as soon as practicable from the time of confirmed discovery by the operator’ of a gas emergency involving the release of gas from a distribution that results in a fire related to:
 1. An unintended release of gas
 2. An explosion
 3. 1 or more fatalities, or
 4. Unscheduled release of gas and shut of gas to a significant number of customers
2. ‘General public communication through an appropriate channel’ if a gas release results in any of the items above.



Emergency Response Plans

PHMSA to write a regulation that:

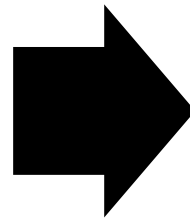
- Develops and implements a ‘voluntary, opt-in system’ to allow distribution operators to communicate quickly with customers in the event of an emergency.



Gas Distribution Rule

... will cover almost every aspect of gas distribution operations

Management of
Change
Asset Records
Construction
Oversight



Distribution Integrity
Management Plans
Emergency
Response Plans
Operations &
Maintenance Plans

Operations & Maintenance Manuals

PHMSA to write regulations that require all distribution pipeline operators:

1. Include procedures for responding to an overpressurization incident in their O&M and ERP.
2. Develop a detailed procedure for MOC for significant 'technology, equipment, procedural and organizational' changes.
 - Must ensure that a relevant qualified personnel, such as
 - an engineer with a professional licensure
 - subject matter expert, or
 - other employee who possesses the necessary knowledge, experience and skills regarding the natural gas distribution systemsreview and certify construction plans for accuracy, completeness, and correctness.

Plans: DIMP, ERP, O&M

1. Requires operators to provide PHMSA or state regulators with their plans for review within 2 years of the finalization of the legislation.
2. The plans are to be reviewed every 5 years.
3. The operator must inform their regulator within 60 days of a *significant change*.

Notes:

- *Significant changes* to be defined by PHMSA via rulemaking.
- All documentation provided falls under existing FOIA exemptions.

Pipeline Safety Practices

PHMSA to write regulations that require:

1. Distribution operators to have traceable, verifiable, and complete records to ensure proper pressure controls on their systems (MAOP).
2. Operators to collect and update records on an “opportunistic basis.”
3. The records must be submitted or made available to PHMSA and the states
4. An OQ'd individual to monitor gas pressure at reg stations or at gas control during any construction project that has the potential to cause an overpressurization
5. Operators to assess and upgrade (as appropriate) district regulator stations to ensure
 1. No common mode of failure
 2. Low pressure systems are monitored near critical pressure-control equipment
 3. There is back-up over pressure-protection equipment, such as a relief valve*

* If this is not feasible an alternative requirement should be codified that will minimize the risk of an overpressurization event.

Pipeline Safety Management Systems

PHMSA to report to Congress:

1. The number of gas distribution operators that have committed to voluntarily adopting PSMS
2. The level of adoption including identification of gaps and progress towards filling those gaps.
3. If it is infeasible for gas distribution operators under a certain size (customer count or volume of gas transported) to implement PSMS.



PHMSA and the states to:

1. Promote PSMS
2. Develop a methodology for assessing PSMS frameworks.

PSMS should promote self-disclosure of errors and deviations from regulatory standards.

APGA Virtual Operations Conference: Encore and Highlight Presentations

November 10 - Pipeline Safety & Security

November 12 – APGA Member Best Practices

November 17 - Engineering & Construction: Tools and Technologies

November 18– Environmental Stewardship for Gas Distribution Operators



<https://community.apga.org/fallevent/2021-virtual-ops>

Questions?



Thank you for your time today!

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