



Committee Members

Richard Kuprewicz, Chair • Bob Archey, Vice- Chair
Pete Kmet • Carl Weimer • Shirley Olson
Bill Rickard • Bob Bandarra • Duane Henderson
Grant Jensen • George Hills • Dave Knoelke



Washington State Citizens Committee on Pipeline Safety
Meeting Minutes
Washington State Investment Board
2100 Evergreen Park Drive, Olympia, WA 98504
September 25, 2008

Present members:

Rick Kuprewicz, Chair
Bob Archey, Vice Chair
Carl Weimer
Pete Kmet
Shirley Olson
George Hills
Duane Henderson
Dave Knoelke

Absent members:

Grant Jensen
Bill Rickard
Bob Bandarra

Other attendees:

Anne F. Soiza, UTC Pipeline Safety Program
David Lykken, UTC Pipeline Safety Program
Marina Woodard, UTC Pipeline Safety Program
Dan McDonald, Dept. of Ecology
Brad Tower, Olympic Pipeline
Holy Chisa, Olympic Pipeline
Sandra Davis, Landowners and Citizens for a Safe Community (LCSC)
Gayle Kiser, Landowners and Citizens for a Safe Community (LCSC)
Gary Scott, Lewis County Public Work
T.K. Bentler, 3M

Agenda Items:

1. **Welcome and Adoption of July 17, 2008 Meeting Minutes**
The meeting was brought to order by Rick Kuprewicz who welcomed all attendees. Rick proposed the draft minutes be amended as follows:
 - **Item 4** - Within the second paragraph, Rick suggested to add a statement that the committee sent a letter to U.S. DOT regarding DIMP proposed rule on 8/27/08. Carl proposed to put this note in a parenthesis with a different format because this note was not part of the action item during the July 17, 2008 meeting.

- **Item 5** – Within the third paragraph, in a first sentence, Rick suggested to change “...PIPES Act 9 elements,...” to “... PIPES Act of 2006,...”
- **Item 5** – Within the third paragraph, in a second sentence, Bob Archey clarified the second sentence to read “... Bob thought that the committee might have a role in the UTC Strategic Plan action item numbers 3, 4, 7 and 10.”

Carl made a motion to adopt the July 17, 2008 minutes as amended. Motion passed unanimously.

For the public’s convenience, the chair amended the order of the agenda by moving the public comments, item 12 to item 3.

2. **Pipeline Depth of Coverage Regulations (UTC) & General Discussion**

- **Avoiding Pipeline “Damage.”-Washington Present One-Call & Depth Locate**
Dave Lykken outlined the general provision of the dig law, one-call system, what is located, and its processes. In response to Rick’s question on what the dig law really means, Dave explained that there is no reference to the reporting of the depth of coverage of the facility. The only requirement is to mark the horizontal location. Anne distributed a summary comparison of states one-call laws and provisions. This summary was obtained from www.allcall.com (*The material for this presentation is posted on the committee website at www.utc.wa.gov/Pipeline/ccops_workpapers&presentation.*
- **Depth Loading on Pipelines and Other Myths**
Rick discussed a misconception that pipelines placed deep underground puts additional stress on the pipe. In fact, the depth of bury is more of a safety factor than a risk. Placing a pipeline deeper distributes surface loads, like truck or train traffic, resulting in a safer pipeline.
- **Depth of Coverage Surveys and Integrity Management**
State regulations do require a minimum depth on gas distribution lines. Hazardous liquid line also has a minimum depth of cover. Under Washington rules, a depth of cover survey is required every five years. The survey requirement became effective in 2005. This only applies to intrastate pipelines.

Rick pointed out that many transmission pipeline operators recognize depth of cover as a potential risk to their pipeline. There may be occasions when an operator will invest the money to rebury their pipeline.

3. **Public Comments**

- Sandra Davis, Cowlitz County resident representing Landowners and Citizens for a Safe Community (LCSC) presented comments concerning the proposed NorthernStar Pipeline from their LNG’s facility. She thanked the Committee, Pipeline Safety Trust and the UTC for their comments during the FERC Environmental Impact Statement (EIS) process. Her concern is that while FERC addressed the Citizens Committee’s concern regarding landslide threats, the FERC approval did not appear to require a

geotechnical plan. Rick advised that she address her comments to FERC in writing as soon as possible.

Ms. Davis also expressed concern regarding the NorthernStar's Horizontal Directional Drill (HDD) contingency plan especially as it relates to a frac-out. Ms. Davis also questioned whether K.B Pipeline would continue to operate if NorthernStar's Pipeline supplies gas to the Beaver Power Plant.

Carl made a motion that the next meeting include an agenda item to review comments made to FERC and FERC's response to each comment. Additionally, the Dept. of Ecology is to be invited to discuss their role in the State Environmental Policy Act (SEPA) process. Dave Lykken offered to send members a copy of the final EIS in CD format. Rick and Pete requested a copy of the CD.

- Gayle Kiser, Cowlitz County resident representing Landowners and Citizens for a Safe Community (LCSC) also expressed concern over potential land movement that could result in damage to the NorthernStar Pipeline. She presented a photo of land movement that was caused by the existing K.B. Pipeline not far from her residence. Ms. Kiser also commented that NorthernStar apparently is refusing to comply with Cowlitz County land use and other related ordinances. The company claims that federal law preempts local ordinances. The Committee requested the chairman to draft an advisory letter to Department of Ecology co-leading the SEPA efforts (currently working with Cowlitz County in framing how SEPA process will be carried out) for the proposed Bradwood pipeline in Washington State.
- Carl Weimer summarized the Conference planned by Pipeline Safety Trust will be held in New Orleans on November 20 and 21, 2008. Committee members are invited to attend the conference. Bob Archey requested UTC sponsor his travel to the conference. Anne responded that UTC is not able to sponsor any out of travel due to the Governor's directives on state spending adjustments and non-emergency travel. Carl Weimer reported that Pipeline Trust has some funds available to sponsor the travel for committee members that are interested. Shirley requested Carl send her the registration and hotel information.

4. **Major Risk Management Myths on Hydrocarbon Detonations**

Rick Kuprewicz provided a slide presentation on the Hydrocarbon Explosion Myths. *(The material for this presentation is posted on the committee's website at www.wutc.wa.gov/Pipeline/ccops/workpapers&presentation)*

5. **Status of PIPA Effort & Land Use Activities**

Bob Archey and Carl Weimer briefed the Committee on the activities and status of the subgroups of the Pipeline and Informed Planning Alliance (PIPA). The subgroups continue to work towards their final report. Part of the challenge is developing recommendations that would be meaningful to local governments. Carl reported that in addition to a report, there will be the development of an implementation plan. There may be grants available to cities and counties attempting to implement the recommendations

in the report. A report for comment by stakeholder for final review is expected to be distributed prior to the next Committee meeting. Carl will distribute the report to the committee once it becomes available.

6. **UTC Update**

Anne Soiza provided an overview of recent events that have impacted the pipeline safety section.

- Anne presented Carl with a letter of appreciation from Governor Chris Gregoire recognizing his service as chair of the Citizens Committee over the past two years.
- Citizens Committee Vacancies – Three voting members’ positions have expired and are open for recruitment. Two positions represent the citizens and the remaining position is to be an elected official from county government. A solicitation notice was sent out via list serve on 9/5/2008 seeking applications from the citizens. A letter was sent out to the WA State Association of Counties on 6/25/2008 welcoming nominations to fill Leo’s position.
- 2006-2007 Stakeholder Report – Anne proposed Rick write a cover letter to accompany the annual report to be sent to the relevant parties. Anne would like the letter before the end of October. Marina will send Rick the electronic copy of the 2004-2005 cover letter for his reference.
- PHMSA –DOT – Jeffrey Wiese is now the Associate Administrator for PHMSA Pipeline Safety Program. Anne briefly outlined the status of federal budget. While Congress has authorized an increase in federal funding for state pipeline programs, there has not yet been a budget passed to make the money available.
- National NAPS R Meeting – held in Boise, ID from September 15-18, 2008.
- DIMP Proposed Rule Docket No. PHMSA-RSPA-2004-19854 – PHMSA extends, by 30 days, the period for public comments. The new deadline for submission of comments to PHMSA is October 23, 2008. While the citizens committee already submitted comments on 8/27/08, NAPS R and its peer group will also provide comments to PHMSA.
- PHMSA’s new draft guidelines for state programs were issued late last week for comment.
- Federal Audit of the UTC Pipeline Safety program – results of the audit is currently unknown.
- 57th Annual Governor’s Industrial Safety Conference - The conference was held in Spokane Convention Center on September 24 & 25, 2008. Alan Lundeen represented the UTC by hosting a booth to promote the Damage Prevention Initiatives and Awareness.

- Legislative Session – UTC is not planning on submitting any legislation in 2009. Utility Contractors Association of Washington (UCAW) may propose legislation relative to damage prevention. No draft is available at this point.

7. **Federal Action Item-PHMSA “Informational Collection Activities”**

Rick briefed the committee that PHMSA is proposing to modify the following incident reports forms:

- PHMSA F 7100.2-Incident Report for Gas Transmission and Gathering Systems;
- PHMSA F 7100.1-Incident Report for Gas Distribution Systems; and
- PHMSA F 7000-1-Accident Report for Hazardous Liquid Pipeline Systems.

The proposed rule was released for public comment on September 4, 2008. The deadline for comments submission is November 3, 2008. Rick asked the committee to decide whether or not to submit comments or this is just informational only. Carl and Rick decided to read the proposed rule and will communicate with the committee members within 2 weeks with the recommendation of the committee’s final approach.

The Federal Register Notice and the forms were sent out to the committee via email on 9/18/2008. The proposed rule, forms and comments may also be accessed at www.regulations.gov with reference to Docket ID: PHMSA-2008-0211.

8. **Legislative Advisement Item-Discussion of Committee Goals Regarding Land Use, One-Call Enforcement, and Pipelines in Washington State**

Bob Archey commented that the damage prevention sub-committee has identified areas of interest and researched other states one-call laws. Given that no legislation was planned by the UTC in 2009, the process stopped there. Bob offered to do some additional work towards recommendations for discussion at the December meeting.

9. **Legislative Advisement Item-Citizens Right-to-know**

This item is part of the Committee’s 2008 workplan. Carl reported that most of the items identified in this subject have been resolved. Earlier, the committee did make changes to the data on their website and encouraged access to more data on both PHMSA and UTC website.

In response to Pete’s question on the mapping access lawsuit, Anne reported that the lawsuit is still pending as the matter was remanded to Thurston County Superior Court.

10. **Future Meeting Locations and Agendas – Other Business**

- Rick commented that the two federal pipeline safety technical committees will be asked to vote on two federal rulemakings at their next meeting. The two rulemakings are DIMP and Control Room Management. Rick said that there is concern over whether the control room management rule applies to distribution pipelines. After he has analyzed the proposal, he will notify members if he thinks committee action is needed.
- Rick would like a placeholder on the December agenda to allow discussion from the City of Spokane relative to Yellowstone Pipeline.
- Anne suggested a review of the bylaws at the next meeting.

- The next meeting is scheduled for Thursday, December 4, 2008 at the commission hearing room, UTC.

Adjourn

The meeting adjourned at 2:40 p.m.