

Citizens Advisory Committee on Pipeline Safety
Meeting Minutes Summary
January 10, 2001

Present

Chuck Mosher, Chair
Bill Hinkle
Susan Harper
Sarah Spence
Harry “Jay” Follman
Lee A. James
Grant Jensen
Duane Henderson
Richard Gilda
Brad Rosewood
Laura L. Parsons
Don Evans

Absent

Alan J. Cabodi

Agenda:

1. Welcome
2. WUTC Presentation of Workplan – Doug Kilpatrick
3. Questions for Doug Kilpatrick
4. Department of Ecology Update – Joe Stohr
5. Public Comments
6. Rulemaking Review
7. WUTC Pipeline Safety Fee Bill
8. Sub Committee Issues/Activities
9. Future Meeting Dates

1. **Welcome** – Chairman Chuck Mosher welcomed the Committee. He introduced Doug Kilpatrick, Director of the WUTC Pipeline Safety Division.

2. **WUTC Presentation of Workplan** – Doug Kilpatrick greeted the committee and explained that he would be overviewing the a) mission and purpose of the WUTC pipeline safety program, b) Pre-2000 and post-2000 programs, c) 2001 workplan, d) Proposed fee methodology and e) Questions and Answer. First Doug handed out a packet of information to the committee members and the members of the public. The packet included an organizational chart of the WUTC pipeline safety division, the division workplan, and fee methodologies that were discussed with the pipeline companies. Doug talked about the composition of the pipeline safety division staffing.

The division has ten engineers (four of which were hired after interstate authority was received), a policy strategist, a GIS analyst and two administrative support persons. The mission of the division is assuring public safety and working with companies to ensure they understand the state and federal regulations. Doug emphasized how the WUTC strives to have a close working relationship with the pipeline companies and partnerships with other agencies and the public regarding information sharing. Doug explained the WUTC pipeline program before interstate authority was granted. In 1999 the program had six engineers inspecting 24 companies comprised 31 inspection units. The current program consists of ten engineers, 35 companies and 52 inspection units.

3. **Questions for Doug Kilpatrick** - Committee members asked:

How does the WUTC prioritize inspections?

The WUTC based its interstate inspection priorities on the workplan developed by OPS.

What is the timeline on non-compliance issues of a company?

The timeline depends on the severity of the non-compliance. If the problem is severe enough the WUTC will order the company to cease operation of the pipeline.

What types of documents and information are available to the public?

Doug explained that all records are available from the WUTC Records Center regarding investigations; a public records request must be initiated in order to receive the information. He also said that virtually everything is public record, even company procedures manuals. These large volume-items would need to be viewed at the UTC. Joe Stohr with the Department of Ecology (DOE) also added that when it comes to public disclosure of information, Washington State has a very good Public Disclosure Act, with the exception of attorney-client privileged information.

Does the WUTC do “drop in” or unannounced inspections?

Yes, the local distribution companies (LDC’s) fax their crew schedules to the WUTC every morning and pipeline safety engineers go out unannounced to these sites to ensure that safe operating procedures are being followed. The WUTC plans to do some drop-in inspections on the interstate companies as well.

4. **Department of Ecology Update** – Joe Stohr with the DOE outlined their workplan for 2001. He explained how the DOE is coordinating with first responders on spill drills and identifying geographically sensitive areas. The DOE is working to involve cities, counties and other state and federal agencies on their efforts, especially letting people know about the DOE contingency plans. One committee member suggested to Joe that the DOE should do more unannounced drills as opposed to tabletop drills. Joe explained that the DOE is facing a resource challenge at the moment, and unannounced drills would be too costly for the DOE. Tabletop drills are done mainly to focus on the number one component of a drill, which is communication. Another committee member asked if the WUTC and DOE are looking into scheduling their audits and drills to coincide with each other. Joe and Doug Kilpatrick both agreed that this would be a good idea and would look into the suggestion further. Doug stated that the WUTC and the DOE are sharing workplans and priorities and are in regular contact with each other.

5. **Public Comments** – Chuck Mosher opened the floor for public comment.
Fred Felleman – *Fuel Safe Washington Board Member*. Mr. Felleman felt strongly that the public need to know that the WUTC and DOE safety programs are on the “chopping block”. He felt that committee members and citizens should be writing letters to the editor about this situation. Also felt that the committee should have a full time employee to support it. Strongly urged the WUTC to do more unannounced inspections of pipeline facilities.
Brian Felczak – *City-County Pipeline Safety Consortium Member and Deputy Fire Marshall, City of Kent*. Suggested the WUTC inform local emergency jurisdictions when an inspection will be taking place. Would like to see a program plan developed focusing on communication between state, city, and county government. Doug Kilpatrick stated that a WUTC representative would attend the next City-County Consortium Meeting in order to help develop that partnership.
6. **Rulemaking Review** – Sondra Walsh with the WUTC summarized the activities of the WUTC hazardous liquid rulemaking (Docket number TO-000712). She explained that the House Bill 2420 instructed the WUTC to conduct the rulemaking process. The WUTC has sent out a notice of the next public process workshop which will be held January 23, 2001 at the WUTC headquarters. The notice asked for written comments on a variety of topics related to hazardous liquid pipelines. At this point, Sondra said that the WUTC has not received many comments, but stated that comments aren’t usually received until the draft language has been written. Sondra invited the committee to comment and participate in the rulemaking and felt it would be worthwhile. She let the committee know that they are all on the hazardous liquids interested persons list and will receive all information regarding the rulemaking. Doug and Sondra also updated the committee on some federal rulemakings. These rulemakings are usually more technical and the engineers normally draft comments for the federal rulemakings. A committee member asked if a WUTC representative will be attending the meeting in Washington D.C. on February 12- 14 regarding public right-to-know. Doug said yes, that a staff person from the pipeline division would attend.
7. **WUTC Pipeline Safety Fee Bill** – Carole Washburn explained to the committee that the bill being presented in the legislature would give the WUTC the authority to charge a regulatory fee to the pipeline companies that the WUTC inspects. The basis of the fee will be decided on through a rulemaking process and may be calculated by risk factors, mileage, density, pipelines that run through environmentally sensitive areas, or other relevant factors. Carole explained how the year 2000 pipeline bill mandated a number of things for the WUTC to accomplish, such as seeking interstate authority (which has been granted); adoption of hazardous liquids standards, oversight and evaluation; development of 3rd party damage prevention curriculum; and also a GIS mapping system of the pipelines. The WUTC program continues the level of funding by the 2000 legislature. No new full time employees (FTE’s) are being asked for by the WUTC, but Department of Ecology is asking for one FTE. Since the interstate agreement between OPS and WUTC, four additional engineers have been hired to help with the added inspections of the interstate pipelines. She explained how the WUTC inspectors have been out in the

field more than OPS was ever able to do in Washington State. Carole also announced that on January 19th the bill will go in front of the Senate Environment, Energy and Water Committee for a public hearing. She said that any committee members are welcome to testify at the hearing. A motion was brought to the floor by Bill Hinkle and seconded by Lee James for the committee to support the WUTC pipeline safety bill. Brief discussion followed with questions regarding a) State checks and balances on WUTC spending authority, b) Clarification of the bill's intent with regard to damage prevention activities; and d) whether the WUTC had heard anything regarding provisions from HB 2420 that the legislature no longer wanted to see accomplished. Following this Q and A, the committee voted unanimously to support the WUTC pipeline bill.

8. **Subcommittee Issues/Activities** – Chuck asked the various subcommittees to update the other members on any activities or issues of concern.
Legislative Subcommittee-Lead, Bill Hinkle–Bill stated that the legislative committee would be visiting the WUTC pipeline safety division engineers in order to talk with them and get a better idea of what the engineers/inspectors do. The meeting would be held directly after the committee meeting. Bill also let the committee know that he would be coordinating the testimony for the committee for the upcoming Senate hearing on January 19th.
Public Relations Subcommittee-Lead, Susan Harper-Susan asked the committee if they would like the PR subcommittee to make a press release about the Senate hearing and the committees support of the pipeline bill and the WUTC workplan. The committee indicated that they would be in favor of a press release.
Damage Prevention Subcommittee-Lead, Don Evans-Don will be putting together a report on damage prevention issues and would like the committee to review and formalize it. The committee agreed.
Repair Protocol-Lead, Sarah Spence-Sarah told the committee that she is reviewing some federal protocols and other information and will write up a report that summarizes her findings.
9. **Future Meeting Dates** – The next meeting of the Citizens Committee on Pipeline Safety was not established at the time of adjournment. The committee stated a strong desire to have the next meeting in Olympia, and if possible on the Capitol Campus in order to meet with legislators to discuss pipeline safety issues.