



## Committee Members

Bob Archey, Chair • VaNessa Duplessie, Vice-Chair  
Pete Kmet • Bill Rickard • Art Coulombe  
Carl Weimer • Ron Schmitt 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 24, 2009

### Present members:

Bob Archey, Chair  
Carl Weimer  
George Hills  
Pete Kmet  
Bill Rickard  
Duane Henderson  
Dave Knoelke  
Grant Jensen  
Art Coulombe  
Ron Schmitt

### Absent members:

VaNessa Duplessie

### Other attendees:

Anne F. Soiza, UTC Pipeline Safety Program  
David Lykken, UTC Pipeline Safety Program  
Jim Fernald, UTC Pipeline Safety Program  
Marina Woodard, UTC Pipeline Safety Program  
Kelli Gustaf, Dept. of Ecology  
Bill Stauffacher, Stauffacher Communications

### Agenda Items:

1. **Welcome and Adoption of May 28, 2009 Meeting Minutes**

- The meeting was brought to order by Bob Archey who welcomed all attendees. In a unanimous vote, the committee adopted the May 28, 2009 meeting minutes as written.
- **Quick Update on 5/28/09 Action Task List Status**  
Bob Archey briefly summarized the document that was distributed to all members. *(This document is posted on the committee's website at [www.utc.wa.gov/pipeline/ccops/workpapers&presentation](http://www.utc.wa.gov/pipeline/ccops/workpapers&presentation)).*

#### Committee Vacancies

Bob Archey reported that he was notified by the Governor's office that the vacant positions have been put on hold due to the possible inclusion of the Committee on the list for elimination of Boards and Commission by the Governor. If the Governor decides to eliminate the committee, it will have to go through the legislative process. Grant proposed sending a letter and the stakeholder annual report to the Governor to

show the committee's accomplishments. Pete and Bob also suggested getting constituent support like the Association of WA Cities, State Association of Counties, Pipeline Safety Trust and the citizens group from Southwest WA. Carl and Pete agreed to assist in drafting the letter and report. Bob will send the draft documents to the committee for review by the end of September or early October. Pete moved to ask the chair to send a letter and stakeholder annual report to the Governor in support of continuing the committee. Ron seconded and the motion was approved unanimously.

Anne also volunteered to provide Bob with the cost of supporting the committee to be included in the letter.

## 2. Damage Prevention

- 19.122 Work Group status report, discussion and Committee input to Work group  
Alan Lundeen reported that the Dig Law Work Group was established as a result of the bill that was brought by the Underground Construction Association of WA (UCAW) to amend the RCW 19.122. The Dig Law Work group consists of 15 members from the Pipeline industry, PUDs, Sewer District, WA Association of Cities, County Public Work Dept, Underground Locator and UCAW.

### July 15<sup>th</sup> Meeting

- ▶ PHMSA is now taking closer look at the state damage prevention program by comparing them with the nine elements in the PIPES Act. They will determine if the state has an effective damage prevention program and may take over the state damage program that is not as effective. The group discussed their view on how the damage prevention program should be in WA and what improvements need to be made.

### August 18<sup>th</sup> Meeting

- ▶ Three top issues identified i.e. enforcement/ownership, marking service laterals and positive response.

### September 15<sup>th</sup> Meeting

- ▶ Mark Scocollo with UCAW was elected as a chair and Dan Kirschner with the Northwest Gas Association was elected as vice chair.
  - ▶ Discussed on bringing in the outside speakers. Money is available from UTC.
  - ▶ Presentation from Bruce Paskett of NWN on DIMP rule.
  - ▶ Presentation from Jody Morehouse of Avista on Oregon Dig Law
  - ▶ To discuss comparison of other states dig laws at the October meeting.
- CCOPS Damage Prevention Committee 2009/2010 work plan  
Ron Schmitt provided a slide presentation with a brief summary on what he observed during the Dig Law Work Group meeting held in August and September. (*The material for this presentation is posted on the committee's website at [www.utc.wa.gov/Pipeline/ccops/Workpapers&presentation](http://www.utc.wa.gov/Pipeline/ccops/Workpapers&presentation)*).

3. **UTC Update**

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

- **Damage Prevention** – UTC Pipeline Safety Program top priority. PHMSA (Pipeline and Hazardous Materials Safety Administration) intends to issue a notice of proposed rulemaking relative to enforcement of states' damage prevention laws. Within the notice, PHMSA will apparently propose that the Pipeline Safety Programs should have the enforcement authority on the dig law instead of Attorney General or other civil authority.
- **UTC Budget** –The UTC Pipeline Safety Program is not impacted by budget constraint. While conservative spending is a UTC priority, public safety has not been compromised in the pipeline safety program.
- **Rulemaking** – UTC is not doing any major rulemaking for Pipeline Safety. Notice will be sent out shortly on adoption by reference of Code of Federal Regulations (CFR).
- **NAPSR National Meeting** – Anne attended the meeting in Indianapolis from Sept 14 -18, 2009. Anne reported while Congress approved an increase to 80% state grant money to PHMSA, there was a requirement embedded that states have to spend at or above their past 3 year state spending average in order to get the increased federal money. Carl made a motion that the Committee sending a letter to Secretary of Dept. of Transportation voicing concern that states in this economic crisis cannot meet this requirement and request that he waives the requirement. Anne suggested that this letter be copied to the congressional delegation. Ron volunteered to draft the letter. Pete seconded and motion was approved unanimously. Ron requested Anne to email him a brief summary of the issue prior to drafting the letter for committee's review.
- **Distribution Integrity Management Program (DIMP)** - During NAPSR meeting, PHMSA announced that the final DIMP rule may be issued by the end of October 2009.

4. **Public Comments**

- Carl summarized the National Conference hosted by Pipeline Safety Trust will be held in New Orleans on November 5 and 6, 2009. The conference will mainly focus on the new community Technical Assistance Grant awarded by PHMSA. Pipeline Trust is trying to get most of the grant recipient to attend the conference to briefly describe their need for the grant and their project goal. Carl asked Anne if funding can be made available by the UTC to have the Citizens Committee members attend the conference in New Orleans. Anne will consider the option.
- Carl briefed the committee that the U.S. Senate Nominations Hearing was held on September 23, 2009 to confirm the Obama Administration's nomination of Cynthia L. Quarterman as the new PHMSA Administrator. Cynthia previously served as the Director of Interior's Minerals Management Services (MMS) during the Clinton Administration.

5. **Report on Williams Blue Bridge Pipeline (Columbia Gorge) and July Public Meetings**

Grant corrected the typo on the agenda to read, "Report on Williams Blue Bridge..." not "Blue Ridge..."

Grant Jensen briefed the committee on the Williams newly proposed project to loop their existing pipeline in the Columbia Gorge. This proposed project will involve the expansion of up to 119 miles of 30 inch diameter pipeline and the addition of up to 15,015 horsepower at two existing compressor stations. Williams has received negative public feedback at one public hearing where

the proposed pipeline is designed some distance away from the existing right-of-way. Williams initiated the FERC pre-filing on the first quarter of 2009, and they estimate the filing of the FERC certification application in the next second quarter of 2010.

Grant also reported that the methane gas generated from decomposing garbage at the Cedar Hill landfill is in operational as of May 2009. Methane produced by the landfill is collected and processed by PSE's gas-fired power plants.

6. **Committee Education-Suggestion for Topic and Presenters**

Howard Hanson Dam Flood Watch – Pipeline companies briefed the committee on potential outcomes from flooding downstream of the Howard Hanson Dam. UTC Pipeline Safety staff is attending weekly state Emergency Operation Center (EOC) briefings and reviewing pipeline operators' contingency plans.

7. **Hazardous Liquid and Gas Reporting Requirements-Review of recent PHMSA report(s), discussion and response**

Dave Lykken provided a slide presentation on the PHMSA Incident Reporting/Data Collection Rulemaking. (The material for this presentation is posted on the committee's website at [www.utc.wa.gov/Pipeline/ccops/workpapers&presentation](http://www.utc.wa.gov/Pipeline/ccops/workpapers&presentation)).

8. **Land use**

- **Status of Association of Washington Cities (AWC) grant application and proposed work plan and time line**

Carl announced that the AWC who is in partnership with seven other entities was awarded with \$50,000 Community Technical Assistance Grant (TAG). The synopsis of the AWC grant and a spreadsheet that shows all the grants being awarded were distributed to members. (Both documents are posted on the committee's website at [www.utc.wa.gov/Pipeline/ccops/workpapers&presentation](http://www.utc.wa.gov/Pipeline/ccops/workpapers&presentation)).

- **PIPA update** – No final report yet from PHMSA.
- **Status of effort to add more pipeline specific wording to the SEPA checklist requirements**  
Dept. of Ecology (DOE) is currently updating the guidance document to the SEPA checklist. Bob and Bill Rickard volunteered to draft guidance language for submission to the DOE. Further, this guidance language will be shared with the AWC for potential consideration in their work under the TAG from PHMSA.

9. **By-laws – Final Review and Vote on Adoption**

The final draft of item 13 to the Bylaws was distributed to members for review and adoption. The committee moved to adopt the final draft of item 13 of the committee bylaws. Motion passed.

The committee also moved to adopt the "Best Practice" document for the bylaws with the following addition.

- Add item # 5, "Per the Commission's guidance, the Citizens Committee is not subject to Public Record Act." (This document is posted on the committee's website at [www.utc.wa.gov/Pipeline/ccops/workpapers&presentation](http://www.utc.wa.gov/Pipeline/ccops/workpapers&presentation)).

10. **Public Comment**

No comments from the public.

11. **New Business**

None.

12. **Draft Work Plan, Future Meeting Locations and Agendas**

- The final work plan was distributed to committee members.
- The committee agreed to move the meeting from November 5 to November 12, 2009 due to conflict with the Pipeline Trust Conference in New Orleans. Meeting location are yet to be determined.
- The committee agreed scheduling the future meetings at the following locations.
  - November 12, 2009 in Olympia;
  - January 14, 2010 (placeholder) in Olympia;
  - March 11, 2010 in Southwest Washington;
  - May 13, 2010 in Tri-Cities, Eastern Washington.

**Adjourn**

The meeting adjourned at 2:35 p.m.