



Committee Members

Carl Weimer, Chair • Leo Bowman, Vice Chair
Duane Henderson • Grant Jensen • George Hills
Pete Kmet • Dave Barnes • Katie Hansen
Richard Kuprewicz • Shirley Olson
Bill Rickard • Jean Buckner • Bob Bandarra



Washington State Citizens Committee on Pipeline Safety

Meeting Minutes

Washington State Investment Board, Olympia, WA

October 12, 2006

Present

Carl Weimer, Chair
Leo Bowman, Vice Chair, telephonically present
Bob Bandarra
Jean Buckner
Duane Henderson
Katie Hansen
George Hills
Grant Jensen
Pete Kmet
Richard Kuprewicz
Bill Rickard

Absent

David Barnes
Shirley Olson

Public present at the meeting

Alan Rathbun, Washington Utilities and Transportation Commission (UTC)
Tim Sweeney, Washington Utilities and Transportation Commission (UTC)
Ilyne Lawson, Washington Utilities and Transportation Commission (UTC)
Gary Lee, Department of Ecology (DOE)
Dan Kirschner, Northwest Gas Association
Brad Tower, BP Olympic Pipeline Company
Keith Meissner, Cascade Natural Gas

Agenda:

1. Welcome, Introduction of Members and Visitors, Adoption of September 13, 2006 meeting minutes, Public Comment
2. Discussion of Conflict of Interest – Committee Policy

3. Proposed Legislation 2007
4. UTC Update
5. Travel Reimbursements
6. Stakeholder Report
7. UTC Enforcement Process – Informational
8. Spokane Question: Siting or safety issue?
9. 2007 Work-plan and Meeting Schedule

1. **Welcome and Adoption of September 13, 2006 Meeting Minutes**

The meeting was brought to order and the chair welcomed all attendees. The committee discussed the September 13, 2006 meeting minutes. Leo Bowman identified a typographical error in the middle of the third sentence on page five and the committee members agreed that the error should be corrected. Rick Kuprewicz asked for clarification of the committee's vote to support the amendments to RCW 81.88.080 and RCW 42.56.330 on page 7. The committee agreed with the description provided in the minutes. Bob Bandarra, seconded by Katie Hansen, moved to adopt the minutes as amended and the committee passed the motion unanimously.

2. **Discussion of Conflict of Interest – Committee Policy**

The committee discussed conflict of interest and how it relates to committee as a whole. The committee talked about conflict of interest documents that they had found on the internet and how each document is as beneficial as the next. Carl Weimer copied the Washington State Vaccine Advisory Committee's Conflict of Interest Policy and presented it to the committee as a starting point. Pete Kmet referred the committee to the "The National Academies" (<http://www.nationalacademies.org/coi/index.html>) webpage, suggesting that staff should copy and disseminate the first part of the conflict of interest policy to the committee members. After Carl Weimer asked committee members for opinions, the committee engaged in a discussion to evaluate whether or not a conflict of interest of policy was necessary and the limitations that a perceived conflict of interest could impose on the committee. Rick Kuprewicz suggested that the committee address the concept rather than develop a contract and members should be mindful of the length of a policy. Jean Buckner made a motion for the committee to draft a conflict of interest document and Katie Hansen seconded the motion. In a unanimous vote, the committee passed the motion. Pete Kmet volunteered to draft a conflict of interest policy for the committee, Jean Buckner and Katie Hansen agreed to review the draft. The conflict of interest policy draft should be available for the committee's review by the next meeting date on November 9.

3.

Proposed Legislation 2007

Alan Rathbun, UTC Pipeline Safety Director, provided the committee with an update on proposed legislation in 2007.

Alan Rathbun provided the committee with an update on the status of the agency request bill, also known as the pipeline safety consolidation bill, RCW 81.88. The UTC prepared and submitted its RCW 81.88 draft to the Office of Financial Management, although it was clear that some stakeholders desire language modifications before supporting the bill. On October 11, UTC staff and members of the Northwest Gas Association, NWGA, engaged in a productive meeting that ended in a conceptual agreement. However, stakeholders identified areas in the bill that should be amended. UTC staff is revising the language and organization of the bill for the stakeholders' review. Once the bill contains language that the stakeholders are in agreement with, the UTC will present the amended agency request bill to the committee. Staff's goal is to have general support for the proposal to be able to seek sponsorship by early January.

Alan Rathbun initiated the discussion about RCW 81.88.080 and 42.56.330 (Public Records Act). Per the committee's request at the September 13 meeting, "may" has been replaced with "shall" throughout the document. However, the UTC does not plan to propose this agency request. Since the committee voted to support the concept of the bill at the last meeting, the discussion was primarily for informational purposes. Committee members asked for an update from Dan Kirschner, representative of the NWGA. Dan Kirschner explained that the language supports the NWGA's concept of trying to advance securing highly specialized data from unfettered public disclosure while preventing the misuse of this information, whether on purpose or inadvertently. Dan Kirschner explained that the NWGA was satisfied that the language currently contained in the bill and plans on seeking a legislative sponsor going forward. Dan Kirschner would prefer that the majority of the committee members felt comfortable enough with the bill to vote in favor of supporting it; therefore, Mr. Kirschner plans to contact individual committee members to address their questions and concerns regarding the bill over the next few weeks. This topic will be revisited during the November meeting.

4. UTC Pipeline Safety Update

Alan Rathbun, UTC Pipeline Safety Director, provided an update from the pipeline safety section.

Small Gas System Study Distributed for Comment

Our consultant's report was distributed to stakeholders on September 12. A public workshop was held on October 4 with wide participation by gas distribution companies, state agencies and industrial users of natural gas. Participants commented on the report content and gave feedback on the next steps in our study of small gas systems. A new

draft of the report will be prepared taking these comments into consideration. The propane industry was not represented at the meeting and further discussions with that group are necessary. Staff will begin constructing an inventory of small gas systems owned and operated by public agencies.

Land Use Guidelines in the proximity of transmission pipelines

We continue to distribute our land use guidelines to local planners using forums sponsored by Commerce Trade and Economic Development (CTED). We will attend forums in Moses Lake (eastern Washington planners) on October 18, Vancouver (SW Washington planners) on October 19 and Silverdale on October 25.

Marina Woodard leaving Pipeline Safety

Marina has worked in our section since July 2000. Over this period, she has helped support the Citizens Committee. Marina has accepted a positional promotion with the Department of Social Services. Her last day with our program is October 27. We thank Marina for her hard work and dedication to pipeline safety and wish her success in this new opportunity.

PHMSA Reauthorization

Carl Weimer initiated a discussion about the Pipeline and Hazardous Materials Safety Administration's, PHMSA, Reauthorization Bill. Alan Rathbun provided the committee with a topic comparison document that included current law, the Department of Transportation's proposed Reauthorization Bill, 2 House versions of the Reauthorization Bill, and 1 Senate version of the Reauthorization Bill. The committee reviewed the document and engaged in a brief discussion about its contents.

5. Travel Reimbursement

The committee rearranged the agenda to make the best use of available time and launched the topic travel reimbursement. Committee members were provided with a combined summary of the Office of Financial Management's and the UTC's financial policies. The intent of the summary was to offer committee members an easy reference to the most frequently employed travel information. To ensure that all committee related expenditures are eligible for reimbursement, committee members were encouraged to ask staff questions and refer to the summarized policy.

After learning that Grant Jensen was billed at the full rate for his hotel room while on state business, Ilyne Lawson will work on developing a strategy that ensures committee members have confirmation of government rate eligibility while conducting committee related business.

6.

Stakeholder Report

Staff requested to amend the order of agenda items to discuss the 2004-2005 Stakeholder Report. Tim Sweeney, UTC Pipeline Safety Staff, displayed an electronic version of the 2004-2005 Stakeholder Report layout and a hardcopy brochure design to committee members. The Committee noticed that the name on the draft brochure did not read "Citizens Committee on Pipeline Safety" and agreed that it should be changed. Committee members also requested that the title of the report be changed from "Stakeholder Report 2004 – 005" to "Stakeholder Report 2004 – 2005." The cities that are represented by committee members will be included in the brochure as well. The committee asked if the picture of the above ground pipeline on the cover could be replaced with a different picture. Committee members talked about different types of pictures that could be used for the brochure. Grant Jensen offered to gather a few picture of the Williams Capacity Replacement Project and send them to Tim Sweeney to place on the cover of the "Stakeholder Report 2004 – 2005." If the picture used on the brochure is provided by Williams, the company will be accredited inside the brochure for providing the photo. Committee members also suggested adding the seal of the State of Washington, the Committee's logo, the member's city of origin, and the Chair's contact information. Since adding the seal of the State of Washington to the brochure may require permission from the Secretary of State, Tim Sweeney will research this matter.

Carl Weimer will prepare a list of the committee's accomplishments during 2006 for the committee members to use in assembling the 2006 Stakeholder Report. During the November meeting, committee members will discuss the items on the list, any additional information that should be included, and the format of the 2006 Stakeholder Report. The committee should be able to complete the 2006 Stakeholder Report by the end of the first quarter 2007.

7. UTC Enforcement Process – Informational

Alan Rathbun, UTC Pipeline Safety Director, presented a flowchart simplifying phases involved in the UTC's pipeline safety enforcement process. The flowchart demonstrates how a violation that is considered probable cause may initiate the enforcement process. Although the flowchart resembles almost any generic government process, this flowchart pertains specifically to the UTC's pipeline safety enforcement process. The flowchart summarizes how the pipeline safety and legal staff's interpretations of inspection and investigation results determine which path the enforcement process will follow. In addition, the flowchart describes the decisions involved in pursuing a settlement, reaching an agreement, going to hearing and issuing orders.

8. Spokane Question: Siting or safety issue?

The committee commenced a discussion about the question presented by Bob Beaumier during the Spokane meeting; is the Spokane issue a siting or safety issue? Although

neither Mr. Beaumier nor representatives for Yellowstone Pipeline were present, both parties were aware that the topic was being discussed at this meeting. Alan Rathbun presented the committee with the history of the petroleum product pipeline in proximity to water wells in Spokane. The City is in franchise negotiations with the operator and moving a portion of the pipeline has been discussed, but whether this issue is a siting or safety issue has not yet been determined. Mr. Beaumier has not been successful in his attempts to acquire an answer from OPS as to whether this issue relates to siting or safety. The committee engaged in an extensive discussion about what role it would play in this matter. Committee members agreed that it should not offer any opinions, but it should offer Mr. Beaumier some assistance by requesting a complete answer from OPS.

Katie Hansen made a motion, seconded by Jean Buckner, for the committee to assist Bob Beaumier with obtaining an answer to his question, once Mr. Beaumier has clarified his question and asked it more definitively. Following Alan Rathbun's request for clarification, the committee discussed details that should be addressed within the motion, a few amendments were made. The amended motion affirms that Bob Beaumier must first clarify his question and direct it to someone at OPS on a higher level in a more definitive manner; Bob Beaumier's question should be in writing; and the committee should be provided a copy of the written question that Bob Beaumier submits. The motion specifies that Bob Beaumier should meet the terms of the amended motion before the committee's meeting on November 9, 2006. Although Bill Rickard chose to recuse himself, the remaining committee members approved the motion in a unanimous vote. Carl Weimer will contact Bob Beaumier and inform him of the committee's intentions and expectations.

9. **2007 Work-plan and Meeting Schedule**
Schedule

UTC Staff proposed six meeting dates in 2007, most of which were on the third Thursday of the month. The proposed meeting dates are January 18, March 15, May 17, August 16, October 4, and November 15. UTC Staff will be unavailable for the committee meetings during the weeks of June 18 – 22 and August 27 – 31 due to required attendance at meetings for the National Association of Pipeline Safety Representatives, NAPSR.

Committee members discussed the schedule for 2007 and requested for an additional meeting to be added in February as an alternate meeting during the legislative session. Per the members' request, February 15, 2007 was penciled in as a tentative meeting date and could replace the March meeting. The committee discussed trying to make sure that it has adequate meeting dates during the legislative session. Since the legislative schedule is not yet available, the committee is unable to base its meeting dates on the

legislative schedule. Alan Rathbun will be sure to disseminate the legislative schedule as soon as it becomes available to him.

Grant Jensen informed the committee that he would not be able to make it to any meetings that were on the 3rd Thursday of the month. Pete Kmet mentioned that he would have a conflict with the 2nd Thursday of the month while the 4th Thursday would be better for him. Leo Bowman pointed out that he would need more time to review the dates on his calendar before he would be able to agree to any of the proposed meeting dates. The committee then agreed that all members should take a look at their calendars and put dates forward during the next meeting. In addition, Alan Rathbun will construct an alternate meeting schedule that will be communicated at the November 9 meeting.

Locations

George Hills recommended that the committee combine one of the meetings with a tour of the one call center in Vancouver. Carl Weimer proposed that the committee meet in Bellingham. Grant Jensen proposed that the committee visit Jackson Prairie. Another suggestion was made to consider touring small gas systems if the committee meets in the vicinity of easily accessible small gas systems.

Work-plan

The committee engaged in a discussion about topics for the committee to examine during 2007. Rick Kuprewicz presented the committee with Right to Know; Small Gas Study; Eminent Domain/Pipeline Siting; Supervisory Control And Data Acquisition (SCADA) - National Transportation Safety Board (NTSB) Recommendations to PHMSA; Distribution Integrity Management Program (DIMP) and Regulation; Waivers and Maximum Allowable Pressure for Gas Systems; and Leak Detection as potential items for the work-plan. Jean Buckner suggested for the committee consider Disaster, Safety, and Emergency Response Plans. Carl Weimer proposed that the committee should explore Land Use issues. Rick Kuprewicz added Risk Assessment. The committee will also revisit previous work-plans to determine if the committee has overlooked any topics. Alan Rathbun suggested inviting provincial regulators from British Columbia to a committee meeting to discuss their how their processes and procedures differ from those of the U.S., especially if the committee meets in Bellingham.

The meeting adjourned at 2:10 PM.