

Citizens Committee on Pipeline Safety
Meeting Minutes Summary
Location: Bellingham City Hall, Bellingham, WA
September 26, 2001

Present

Chuck Mosher, Chair
Sarah Spence
Les Olsen
Harry “Jay” Follman
Lee A. James
Duane Henderson
Richard Gilda
Brad Rosewood
Alan J. Cabodi
Susan Harper

Absent

Grant Jensen
Don Evans
Laura L. Parsons

Agenda:

1. Welcome Remarks
2. Adoption of June and July, 2001 Meeting Minutes
3. Update on Federal Legislation
4. Public Comment
5. Tour of Whatcom Creek
6. Introduction of Larry Dressler
7. Panel/Discussion – Earthwork Requirements, Waterlines vs. Pipelines
8. New Items of Business from Committee Members
9. Public Comment
10. WUTC Status Report
11. DOE Status Report

1. **Welcome Remarks** – Chairman Chuck Mosher welcomed everyone to the tenth meeting of the Citizens Committee on Pipeline Safety. Chuck introduced the Mayor of Bellingham to give some opening remarks. Mayor Mark Asmundson welcomed the committee and the public to Bellingham, the town where two years ago a pipeline tragedy occurred. Mayor Asmundson thanked the committee for working towards making pipelines safer. The Mayor acknowledged that 3rd party damage is an important element to pipeline safety. To make his point, Mayor Asmundson brought a phonebook to the meeting to show how the call-before-you-dig number is not easily found in the

phonebook. He said he looked under the utility and government sections and could not find the number. Brad Rosewood noted that he has had the same problem and Brad said he found it under the buried cable section in the yellow pages. Mayor Asmundson hoped the committee could do something to change the lack of advertisement about the call-before-you-dig number and 3rd party damage in the telephone book. He felt that simple things like the inability to find the one-call number can add up to major problems. Mayor Asmundson again welcomed the committee and thanked them for their work on pipeline safety.

2. **Adoption of June and July, 2001 Meeting Minutes** – The Committee moved and voted to approve the meeting minutes from the June 27th committee meeting and also the minutes from the July 25th meeting. Committee member Lee James requested that the minutes reflect the location of the meetings. WUTC staff made note of this suggestion and plan to put the location of the meetings on all the minutes and will also go back to the previous minutes that are posted to the WUTC pipeline web page and update those as well.
3. **Federal Legislative Update** – Carl Weimer, with SAFE Bellingham (a pipeline safety advocate group that was started a week after the Bellingham tragedy), gave the committee a handout that compared the four pipeline safety bills currently at the federal level. (Larsen Bill H.R. 459, Oberstar Bill H.R. 144, Dunn Bill H.R. 2749 and the McCain Bill S. 235). He informed the committee that the McCain bill is the only one to pass out of the senate. He also stated that Representative Dunn introduced a pipeline bill that will hopefully be a bipartisan bill. The Transportation Committee which hears the pipeline bills is now preoccupied with the terrorist attacks of September 11th. Carl handed out to the committee a document that outlined four steps to ensure safer pipelines. These include: 1) Greater citizen involvement, 2) Stronger pipeline operating standards, 3) Strict financial liability, and 4) Community right-to-know. Carl mentioned that community right-to-know issues are controversial right now because of the terrorist attacks. Rachelle Hein, with Senator Patty Murray's office, added that Senator Murray is working in the Transportation Appropriations Sub Committee to secure increased funding for the federal Office of Pipeline Safety (OPS).
4. **Public Comment** – Chairman Mosher opened the floor for public comment.
Scott Wicklund – Citizen, Spoke to the committee about the real cause of the pipeline tragedy in Bellingham. Mr. Wicklund stated that he believed the cause was 3rd party damage to the pipeline. Mr. Wicklund stated the water line that was installed near the pipeline was found to be only a hand width away from the Olympic Pipeline that ruptured in Whatcom Falls Park.
Kraig Olason – Whatcom County Planning and Development, Mr. Olason's group has been working on pipeline safety and siting issues since 2000. They have been following the proposed Williams GSX pipeline that will supply gas to BC Hydro in Canada. It has been difficult for his group to find out which state or federal agency to deal with on the siting issues and exactly how to get involved in the process. They have found that intervening on these sitings is very time consuming and expensive. Carole Washburn, with WUTC, added that the siting issue is very overwhelming and the WUTC and DOE

continually update each other on which cases that they are intervening on. She also added that it is likely that the WUTC will hire a staff person to provide coordination of the state agencies and their interventions. Mr. Olason let the committee know that his group has been working on a recommendation and report on the Williams GSX pipeline and can make that available to the committee via e-mail. Carl Weimer also added that he would like to see the committee spread the word about the City of Bellingham franchise agreement to other cities and counties.

5. **Tour of Whatcom Creek** – The committee and those present at the meeting went to Whatcom Falls Park to visit the site of the June 10, 1999 pipeline explosion. Clare Fogelsong with the City of Bellingham gave the committee the tour.
6. **Larry Dressler, Consultant to the Committee** – Larry Dressler introduced himself as a consultant to various groups and committees. He explained some of his experience with other committees and how he helped them focus on what they would like to accomplish and how to accomplish those things. Larry stated that he will be attending the October 24th committee meeting and will have some exercises for the committee to do in order to help them navigate where they would like to go as a group. Committee members expressed an interest in also exploring avenues for becoming a more effective public work group. Mr. Dressler indicated that one outcome of the October meeting might be a Committee mission statement or by-laws. WUTC and DOE staff would also like to get an idea on how they can better staff the committee and be most useful to their objectives as a committee. Larry let the committee know how he will be meeting with Chairman Mosher and WUTC staff before the October 24th meeting to plan for the next meeting. Susan Harper felt that it would be helpful if Larry could send them pre-work.
7. **Panel/Discussion – Earthwork Requirements, Waterlines vs. Pipelines** – A four-member panel was invited to the committee meeting to discuss the earthwork requirements of waterlines as established by the Department of Transportation. The panel included: Marco Foster, Project Engineer with the Washington State Department of Transportation (WSDOT), James Spaid, Jr., P.E., Roadway Construction Engineer with WSDOT, Marian Beddill, Retired Engineer from the Bellingham/Whatcom County area and Rory Routh, P.E., Engineering and Utility Manager with the City of Bellingham Public Works Department. Under the WSDOT standards, three areas are covered for waterlines: 1) Excavation, 2) Pipe Fitting, and 3) Backfill. For excavation, unsuitable or soft materials need to be removed and replaced with imported materials. For pipefittings, caution for laying pipe on hard areas to avoid point loading. Bring in shading as necessary. For backfill of waterlines, desirable features include backfilling with mixed media (including sufficient fines) to allow good compaction. In regards to the pipeline standards, the committee would like to see more detail on the American Society of Mechanical Engineers (ASME) B 31.4 & B 31.8 standards in order to understand how similarities and differences might be better compared. (ASME B31.4 and B31.8 are adopted in the federal pipeline regulations by reference).
8. **New Items of Business from Committee Members** –

Dick Gilda, Damage Prevention Enforcement Proposal – Passed out a handout on his proposal and asked the committee to read it and give him feedback.

Susan Harper, wanted to follow up on the July meeting in which she had announced that she was considering resigning. Susan said that she would not be resigning from the committee.

Brad Rosewood, One-Call Number Advertising – Brad would like to see better publication of the one call number (800-424-5555) in the phone book and in other ways, like a state-wide publication sponsored by the committee, the WUTC and other state agencies.

Lee James, Pipeline Security in Light of Recent Terrorism – Lee encouraged the WUTC to consult with experts at the state and federal level on pipeline security and safety. He suggested that a review of pipeline and tank farm plans be assessed to find out what pipeline companies are doing to ensure their facilities are safe from terrorism. Carole Washburn stated that she would get the committee more information from various state agencies on this issue. Dale Jensen with the Department of Ecology informed the committee that the State of Washington Emergency Management agency has a task force on the issue of terrorism and security. Dale said that he would talk with Carole on this issue. Al Cabodi also suggested that Carole try contacting the coast guard on the terrorism issue. Brad Rosewood said that as a pipeline company operator that he and other pipeline companies would be glad to take any suggestions and information on terrorism and security.

9. Public Comment –

Ken Meyer, Board Member Fuel Safe Washington – Urged the committee to get involved with the federal rules on pipeline safety, damage prevention meetings and also the WUTC gas and liquid rulemakings.

State Senator Harriet Spanel – Senator Spanel asked for a status on the damage prevention issue. Carole let her know that the committee has sponsored two meetings on the issue of the enforcement of the dig laws, RCW 19.122. There will be a third meeting on October 10th at the SeaTac Marriott to discuss who will enforce the law. Carole explained that what makes damage prevention difficult is no one agency is given clear authority in 19.122 on who will enforce the laws. Carole did mention two legislative mandates from the pipeline bill 2420 required the WUTC to accomplish two items in conjunction with the Washington Utilities Coordinating Council (WUCC): 1) Report to the legislature on the standards and best practices of the one call centers, and 2) Establish one number to call for a dig instead of multiple numbers in the State of Washington. Both of these items have been accomplished and the WUTC are holding these public process meetings in order for all stakeholders to get together to try to resolve the enforcement problem. Carole stated that the pipeline companies have been very involved in the damage prevention meetings and the companies would really like to see a bill introduced this session regarding enforcement. The WUTC also put out an information request to utility companies and excavators related to “call before you dig” statistics, especially damage to facilities when locator calls had never been made. This information is being compiled by the WUTC and will be reported on at the October 10th meeting in SeaTac.

10. WUTC Status Report – Doug Kilpatrick, WUTC Pipeline Safety Director, gave an update on the current activities of the WUTC pipeline safety division. He let the committee know that both the gas and hazardous liquid rulemakings are open and being reviewed. Doug encouraged the committee to be involved in both rulemakings. In response to a question from the Committee, Doug informed members that BP/Olympic’s proposed rate increase filing had been withdrawn by the company. The WUTC is doing very well with completing the interstate and intrastate inspections that were scheduled for the year. A sample copy of an intrastate inspection non-compliance letter and report was handed out to the committee and the public. Someone from the public asked if these reports on companies are on the website and Doug answered by saying no, because they are ongoing staff investigations. Susan Harper suggested that the committee should write a letter to OPS expressing how well the WUTC is doing in completing their pipeline safety inspections. Carole Washburn then updated the committee on a WUTC proposed confidentiality bill for regulated transportation companies. Under existing statute, (Title 80.04.095 RCW) utility companies may provide information to the Commission under confidentiality protection if such documents contain valuable commercial information, the release of which could cause commercial harm. Under existing Transportation statutes contained in Title 81 RCW, no parallel protection is offered. The WUTC is working with stakeholders to see if such a change to state statute is appropriate

11. DOE Status Report – Linda Pilkey-Jarvis, with the Department of Ecology Spills Response Program talked to the committee about how the DOE will be taking the Spill Response Plan guidelines and commencing a rulemaking to turn them into rules. She said that she would come back to the committee in two or three meetings and make a presentation to the committee on these issues and would like their involvement and feedback.