



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration



# 49 CFR 192

## Recent Rulemaking and Initiatives



Dakota Safety Summit, Bismarck, ND  
April 13, 2010

Presented by:  
Elizabeth Komiskey, P.E.



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# Overview

- PHMSA Mission
- 2009 Rulemaking
- 2010 Rulemaking
- New Initiatives
- NTSB Safety Recommendations
- Workshops





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Safety Administration



# PHMSA Mission

**“To ensure the safe, reliable, and environmentally sound operation of the Nation’s pipeline transportation system.”**

Office of  
Pipeline Safety



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# 2009 Rulemaking – Distribution Integrity Management Program (DIMP)

- 2006 PIPES Act Mandate
- NTSB Safety Recommendation
- Six (6) pilot inspections planned for 2010
- Informational Media Available
- <http://primis.phmsa.dot.gov/dimp/>



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# 2009 Rulemaking – Control Room Management (CRM)

- 2006 PIPES Act Mandate
- NTSB Safety Recommendations
- 49 CFR 192.3 – Definitions
- 49 CFR 192.7 – API 1165
- 49 CFR 192 Subpart L





# 2010 Rulemaking – Periodic Update Final Rule on Reference Standards

- Periodic Update Final Rule on Reference Standards
- Adopting new editions of 40 standards (Out of 60)
- Legal - Review
- Summer 2010





# 2010 Rulemaking – Proposed Rulemaking New Reference Standards

- NACE
- API
- ASME B31Q
- Late 2010 – early 2011





# 2010 Rulemaking - Final "One Rule"

- 2006 PIPES Act Mandate
- NTSB Safety Recommendations
- Summer 2010



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# 2010 Rulemaking - Proposed 49 CFR 192.11 Revision

- NFPA 58, 59, and 59A
- Will revise 192.11
- November/December 2010





# 2010 Rulemaking – Reporting/Forms

- Mechanical Couplings failure reporting requirements on Distribution Annual Report form being finalized - expected to publish in summer 2010
- Accident Reporting Forms and Instructions





# 2010 Rulemaking – 3<sup>rd</sup> Party Excavation Damage NPRM

- Enforcement
- Don't report damage or don't follow one call process
- ANPRM received many comments
- States are taking action





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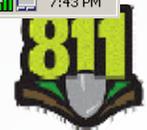
# Finding Regulation Information on the PHMSA Website



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# PHMSA Pipeline Safety Homepage



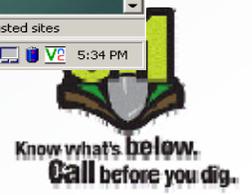


# Regulations Homepage

The screenshot shows the PHMSA Regulations homepage. At the top, there is a navigation bar with links for 'Careers', 'Contact Us', 'FAQs', and 'Site Map'. Below this is a search bar with a 'Go' button and an 'Advanced Search' link. The main content area is divided into several sections:

- Navigation:** A horizontal menu with tabs for 'For the Public', 'Hazmat Safety Community', 'Pipeline Safety Community', 'Media | Congress', and 'Doing Business with PHMSA'.
- Left Sidebar:** A vertical list of links including 'About Us', 'Calendar', 'Contact Us', 'Data & Statistics', 'Drug & Alcohol Testing', 'Enforcement', 'Federal and State Partners', 'Initiatives', 'Inspection', 'Integrity Management Program (IMP)', 'Library', 'Online Data Entry', 'Outreach; Stakeholder Awareness', 'Regulations', 'Research & Development', 'Security', 'Special Permits', 'State Programs', 'Technical Advisory Committees', and 'Training & Qualifications'.
- Main Content:**
  - Regulations:** A section titled 'Regulations' with a welcome message and a link to <http://www.regulations.gov>. It also includes a paragraph about rulemakings currently open for public comment.
  - Pipeline Regulations & Applicable Laws:** A section with links to 'Pipeline Safety Regulations (Title 49 CFR Parts 190-199)', 'PIPES Act of 2006', and 'Pipeline Safety Statutes: 49 U.S.C. Chapter 601'.
  - Response Options for Pipeline Operations in Compliance Proceedings:** A section with a link to 'Response Options for Pipeline Operators in Compliance Proceedings'.
- Right Sidebar:**
  - Mini-Menu:** A list of links including 'Regulations home', 'Advisory Bulletins', 'Technical Advisory Committees', 'Drug & Alcohol Testing', 'Interpretations', 'Notices', 'NTSB Recommendations', 'Rulemaking', 'Special Permits (formerly Waiv)', and 'Contact Us'.
  - Sign Up for Updates:** Two boxes with the text 'Click below to sign up to receive email notification of changes to specific areas of this site.' and a 'Keep up-to-date on this topic' link.

The browser window shows the address bar with the URL <http://www.phmsa.dot.gov/portal/site/PHMSA> and the taskbar with several open applications including Microsoft PowerPoint and Paint.





# PHMSA Initiatives

- 192/195 gap analysis
  - Holes – Missing in both 192 & 195
  - Gaps – In 192 or 195 and not the other
  - Differences (requirements vary)
- Excess Flow Valve for multi-user
  - Technical feasibility done
  - Economic feasibility to be done
  - NTSB Safety Recommendation





# 2009/2010 Workshops

- 2009 Workshops
  - Anomaly Assessment
  - Internal Corrosion
  - New Pipeline Construction (Transmission)
- 2010 Workshops
  - Pipeline Casing
  - New Pipeline Construction (Distribution)
  - Public Awareness Program





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# Finding Workshop Information on the PHMSA Website



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# PHMSA Pipeline Safety Homepage

PHMSA - Pipeline Safety Community - Windows Internet Explorer  
http://www.phmsa.dot.gov/pipeline

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Careers | Contact Us | FAQs | Site Map

Go  
Advanced Search

For the Public | Hazmat Safety Community | Pipeline Safety Community | Media | Congress | Doing Business with PHMSA

## Pipeline Safety Community

The Office of Pipeline Safety is the Federal safety authority for ensuring the safe, reliable, and environmentally sound operation of the Nation's pipeline transportation system.

- About Us**  
The Office of Pipeline Safety's mission, purpose, contacts, and more.
- Calendar**  
Scheduled events specific to Pipeline and Pipeline training activities.
- Contact Us**  
How to connect with Pipeline contacts for more information, requests, and questions.
- Data & Statistics**  
Accidents and incidents average, annual, and summary statistics.
- Drug & Alcohol Testing**  
Policy and investigation to deter and detect illegal drug use and alcohol misuse in the pipeline industry.
- Enforcement**  
Ensuring pipeline operators comply with regulations.
- Federal and State Partners**  
Links to our partners.
- Initiatives**  
Risk Management, R&D, programs/initiatives for mandated regulatory and enforcement responsibilities.
- Inspection**  
Ensuring pipeline operators comply with regulations.
- Integrity Management Program (IMP)**  
Programs for Liquid, Gas, Distribution, and Rulemaking. View the DIMP Webcast.
- Library**  
Available public electronic information files. [Glossary](#), [FAQs](#), [Forms](#), and more.
- NTSB Safety Recommendations**  
PHMSA is required by law to respond to recommendations issued by NTSB.
- Online Data Entry**  
Online data entry and Operator Registration - Log in now!
- Regulations**  
Regulations, requirements, and guidance concerning pipeline construction, maintenance, and operation.
- Research & Development**  
Coordination and dissemination of Pipeline Safety R&D information.
- Security**  
Enhancing Pipeline infrastructure safety and security.
- Special Permits & State Waivers**  
Operator petitions for Special Permits (formerly "Waivers") from regulations.
- State Programs**  
Federal/State partnership is the cornerstone assuring uniform implementation of the pipeline safety program.
- Technical Advisory Committees**  
Read about the committees who peer review proposed pipeline safety rules.
- Training & Qualifications**  
For industry, the regulator, and the Inspector.

Done, but with errors on page.

Start | Inbox - Microsoft Outlook | CRM FEDERAL REGISTE... | 2010 192 New\_rev00.pptx | PHMSA - Pipeline Safe... | Document1 - Microsoft ...

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[www.phmsa.dot.gov/pipeline](http://www.phmsa.dot.gov/pipeline)



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# Pipeline Safety Homepage

PHMSA - Pipeline Safety Community - Windows Internet Explorer

http://www.phmsa.dot.gov/pipeline

File Edit View Favorites Tools Help

PHMSA - Pipeline Safety Community

Approvals

- International Standards
- Security
- Initiatives

Encouraging Compliance

- Training Resources
- Outreach
- Inspections & Enforcement
- Drug & Alcohol Testing

Supporting Community Response

- Preparedness & Response
- State Programs & Grants
- Incident Reporting

PHMSA Resources

- Data & Statistics
- eForms
- ePayments
- Glossary
- Library

(39 MB)

- Construction workshop webcast
- Stay of Enforcement Memorandum API 5L and API 1104
- Oil Pollution Act of 1990 Facility Response Plans
- DIMP Webcast

Video background information on the proposed rule for integrity management of distribution pipelines

- 73 FR 44860 - ADB-07-08
- PHMSA-RSPA-1997-2426; National Pipeline Mapping System; Notice; Issuance of Advisory Bulletin
- Notice of Policy Statement on Hazardous Liquid Pipelines Transporting Ethanol and Other Biofuels
- Current PHMSA Focus Edition

Latest Events

The following are upcoming calendar events with a focus on Pipeline and Pipeline Safety topics.

All items viewed here and more are in the main Pipeline calendar as well as the all-PHMSA calendar.

- Apr 12, 2010 - Apr 16, 2010 - Regulations and Code Compliance State Seminar, North Dakota
- Apr 13, 2010 - Gas Distribution Webinar, On-Line Webinar
- Apr 14, 2010 - Apr 16, 2010 - Hazardous Liquid Pipeline State Seminar, Minnesota
- Apr 19, 2010 - Apr 23, 2010 - Regulations and Code Compliance State Seminar, Georgia
- Apr 20, 2010 - Pipeline - Public Technical Workshop, Distribution Construction Workshop, St Louis, MO
- Apr 28, 2010 - Workshop on Guidelines for Integrity Assessment of Cased Pipe, Baltimore
- May 3, 2010 - May 7, 2010 - Regulations and Code Compliance State Seminar, Kentucky

NUMBER PROTECTS INFRASTRUCTURE

Travel Resources

Tips on how to safely pack and transport batteries, battery-powered devices, and other personal items when traveling.

SafeTravel  
SAFETY TIPS FOR TRAVELERS

Freedom of Information Act

FOIA established the public's right to obtain information from Federal agencies.

FOIA and FOIA Requests

Pipeline Safety Resources

- National Pipeline Mapping System
- View maps of natural gas transmission and hazardous liquid pipelines, LNG facilities, and breakout tanks by county.
- National Pipeline Mapping System Downloads
- National Pipeline Mapping System Public Search
- Integrity Management Program (IMP) Programs for Liquid, Gas, Distribution, and Rulemaking. View the DIMP Webcast.
- Pipeline Emergencies First Responder Training
- FREE Comprehensive pipeline emergencies training materials for first responders
- Pipeline Operator Registration System

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# Workshop Page

The screenshot shows a Windows Internet Explorer browser window displaying the PHMSA website. The address bar shows a URL with a long alphanumeric string. The page title is "PHMSA - Pipeline Safety Community - Pipeline - Public Technical Workshop, Distribution Construc...". The website header includes the PHMSA logo and navigation links for "Careers", "Contact Us", "FAQs", and "Site Map". A search bar is also present. The main content area is titled "Pipeline - Public Technical Workshop, Distribution Construction Workshop" and provides the location as "St Louis, MO" and the date as "Apr 20, 2010". A paragraph of text describes the workshop's purpose. A red circle highlights a link that says "Additional details on the meeting can be found at https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=63". The browser's taskbar at the bottom shows several open applications, including Microsoft Outlook and a PDF viewer.



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# Workshop Registration

**Distribution Construction Workshop - Windows Internet Explorer**

Address: [https://primis.phmsa.dot.gov/meetings/MtgHome.mtg=63](https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=63)

PHMSA **Distribution Construction Workshop**  
Time: 04/10/2010 12:01 AM

**This Meeting**

- Register Here...

**Meetings**

- Current Meetings

**Document**

**Commenting**

- Current Documents

**Navigation**

- PHMSA Communications
- Log In...

## Distribution Construction Workshop

[Register Here...](#)

MEMBERS OF THE PUBLIC MAY ATTEND THIS FREE WORKSHOP. THE WORKSHOP WILL NOT BE WEBCAST. TO HELP ASSURE THAT ADEQUATE SPACE IS PROVIDED, ALL ATTENDEES ARE ENCOURAGED TO REGISTER FOR THE WORKSHOP VIA THE "REGISTER HERE" LINK. IF YOU PROVIDE AN EMAIL ADDRESS, WE WILL ALSO SEND OUT AN OCCASIONAL EMAIL TO INFORM YOU OF UPDATED DETAILS REGARDING AGENDA AND OTHER IMPORTANT INFORMATION AS IT BECOMES AVAILABLE.

THE ROOM BLOCK IS NOW AVAILABLE. HOTEL RESERVATIONS MUST BE MADE BY CONTACTING THE HOTEL DIRECTLY. SEE BELOW UNDER "HOTEL AND RESERVATIONS" FOR MORE INFORMATION.

Meeting Information	
Status	Scheduled
Starts	Apr 20, 2010 at 08:30 ED
Ends	at 17:30
Location	Hilton St. Louis at the Ballpark, St. Louis MO
On-Line Registration	<a href="#">Register Here...</a>
Purpose & Summary	PHMSA is conducting a workshop cosponsored by the National Association of Pipeline Safety Representatives (NAPSR) on new distribution pipeline construction. The workshop will allow stakeholders in the pipeline safety community to learn about and discuss construction issues and current practices in natural gas distribution pipeline construction management and quality control.  This workshop will address common issues, focusing on the results of federal and state regulators' perspectives, and explore potential solutions.

**Additional Information**

Meeting Contact:  
Vincent D. Holohan  
202-366-1933 (o)  
202-493-2311 (f)  
[vincent.holohan@dot.gov](mailto:vincent.holohan@dot.gov)

**Hotel & Reservations**

Hilton St. Louis at the Ballpark  
1 South Broadway  
Saint Louis, MO 63102



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# Finding NTSB Safety Recommendation Information on the PHMSA Website



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# PHMSA Pipeline Safety Homepage

[www.phmsa.dot.gov/pipeline](http://www.phmsa.dot.gov/pipeline)



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# NTSB Safety Recommendation - Homepage

PHMSA - NTSB Safety Recommendations - Windows Internet Explorer

http://www.phmsa.dot.gov/pipeline/regs/ntsb

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Home » Pipeline Safety Community » Regulations » NTSB Safety Recommendations

### NTSB Safety Recommendations

The Pipeline and Hazardous Materials Safety Administration is required by law to respond to Safety Recommendations issued by the National Transportation Safety Board (NTSB), an independent federal agency charged by Congress with investigating significant hazardous materials accidents/incidents.

**NTSB Classifications:**

- OAR - Open Acceptable Response
- OAA - Open Acceptable Action
- OAAAR - Open Acceptable Alternative Action
- OUA - Open Unacceptable Action
- OUR - Open Unacceptable Response
- UCL - Unclassified (until NTSB Classifies)
- CAR - Closed Acceptable Response
- CAA - Closed Acceptable Action
- CAAAR - Closed Acceptable Alternative Action
- CAAR - Closed Acceptable Alternative Response
- CNLA - Closed No Longer Applicable
- CUA - Closed Unacceptable Action
- CUR - Closed Unacceptable Response

**National Transportation Safety Board**

» [NTSB Website](#)

#### NTSB Menu

- » [NTSB Recommendations home](#)
- » [Open Recommendations](#)
- » [Closed Recommendations](#)
- » [Hazmat NTSB Recommendations](#)

#### Mini-Menu

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- » [Interpretations](#)
- » [Notices](#)
- » [NTSB Recommendations](#)
- » [Rulemaking](#)
- » [Special Permits and State Waivers](#)
- » [Contact Us](#)

#### Look Up

Locate official documents and records

- » [Regulations.gov](#)  
One-stop site to find, view, and comment on Federal regulations and other Federal actions.
- » [eCFR - Code of Federal Regulations](#)  
Electronic records updated daily.
- » [CFR Retrieve by Citation](#)  
Title, Part, and either a Section Number or a Subpart letter are required.

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# Review

- New regulations available online
- Subscribe to receive pipeline safety FR notifications
- Current PHMSA initiatives may result in rulemaking
- 2009 & 2010 workshop records on PHMSA website
- NTSB Safety Recommendations
- 2010 pipeline safety statute reauthorization



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Thanks for your time and consideration

**Elizabeth Komiskey, P.E.**

[elizabeth.komiskey@dot.gov](mailto:elizabeth.komiskey@dot.gov)

202-288-1818

**Questions?**



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