



NATIONAL ASSOCIATION OF PIPELINE SAFETY REPRESENTATIVES

RESOLUTION

Central Region
State of Iowa

Action Category 1

Resolution 2013-4-AC1

ADOPTION OF SUGGESTED LANGUAGE TO CFR 191.28 “REPORTING OVERPRESSURE EVENTS”

WHEREAS: Section 23 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law No: 112-90 Jan. 3, 2012) adopted a new subsection § 60139(b)(2), which states:

(2) EXCEEDANCES OF MAXIMUM ALLOWABLE OPERATING PRESSURE.—If there is an exceedance of the maximum allowable operating pressure with respect to a gas transmission pipeline of an owner or operator of a pipeline facility that exceeds the build-up allowed for operation of pressure-limiting or control devices, the owner or operator shall report the exceedance to the Secretary and appropriate State authorities on or before the 5th day following the date on which the exceedance occurs; and

WHEREAS: On December 21, 2012, PHMSA issued an Advisory Bulletin titled “Pipeline Safety: Reporting of Exceedances of Maximum Allowable Operating Pressure,” which directed operators to “submit information comparable to that required for Safety-Related Condition reports as outlined in § 191.25(b) for reports of exceedance;” and

WHEREAS: The reporting criteria in the advisory bulletin do not include the cause, the pressures involved, a description of the equipment involved or facilities affected, or whether any leaks or damage occurred. Without such information the seriousness of an event or the adequacy of the operator’s response cannot be evaluated; and

WHEREAS: An advisory bulletin does not have the same force and effect as a rule, nor are the reporting criteria as readily known and knowable to operators and the public as if provided for by rule; and

WHEREAS: The overpressuring of distribution pipelines can also endanger the integrity of the gas system affected, and the public.

NOW THEREFORE BE IT RESOLVED THAT:

1. The December 21, 2012, Advisory Bulletin does not adequately implement the intent of Congress that exceedances of Maximum Allowable Operating Pressure be

reported, nor does it provide for receipt of adequate information on the occurrence; and

2. Exceedance of the Maximum Allowable Operating Pressure of distribution pipelines can also endanger pipeline integrity and the public, and such events should also be reported; and
3. That the language below be submitted to PHMSA for adoption as a new rule in 49 CFR Part 191.

191.28 Reporting overpressure events

(a) Whenever the pressure in a pipeline exceeds the maximum allowable operating pressure (MAOP) plus the build-up allowed for operation of pressure-limiting or control devices, such exceedances must be reported to the Secretary and appropriate State authorities within five calendar days of discovery. The report should be titled "Gas Pipeline MAOP Exceedance" and provide the following information:

(1) The name, principal address, and Operator Identification Number of the operator; date of the report; and name, job title, and business telephone number of the person submitting the report.

(2) The name, job title, and business telephone number of the person who determined the exceedance had occurred.

(3) The date the exceedance was discovered and the date the condition was first determined to exist.

(4) A description of the pipeline or pipelines affected, including the location with reference to the town/city/county and state or offshore site, whether interstate or intrastate and transmission or distribution; the type of pipe or facilities affected; and the normal operating pressure, the maximum allowable operating pressure, the pressure experienced during the exceedance, and the duration of the exceedance.

(5) The cause of the pressure exceedance.

(6) The measures taken by the operator to determine if the exceedance caused leaks or damage to pipeline facilities, and the corrective action taken or to be taken in response to any leaks or damage found.

(7) Any measures taken to prevent recurrence.

(b) If the information needed to file a complete report is not available within five days, or where additional related information is obtained after a report is submitted, the operator must make a supplemental report as soon as practicable with a clear reference by date to the original report.