

6. Consensus Standard on Pipeline Integrity
7. Low-Stress Pipelines
8. Remedial Actions
9. Additional Preventive and Mitigative Measures, including, Leak Detection Devices and Automatic Shut-off and Remote Control Valves
10. Methods to Measure Program Effectiveness
11. Information for Local Officials and the Public
12. Cost-Benefit Analysis

1. Need for Clarity and Specificity

Several commenters, including the Public Service Electric and Gas Company (PSE&G), maintained that the formatting of the proposed rule makes it difficult to follow, which could lead to a lower level of understanding and less compliance. PSE&G suggested that the final rule be simplified and reformatted, with clearly numbered sections and an index. Piedmont Natural Gas recommended the use of several sections to present the regulations because the proposed cross-references and formatting make the proposed rule difficult to read and understand.

Some commenters, including Peoples Energy, suggested that we better define terms that are subjective and possibly vague. Some of those terms included: state-of-the-art, comprehensive additional preventive measures, expected future corrosion conditions, critical stage, and additional extensive inspection and maintenance programs.

Numerous other commenters, including Northeast Gas Association, Puget Sound Energy, and the Iowa Utilities Board, suggested rewriting the rule as a separate subpart of part 192 in a clearer, more simplified form.

Response: RSPA/OPS agrees that the proposed rule was complicated and often difficult to follow. There are a large number of interrelated requirements. Including all of those requirements under a single section of part 192, as was done in the proposed rule, required use of many subparagraphs and divisions. RSPA/OPS has adopted the suggestion that the final rule be rewritten as a separate subpart of part 192.

The final rule has been recast as new Subpart O, *Pipeline Integrity Management*, of part 192, in which we have consolidated all of the requirements applicable to gas transmission pipeline integrity management programs. The definition of HCAs, previously § 192.761, has been relocated to the new subpart (with changes as described below). This revised structure allows each of the major elements of the rule to be described in a separate, numbered section. The use of subparagraphs and

divisions in the final rule is very limited. RSPA/OPS believes that the structure of the final rule makes it much easier to follow and understand, and will better support compliance by operators.

The rule has also been revised to improve its clarity and specificity. For example, we deleted terms such as “state-of-the-art.” And we specify which “comprehensive additional preventive measures” an operator must implement. We eliminated the section containing the phrase “expected future corrosion conditions” in favor of referencing an applicable consensus standard. At the time we proposed the rule, relevant industry consensus standards were under development. These standards have since been finalized and we have incorporated them into the rule.

This rule uses, as did the corresponding rule for hazardous liquid pipelines, a mix of performance-based and prescriptive requirements. As described in the final rule on integrity management programs for hazardous liquid pipelines (65 FR 73832), RSPA/OPS believes that performance-based regulation will result in effective integrity management programs that are sufficiently flexible to reflect pipeline-specific conditions and risks. Pipeline conditions vary. It is impractical to specify requirements that will address all circumstances. In some cases, they would impose unnecessary burdens. In others, they might not achieve the desired level of safety. Including performance-based requirements is the best means to ensure that each pipeline develops and implements effective integrity management programs that address the risks of each pipeline segment.

2. Applicability (Coverage) of the Rule—§ 192.901 (Formerly § 192.763(a)(b))

The proposed integrity management program requirements were intended to apply to all gas transmission pipelines. Other gas pipelines were not included in the scope of the proposed rule.

NTSB commented that gathering pipelines in populated areas should be included. The New York State Department of Public Service maintained that only those gathering pipelines in HCAs and operating above 20% of SMYS should be included.

At the public meetings and advisory committee meeting, participants noted that the NPRM and pipeline safety statute did not address plastic gas transmission pipelines. At the advisory committee meeting, a representative of APGA prepared a handout on plastic transmission pipelines. The handout included recommendations from

Southwest Gas that RSPA/OPS should exclude plastic pipelines from the integrity management regulation or, as an alternative, exclude these pipelines from the assessment requirements because the assessment methods are not applicable to plastic. In addition, the handout noted that the proposed additional preventive and mitigative measures for corrosion are not applicable to plastic pipe because it is not subject to corrosion. The handout suggested that third-party excavation damage is the primary threat to plastic pipe.

Both Cook Inlet Keeper and the Washington Utilities and Transportation Commission (WUTC) commended OPS's goal to promote safety throughout pipeline systems. They recommended that the proposed rule require that lessons learned from assessments on pipeline segments in HCAs be applied to all segments of pipeline and all operators. Although INGAA agreed with the concept of applying lessons learned to pipeline segments outside the scope of the proposal, it recommended modifying the requirement to clarify how data and information developed from covered segments will be applied to non-covered segments. INGAA suggested an approach for applying this concept using the framework of standard ASME/ANSI B31.8S. Several industry commenters agreed with INGAA, but numerous commenters asserted that expanding the requirements of the rule to entire pipelines is inappropriate. NiSource contended that an expansion conflicts with the intent of Congress to focus resources on high risk areas. NiSource also suggested that the final rule should incorporate ASME/ANSI B31.8S as it relates to collection, review, and integration of data to update risk assessments.

Response: The final rule prescribes minimum requirements for integrity management programs on any gas transmission pipeline subject to Part 192. The requirements do not apply to gas gathering or distribution pipelines. Although some requirements are of broad applicability, they apply mainly to segments of gas transmission pipelines in HCAs. RSPA/OPS agrees with Cook Inlet Keeper and WUTC that lessons learned in developing and applying the integrity management program in HCAs should be applied to other portions of the pipeline. It would not be prudent to fail to address known problems that could challenge the integrity of a pipeline simply because they did not occur in HCA pipeline segments. The rule requires that all operators evaluate and remediate non-