

Class 3 rectangle, a pipeline failure in an area beyond the cluster may have little, if any, impact on the area with the cluster of homes.

Comments on MRAs ranged from urging elimination to full support for their use. Williston Basin and National Fuel recommended eliminating MRAs because they require significant resources and provide few safety benefits. Both the Northeast Gas Association and Kern River saw potential value in MRAs but suggested their use and implementation should be optional. PECO recommended that the MRA definition be clarified because it was unclear when buildings should or should not be designated as MRAs when they are located in HCAs.

Northeast Gas Association responded that rural buildings, such as churches, in Class 3 and 4 areas, should be designated as MRAs whether or not they fall within an impact circle and that such areas should be subjected to less frequent assessment and lesser mitigation requirements. Several other industry commenters concurred, including Southwest Gas and Paiute. PG&E would not support the inclusion of churches in the examples of outside areas.

Taking the opposite position, the Washington City and County Pipeline Safety Consortium commented that if such facilities incorporate outside areas that are HCAs fall under the definition of an HCA, then such rural churches should be captured in the HCA definition.

Vectren and PG&E noted that areas outside the Potential Impact Zones have little probability of being affected by a failure and concurred with the suggested option. Northeast Gas Association, Southwest Gas Corporation, and other commenters maintained that if MRAs remain in the regulation, these areas should be subject only to enhanced preventive and mitigative measures.

*Response:* The concept of Moderate Risk Areas is not included in the final rule. This concept was intended to address areas that met the definition as HCAs, but because the areas were more remote and less populated, the potential risk of an accident was less than in other HCAs. The likelihood of this occurring has been reduced, or eliminated, by the changes made in the definition of HCAs. These areas are defined in the final rule based on the calculated hazard for operators using the Potential Impact Circle option. Additional margin, in the form of threshold radii, designation of all Class 3 and 4 areas, or an arbitrary margin applied to C-FER calculations, has been

eliminated. Accordingly, all areas meeting the definition of HCAs require treatment as such, and no category of reduced actions is needed.

As explained in the section on "identified sites," we have modified the definition of HCAs to clarify the differences between outside open structures and rural buildings. In both cases the occupancy threshold is 20 people. For rural buildings, people must congregate five days a week for at least ten weeks in year as in the current class location 3 definition. For open structures and outside gathering areas, people must congregate at least fifty days in a year.

#### 4. Program Requirements and Implementation, Including Integrity Assessment Time Frames, Assessment Methods, and Criteria

The topics covered in this section encompass the majority of the comments that addressed the requirements for and implementation of an integrity management program. We have grouped in this subsection comments addressing general program requirements and compliance time frames, baseline assessments and their quality, the use of prior assessments, the requirements associated with using Direct Assessment, Confirmatory Direct Assessment, and Internal Corrosion Direct Assessment, reassessment intervals and overlap, pressure testing requirements, cyclic loading, ERW pipe seam issues, and training requirements.

*Time Frame for compliance.* The proposed rule required operators to identify all covered segments within one year from the rule's effective date. Northeast Gas Association asked that operators be allowed two years after the final rule to identify all pipeline segments and conduct a risk analysis.

*Response:* The statute requires that RSPA/OPS issue regulations prescribing integrity management program standards. These regulations must require operators to conduct a risk analysis and adopt an integrity management program no later than 24 months after the date of enactment, *i.e.*, by December 17, 2004. Therefore, RSPA/OPS does not have the flexibility to allow operators two years to complete the segment identification. RSPA/OPS has tried to accommodate concerns about the time frame for developing a program through use of the framework concept.

*Framework:* The proposed rule required an operator to develop and follow a written integrity management program within one year from the effective date of a final rule. However, the proposal allowed the operator to

begin with a framework addressing each of the required program elements. Puget Sound Energy suggested that the requirement for a framework should be deleted. The company commented that a framework is either an additional document above and beyond the integrity management plan or is telling the operator how to develop a plan. The company noted that the term is used in ASME/ANSI B31.8S as an umbrella for the elements of a plan and not to describe a separate document. The Northeast Gas Association requested that a rule have enough flexibility to allow operators the time necessary to develop a thorough and effective plan. The Association further commented that it may not be possible for operators to develop a plan within the time frame specified in the proposed rule.

*Response:* The intent of allowing a framework was to acknowledge that an operator cannot develop a complete, fully mature integrity management plan in a year. Nevertheless, it is important that an operator have thought through how the various elements of its plan relate to each other early in the development of its plan. The framework serves this purpose. Each operator is required to develop a framework within one year that describes the process for implementing each program element, how relevant decisions will be made and by whom, and a time line for completing the work to implement the program element. It need not be fully developed or at the level of detail expected of final integrity management plans. The framework is an initial document that evolves into a more detailed and comprehensive program. A separate document is not necessary. For some operators (*e.g.*, those with only a few miles of covered pipeline) it may be possible to prepare a fully-developed integrity management plan within a year. In that case, no separate framework is required. The discussion of the framework in the final rule has been modified to reflect these expectations.

*Communications Plan:* One of the proposed elements of an integrity management program was a communications plan that includes the elements from ASME/ANSI B31.8S. Northeast Gas Association questioned the need for a communications plan requirement because a consensus standard on a Recommended Practice for Pipeline Public Awareness Programs is now being developed under the auspices of the American Petroleum Institute (API).

*Response:* This rule requires that integrity management plans include communications plans that follow the