

guidelines in ASME/ANSI B31.8S, a standard that has been incorporated by reference into the final rule. Industry and government representatives working on the API standard are aware of the ASME/ANSI B31.8S guidelines, and RSPA/OPS expects that the final API standard will not conflict with them. RSPA/OPS will consider adoption of the API standard, for public awareness, not IMP communications, including whether changes to the communication provisions in this rule are appropriate, when that standard is approved.

*Best Practices.* Northeast Gas Association commented on proposed requirements that operators adopt "best practices." The Association noted that the best practices for one company are not always applicable to other companies, because of the variability in system configurations, physical pipeline attributes, and business perspectives. Northeast Gas recommended elimination of all references to incorporation of best practices.

*Response:* RSPA/OPS recognizes that practices applicable at one operator might not be as useful or effective at another. Nevertheless, RSPA/OPS believes that it is important that operators learn from the experience of the industry at large. The standards development process is a means of combining industry experience to identify lessons that should be applied to other operators. RSPA/OPS has modified the final rule to rely on that process. The rule requires that practices in ASME/ANSI B31.8S be used. The consensus process of gathering, reviewing, and publishing best practices in a manner suitable for use at all operators should resolve the applicability questions.

*Baseline and Prior Assessments.* The proposed rule allowed an assessment conducted up to five years before the date of enactment of the Pipeline Safety Improvement Act of 2002 as a baseline assessment. The Act was signed into law on December 17, 2002. The proposed rule established time periods for the baseline assessment. If the assessment were done by pressure test or internal inspection, the operator would have to complete the baseline by December 17, 2012, with 50% of the highest risk pipe being done by December 17, 2007. However, if the segment were in a Moderate Risk Area, the assessment would have to be done by December 17, 2015. If the operator used direct assessment, the baseline would have to be done by December 17, 2009, with 50% of the highest risk segments assessed by December 17,

2006, or by December 17, 2012 if it was in a Moderate Risk Area.

Southwest Gas Corporation and Paiute Pipeline noted there was no provision to incorporate new pipelines into an integrity management plan and recommended that for pipelines installed after December 17, 2002, the installation pressure test be accepted as the baseline inspection. Northeast Gas Association supported the proposed requirement that 50% of the facilities posing the highest risk be baseline-assessed during the first half of the assessment cycle. Dominion commented that the proposed language is not clear about when a baseline assessment is complete. It suggested the baseline assessment start when the first inspection tool is run and that the start of the reassessment interval would be when the company runs the final assessment tool, analyzes the data from the final tool report, and remediates all immediate indications for the baseline assessment.

Several commenters noted that the date for prior assessments was incorrectly listed as 2007 rather than 1997. El Paso asserted there is no technical basis for the five-year limit on a previous assessment and argued that an assessment conducted before December 17, 2002 should be allowed as a baseline if it substantially meets the requirements of the rule and referenced standards. Dominion concurred with El Paso and added that the proposed rule penalizes operators for using prior assessments because it requires an operator to reassess immediately or within the next 2 years. Instead, Dominion suggested that the reassessment interval of seven years should start after the baseline assessment information is realigned and analyzed based on the operator's current program. INGAA took exception to the proposed 1997 cutoff date and argued that RSPA/OPS was judging the applicability of earlier assessment technology without providing technical rationale. INGAA commented that RSPA/OPS should allow operators to use prior assessment data to encourage them to use the performance-based option.

*Response:* Commenters are correct that the date listed for prior assessments was incorrect and should have been listed as December 17, 1997 in the NPRM. However, that date is no longer relevant because the final rule has been revised to allow an assessment conducted any time prior to the date the Pipeline Safety Improvement Act was signed into law, December 17, 2002, as a baseline assessment if the prior assessment satisfies the requirements of

Subpart O. There is no longer a five-year cut-off date for prior assessments.

The final rule also allows prior assessments as part of the qualification basis for the performance-based option. For this option, an operator must demonstrate that the prior assessments effectively addressed the identified threats to the covered segment. Although these assessments may not meet all the requirements for a baseline, because the performance-based option sets additional and more stringent requirements, RSPA/OPS believes it could allow some flexibility in relying on prior assessments.

RSPA/OPS has clarified the language concerning the time period for conducting the baseline assessment. The final rule no longer requires the baseline period to depend on the assessment technique used. The period is now the same, no matter the assessment method. Furthermore, as discussed earlier in this document, RSPA/OPS has eliminated the concept of Moderate Risk Areas. An operator must complete the baseline assessment of all covered segments by December 17, 2012, and assess at least 50% of the covered segments, beginning with the highest risk segments, by December 17, 2007. Consistent with the advisory committee's recommendation, we have revised the final rule to require that the first reassessment for a pipeline segment on which a prior assessment is credited as baseline must occur by December 17, 2009, seven years after enactment of the Pipeline Safety Improvement Act of 2002.

Any new pipeline that is installed in a high consequence area would be subject to the requirements of the rule. The final rule has been revised to require that newly-installed pipeline be included in the integrity management plan, and that the baseline assessments on any high consequence area segment be completed within ten years of installation. The rule provides that the installation pressure test, conducted in accordance with subpart J of part 192, would satisfy the requirements of a baseline assessment. Intervals for reassessment would be measured from the date of the baseline assessment, as for any other covered pipeline segment.

RSPA/OPS has not specified in the rule what constitutes completion of an assessment on a covered segment, and therefore the date from which future assessment requirements toll. Such details were not included in the integrity management rule for hazardous liquid pipelines, but rather were addressed through additional guidance for implementing the rule. That guidance specifies that the end of field activities, e.g., completion of the final