

days. The reassessment period for hazardous liquid pipelines is five years, a period about 70 percent of the shortest reassessment period in this rule. Therefore, planning decisions must be made for liquid reassessments on a shorter time frame. In addition, the "other technology" most likely to be used by hazardous liquid operators is direct assessment, an assessment method specifically allowed in the gas integrity management rule but not in the liquid rule. Because there is now an industry standard and more information about the process is known, the review of the notification is likely to be shorter. "Other technologies" that gas transmission pipeline operators may use are expected to involve methods and techniques that are more developmental and about which less information is known. This will require that RSPA/OPS take more time in reviewing these notifications before the "other technology" is implemented.

Section 16 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60133) requires the establishment of an interagency coordinating committee and that this committee take actions to help ensure that pipeline operators will be able to obtain permits when required to perform required repairs. The interagency committee has been established. RSPA/OPS is participating on the committee. Those actions are related to, but independent of this rule, and will not be described here in detail. It is important to note, however, that the rule provides a mechanism for operators to address situations in which repairs cannot be made due to inability to obtain permits. The rule provides that operators can reduce operating pressure or take other action to ensure the integrity of the pipeline. If neither can be done, the operator is required to notify RSPA/OPS. RSPA/OPS expects that operators will exercise due diligence in seeking permits for repairs.

#### 6. Consensus Standard on Pipeline Integrity

The Standards-Developing Organizations Coordinating Council (SDOCC) urged RSPA/OPS to incorporate industry standards by reference in their entirety into the regulations. The Council asserted this will help avoid misinterpretations that can result from parts of standards being used out of context, or from text taken from standards being used in regulations without reference to the source. Similarly, both New Jersey Natural Gas and Advanced Technology Corporation suggested that inline inspection consensus standards must

both be developed and then supported by OPS.

Many commenters wrote to request that OPS utilize performance-based options that are both measurable and achievable, and suggested using the ASME/ANSI B31.8S consensus standard to achieve those ends. Northeast Gas Association recommended that the rule refer to ASME/ANSI B31.8S for performance versus prescriptive requirements. El Paso went further and asserted that the proposed requirements for the performance-based option are not measurable or achievable and should be revised to allow the ASME/ANSI B31.8S standard to provide the structure and framework. Cook Inlet Keeper recommended that RSPA/OPS review the ASME/ANSI B31.8S standard to ensure that the standard is enforceable and where necessary provide clarification in the final rule.

*Response:* The final rule incorporates ASME/ANSI B31.8S—2001, *Managing System Integrity of Gas Pipelines*, and uses that standard for many of the rule's requirements, including those for the performance-based option. RSPA/OPS has reviewed ASME/ANSI B31.8S to ensure it is enforceable. The rule has been written to ensure that the requirements are enforceable.

#### 7. Low-Stress Pipelines

The proposed rule did not differentiate requirements for low-stress pipelines. However, as discussed in previous sections of this document, RSPA/OPS sought comment on less stringent requirements for these pipelines, particularly with respect to—

- Whether to allow an operator using direct assessment on a pipeline operating at less than 30% SMYS a maximum ten-year reassessment interval regardless of whether the operator excavates and remediates all anomalies on that pipeline, or at least remediates the highest risk anomalies. (68 FR 4278, 4281)

- Whether to allow a maximum 20-year reassessment interval on pipelines operating at less than 30% SMYS, and reassessment by confirmatory direct assessment method every seven years (without the need for reassessment by some other method) for pipelines operating below 20% SMYS. (68 FR 4278, 4281)

Several commenters suggested that the assessment requirements proposed for low-stress pipelines (*i.e.*, pipelines operating at below 30 percent SMYS) were unnecessary and overly burdensome. Many industry commenters pointed out that low-stress pipelines tend to fail by leakage rather than by rupture and, therefore, pose

considerably less risk than pipelines operating at higher stresses. The commenters proposed various alternatives, including use of the inspection intervals in ASME/ANSI B31.8S (which calls for inspections at 20-year intervals for low-stress pipelines), allowing use of confirmatory direct assessment for baseline assessments, implementation of preventive and mitigative measures in lieu of assessment requirements, and changing the definition of transmission pipeline to exclude pipelines operating at less than 20% SMYS. National Fuel contended that pipelines that operate at less than 20% SMYS cannot create high consequences and, therefore, the high consequence area definition should exclude such pipelines. National Fuel recommended that, if RSPA/OPS must include these pipelines by statute, enhanced preventive and mitigative measures should be allowed for the baseline assessment and reassessment.

AGA recommended that the intervals in ASME/ANSI B31.8S be used. AGA provided suggested preventive and mitigative measures for all pipeline in Class 3 and 4 areas and numerous commenters supported AGA's comments. AGA also proposed, at public meetings held during the comment period, that pipelines operating at less than 20% SMYS be subject to requirements for baseline assessments and for reassessment at the intervals specified in ASME/ANSI B31.8S. The AGA recommendations included electrical surveys, which would inspect for cathodic protection problems that would precede corrosion damage, and leak surveys, which would inspect for the failure mechanism most likely on low-stress pipelines, as a reassessment method suitable to meet the statutory seven-year requirement.

AGA further proposed a set of preventive and mitigative measures as alternate assessment methods for reassessment of pipelines inside HCAs. The additional measures targeted external and internal corrosion and third-party damage. Other commenters supported this alternative, including TXU Gas, National Fuel, and the New York State Department of Public Service.

The Iowa Utilities Board agreed that less stringent requirements should be applied to pipelines operating below 30% SMYS. New York Department of Public Service suggested that 20 years was too long an interval between assessments, and pointed out that although a low-stress pipeline is likely to fail by leakage, these pipelines are located in highly populated areas.