



PRACTICE CONTACTS

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ENERGY

PIPELINE SAFETY

Van Ness Feldman provides a full range of pipeline safety services for operators of gas and hazardous liquid pipelines and LNG facilities. The practice is anchored by attorneys with extensive experience in the pipeline industry and with key regulatory agencies, including the Pipeline and Hazardous Materials Safety Administration (PHMSA). The firm collaborates with pipeline personnel and senior management to develop, implement, and defend strong compliance programs, while balancing safety objectives and business and legal risks. Backed by a strong litigation team, the firm also helps operators effectively respond to and manage administrative enforcement actions and protect and preserve legal rights.

Van Ness Feldman's Pipeline Safety Group publishes a bi-weekly "Pipeline Safety Update" to inform clients, colleagues, and other stakeholders of important developments affecting pipeline safety. To access an inclusive database of these updates, please visit the [Van Ness Feldman Pipeline Safety Update Library](#). To ensure regular delivery of this resource, please [register here](#).

REPRESENTATIVE MATTERS

- Counseling on compliance and interpretive questions relating to the application of regulations and policies to real-life operational circumstances and business planning. Examples include advising on jurisdictional and regulatory classifications; the maximum allowable operating pressure (MAOP) and maximum operating pressure (MOP) regulations; drug and alcohol testing requirements; and operator qualification regulations.
- Assisting trade association and pipeline operators in drafting comments on a PHMSA notice of proposed rulemaking that may have significant and far-reaching implications for gas pipeline operators; assisting with outreach to FERC on potential impacts to pipelines.
- Counseling operators on strategies for validating pipeline MAOP and MOP.
- Representing operators in enforcement proceedings before PHMSA and state regulatory agencies. Recent successes involved PHMSA's withdrawal of an NOPV filed against a gas pipeline and successfully representing a crude oil pipeline in a PHMSA civil penalty case resulting in settlement and elimination of the civil penalty in exchange for an agreement to perform supplemental safety projects.
- Representing pipeline operators in district court litigation and federal appellate proceedings.
- Assisting with post-incident response.
- Helping pipelines prepare and update written compliance procedures.
- Conducting on-site, pre-audit reviews of compliance procedures and documents for liquid and gas pipelines preparing for PHMSA inspections, including integrated inspections.
- Providing training and CLE seminars to in-house legal staff and management regarding PHMSA jurisdiction and regulations.
- Advising operators on pipeline safety compliance issues in connection with the acquisition and sale of assets.
- Assisting pipeline in obtaining special permit.

