



**Dates of Interest**

June 2015

29 Comments Due on PHMSA [Information Collection](#) re hazardous liquid annual reporting

July 2015

12-15 [NARUC Summer Committee Meetings](#), New York, NY

20-22 [SGA Operating Conference](#), Nashville, TN

26-29 [APGA Annual Conference](#), Broomfield, CO

31 Comments Due on Plastic Pipe [NPRM](#)

August 2015

3-7 [NAPSR Southwest Region Meeting](#), Fort Worth, TX

11-13 [Midwest Energy Association Gas Operations Technical & Leadership Summit](#), Rochester, MN

25-26 [Western Regional Gas Conference](#), Tempe, AZ

31-9/1 [NAPSR National Meeting](#), Tempe, AZ



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# Pipeline Safety Update

## ISSUE NO. 99 – JUNE 25, 2015

[Susan Olenchuk](#), [James Curry](#), [Keith Coyle](#), [Tyson Kade](#), [Frances Bishop](#), [Barbara Deathe](#)

*Marie Therese Dominguez assumes Deputy Administrator role at PHMSA. Senator Daines requests PHMSA oversight hearing. House-approved Appropriations Bill sets aside funds for pipeline valves. PHMSA rulemaking update. PHMSA issues Advisory Bulletin on potential damage from hurricanes. PHMSA issues updated gas distribution annual report. PHMSA releases updated National Operator Registry forms. PHMSA receives requests to extend comment period for plastic pipe NPRM. PHMSA initiates Phase II of ILI R&D Project. DOT publishes revised handbook on drug and alcohol testing. Select updates from Canada and the states.*

### Marie Therese Dominguez Assumes Deputy Administrator Role at PHMSA

On June 22, Marie Therese Dominguez joined the Pipeline and Hazardous Materials Safety Administration (PHMSA) as [Deputy Administrator](#), pending Senate confirmation hearings on her nomination to be the next PHMSA Administrator. The Senate Committee on Commerce, Science, and Transportation has not announced a confirmation hearing date. Ms. Dominguez replaces Timothy Butters, who joined the Federal Aviation Administration in early June.

### Senator Daines Requests PHMSA Oversight Hearing

On June 16, Senator Steve Daines (R-MT), member of the Senate Committee on Commerce, Science, and Transportation, [requested](#) that Committee Chairman John Thune (R-SD) schedule an oversight hearing to address reauthorization of the Pipeline Safety Act and PHMSA's oversight and enforcement of federal regulations. Senator Daines cited recent oil pipeline releases into Montana's Yellowstone River and the September 2015 expiration of PHMSA's authorization as reasons for holding hearings in the near future.

### House-Approved Appropriations Bill Sets Aside Funds for Pipeline Valves

On June 9, the House of Representatives passed the Transportation, Housing and Urban Development FY16 appropriations bill which includes a provision setting aside \$1 million of PHMSA's existing budget for the finalization and implementation of regulations requiring automatic shutoff or remote-controlled valves on newly constructed pipelines. The set aside provision was offered as an [amendment](#) by Representative Lois Capps' (D-CA). A [second amendment](#) offered by Representative Capps, which would have increased funding for the Pipeline Safety Oil Spill Liability Trust Fund by \$27 million, was not approved. The Appropriations bill, H.R. 2577, was introduced in the Senate and referred to the Committee on Appropriations on June 10.

### PHMSA Updates

**PHMSA Rulemaking Update.** The table below summarizes the status of PHMSA's various rulemakings as reported in the Department of Transportation's (DOT) June Significant Rulemaking [Report](#) and by the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs (OIRA) in the recently updated Spring 2015 [Unified Regulatory Agenda](#). Revised dates appear in **bold**.

Under Executive Order (EO) 12866, OMB reviews proposed significant rules to ensure they are consistent with applicable law, the President's priorities, and the principles set forth in the EO, and to ensure the proposals do not conflict with another agency's policies or actions. OMB also analyzes the cost-benefit

**Regulations and Code Compliance:  
Upcoming PHMSA State Seminars**

PHMSA offers training on gas and hazardous liquid pipeline safety regulations.

More information is available [here](#).

June 2015

24-26 Missouri (gas)

July 2015

20-24 Louisiana (gas and hazardous liquids)

August 2015

3-7 South Carolina (gas)

**State-Specific Association  
Meetings**

July 2015

14-16 [Kentucky Oil & Gas Association Annual Meeting](#), Lexington, KY

15-17 [Mississippi Natural Gas Association Annual Conference](#), Orange Beach, Alabama

20-24 [Louisiana Gas Association Annual Pipeline Safety Conference](#), New Orleans, LA

25-28 [Georgia Municipal Association Gas Section's 2105 Annual Meeting](#), Savannah, GA

analyses in support of the proposals. While the EO sets out certain deadlines for OMB evaluation, review periods are often extended. OMB now has three significant PHMSA rules under review (Gas Transmission, Hazardous Liquids and Excess Flow Valves).

<b>Rulemaking &amp; Next Action</b>	<b>DOT Estimated Date to OMB</b>	<b>DOT Estimated Publication Date</b>	<b>OIRA Estimated Publication Date</b>
Excess Flow Valves; NPRM	April 30, 2014 (actual)	<b>July 1, 2015</b>	August 2015
Issues Related to Use of Plastic Pipe in the Gas Pipeline Industry; <b>Comments on NPRM due July 31, 2015</b>	Not listed in report because deemed non-significant	May 21, 2015 (actual)	May 1, 2015 (actual)
Safety of Gas Transmission Pipelines; NPRM	April 27, 2015 (actual)	August 6, 2015	August 2015
Safety of On-Shore Hazardous Liquid Pipelines; NPRM	May 1, 2014 (actual)	<b>July 21, 2015</b>	August 2015
Valve Installation and Minimum Rupture Detection Standards; NPRM	<b>September 4, 2015</b>	<b>December 16, 2015</b>	September 2015
Enforcement of State Excavation Damage Laws; Final Rule	June 17, 2015	September 29, 2015	August 2015
Operator Qualification, Cost Recovery, Incident Reporting, CO <sub>2</sub> , Special Permit Renewal, and Other Issues; NPRM	May 19, 2015	August 31, 2015	August 2015

Van Ness Feldman has prepared redlines of PHMSA's Part 191, Part 192, and Part 195 regulations reflecting changes adopted in PHMSA's Periodic Updates final rule, issued January 5, and Miscellaneous Amendments final rule, issued March 11.

Please contact [Susan Olenchuk](#), [Jim Curry](#), or [Keith Coyle](#) for complimentary copies.

**PHMSA issues Advisory Bulletin on potential damage from hurricanes.** On June 23, PHMSA issued an [advisory bulletin](#) reminding operators of gas and hazardous liquid pipelines of the potential damage that hurricanes may cause to pipeline facilities. The advisory urges operators to: (1) identify and caution persons engaged in shallow-water fishing and vessel operations that underwater offshore pipelines may be exposed and constitute hazards to navigation; (2) identify and caution marine vessel operators that dredging operations may damage underwater pipelines; (3) check for structural damage and leaks after a disruption; and (4) take action to minimize and mitigate damage to gas distribution systems caused by flooding. PHMSA also requests that operators notify the agency of hurricane damage to pipeline facilities.

### Federal Funding Resource Center

Van Ness Feldman continually identifies and provides updates on federal funding opportunities related to energy, environment, natural resources, and public lands, including PHMSA grants.

[www.vnf.com/Funding](http://www.vnf.com/Funding)

To sign up for the weekly updates, e-mail [vnf@vnf.com](mailto:vnf@vnf.com) with "FFO Subscribe" in the subject line.

To subscribe to the Pipeline Safety Update visit:  
[www.vnf.com/knowledgecenter.aspx](http://www.vnf.com/knowledgecenter.aspx)

**PHMSA issues updated gas distribution annual report form.** PHMSA has posted an updated [gas distribution annual report](#) form for the submission of calendar year 2015 data in 2016. Changes include the addition of "reconditioned cast iron" as a material specification for reporting pipeline mileage, allowing operators to differentiate between historic cast iron mileage and mileage that has been modified. In addition, operators will be able to identify the root causes of excavation damage.

**PHMSA releases updated National Operator Registry forms.** PHMSA has updated the Operator Assignment Request and Operator Registry Notification forms and instructions to adopt [changes proposed in April 2014](#). The forms are available on PHMSA's [website](#).

**PHMSA receives requests to extend comment period for plastic pipe NPRM.** Several parties, including the American Gas Association (AGA) and the Plastics Pipe Institute, have [requested](#) that PHMSA extend the deadline for filing comments on the plastic pipe [NPRM](#) by 30 days to August 31, 2015.

**PHMSA initiates Phase II of ILI R&D Project.** PHMSA has initiated Phase II of a research and development project, entitled "[Pipeline Integrity Assessment Using In-Line Inspection](#)." Researchers will fabricate and test a working in-line inspection (ILI) tool to address high priority issues such as the reliable characterization of longitudinal cracks, stress corrosion cracking and other types of corrosion and cracking. Phase II began on May 13 and will end on March 12, 2016.

### Updates from Other Federal Agencies

**DOT publishes revised handbook on drug and alcohol testing.** On June 1, the DOT's Office of Drug and Alcohol Policy and Compliance published an updated handbook, entitled "[What Employers Need to Know about Drug and Alcohol Testing](#)." The handbook provides guidelines and best practices for compliance with DOT agency-wide drug and alcohol testing regulations, including those of PHMSA.

### Updates from Canada

**Canada's new Pipeline Safety Act receives royal assent.** On June 18, Canada's Minister of Natural Resources Canada's announced that the [Pipeline Safety Act \(Bill C-46\)](#) has received [Royal Assent](#) by the Governor and will become effective in 12 months. The bill establishes certain "polluter pays" financial responsibility requirements for pipeline operators. Provisions include subjecting pipeline companies to (1) unlimited liability if the company's fault or negligence results in an unintended or uncontrolled product release; (2) a \$1 billion liability limit, without proof of fault or negligence, if the company transports 250,000 barrels of oil per day either through a single pipeline or through several pipelines in the aggregate; (3) the requirement to maintain the financial resources necessary to pay such liability amounts. In addition, the bill provides for the establishment of pipeline claims tribunals that would be authorized to adjudicate claims against pipeline operators for environmental damage costs.

### Select Regulatory and Legislative Updates from the States

(New items are marked with an "\*\*"; updated information appears in italics)

#### ALABAMA

**SJR 56**: This Senate Joint Resolution establishes the "Alabama One-Call Notification System Study Commission," which will study and make recommendations to the Legislature and the Governor regarding: 1) the expediency and validity of having a single One-Call notification system to serve the entire state of Alabama; 2) the adequacy of the enforcement provisions of current law; and 3) other items related to the One-Call law that may increase the level of safety for its citizens. The Senate Joint Resolution was introduced on May 7.

**HB 61** (Greer): This bill would increase the civil penalties for pipeline safety violations to conform with federal limits of \$200,000 for each violation, not to exceed two million dollars for any related series of violations. *The bill passed the House on May 19 and the Senate on June 4. The bill was sent to the Governor on June 4.*

**Additional Van Ness Feldman  
Publications**

[Electric Reliability Update –  
June 25, 2015](#)

[Hydro Newsletter – Vol. 2, Issue  
6 – May 29, 2015](#)

[Northwest Land Matters  
Update – May 2015](#)

## CALIFORNIA

**CPUC to consider revised natural gas pipeline safety regulations at June 25 meeting.** Administrative Law Judge (ALJ) Bushey's most recent [proposed decision](#) recommending approval of Revised General Order 112-F, setting forth revised safety and reliability regulations applicable to gas transmission, distribution and gathering pipelines will be considered by the California Public Utilities commission at its June 25 meeting. If approved, the revised regulations would become effective January 1, 2017.

**\*AB 864** (Williams): This bill would amend the Oil Spill Prevention and Response Act to require operators of pipelines located in environmentally and ecologically sensitive areas in state waters or on the coasts to use the best available technologies, including the installation of automatic shutoff or remote-controlled sectionalizing block valves, to reduce the amount of oil released in a spill. In addition, operators of pipelines located in or near state waters must submit for approval oil spill contingency plans. The bill was referred to the Senate Natural Resources and Water Committee on June 18, which has scheduled a hearing for July 14.

**SB 119** (Hill): This bill proposes numerous modifications to California's One-Call laws. Of note, the proposed legislation would: (1) create the California Underground Facilities Safe Excavation Advisory Committee to coordinate education and outreach, develop standards, and conduct compliance audits, to be funded by the Safe Energy Infrastructure and Excavation Fund; (2) modify the one-call exemption for owners of real property to exempt only owners of residential real property using hand tools not requiring a permit; and (3) authorize the CPUC and the Office of the State Fire Marshal to enforce certain requirements against operators of natural gas and hazardous liquid pipelines. *The Assembly amended and re-referred the bill to the Committee on Utilities and Commerce on June 16.*

**SB 18** (Hill): As originally proposed, this bill would authorize the CPUC to require that the \$1.4 billion fine proposed by CPUC administrative law judges against PG&E for violations relating to the 2010 San Bruno accident be held in a separate account and not deposited into the state's General Fund. Most of the funds would be used to offset investments in pipeline replacements in the company's service territory that otherwise would be recovered from ratepayers. A portion of the funds also would be allocated for an independent monitor to oversee the company's pipeline operations and provide seed money for a pipeline safety trust that would advocate on behalf of utility consumers. On February 4, the bill was [amended](#) to require that moneys collected as a result of citations issued to gas and electric corporations be deposited in the Safe Energy Infrastructure and Excavation Fund, which would be used to fund the California Underground Facilities Safe Excavation Advisory Committee.

On March 26, the bill was substantially [amended](#) by replacing the above proposals with the requirement that the CPUC appoint an attorney to represent the people and the CPUC in all matters involving questions under the Public Utilities Act, a CPUC order or other action; to commence, prosecute, and expedite the final determinations of actions and proceedings directed or authorized by the President; and to advise the CPUC with regard to its powers and duties. The Senate passed the bill, as amended on May 21, and ordered it to the Assembly on May 28. On June 4, it was referred to the Assembly Committee on Utilities and Commerce.

## ILLINOIS

The Illinois Commerce Commission (ICC) has [proposed](#) to amend its gas pipeline safety regulations to: (1) incorporate by reference the federal pipeline safety rules in effect on October 1, 2014, and (2) require that owners and operators of gas pipeline facilities submit to the ICC plans, procedures, and programs required or necessary to implement the gas pipeline safety standards. Comments on the proposed amendments were filed December 22, 2014. The proposed amendments were reviewed at the Joint Committee on Administrative Rules' May 12 meeting.

## LOUISIANA

**HB 400** (Schexnayder): This bill would authorize the Commissioner of Conservation to regulate the location, construction, operation, and maintenance of intrastate LNG facilities, and intrastate pipeline

facilities and persons engaged in the intrastate transportation of gas. This bill also would require the Office of Conservation to adopt pipeline safety regulations that are consistent with federal law. The bill was sent to the Governor for approval on June 9.

### MAINE

On March 31, the Maine Public Utilities Commission (MPUC) [proposed](#) to amend its gas pipeline safety regulations, in pertinent part, to: (1) require gas utilities installing natural gas facilities with trenchless technology to implement, as part of their public awareness programs, a stakeholder outreach campaign specific to the use of this technology; (2) require operators to include new construction tasks as covered tasks in their operator qualification programs; (3) include a utility accommodation policy that requires gas utilities to make appropriate accommodations, including temporary removal or relocation of facilities, to ensure safety when another utility performs excavation in proximity to a gas line in order to access an adjacent utility facility; (4) require tracking of components and materials used in the installation and maintenance of mains and service lines; and (5) require documents filed with the MPUC pertaining to pipeline integrity to be signed by a Maine-licensed professional engineer. Comments were filed May 20.

### MICHIGAN

[HB 4540](#) (Heise): This bill would amend Michigan's Freedom of Information Act to exempt from disclosure critical energy infrastructure information, such as specific engineering, vulnerability, or detailed design information that: (1) relates details about the production, generation, transportation, transmission, or distribution of fuel or energy; (2) could be useful to a person in planning an attack; and (3) provides more than the general location of critical infrastructure. The bill would exempt information regarding both existing and proposed infrastructure. The bill was introduced and referred to the Committee on Oversight and Ethics on May 5.

### MISSOURI

\*On June 3, the Missouri Public Service Commission issued an [Order](#) opening a proceeding to revise the state's gas pipeline safety rules to make them consistent with federal rules. The Commission staff will solicit input from interested stakeholders and the public is invited to submit comments.

### NEVADA

[SB 86](#): Enacted on May 6 and effective July 1, this bill increases the civil penalties for pipeline safety violations to conform with the federal limits of \$200,000 for each violation, not to exceed two million dollars for any related series of violations. This bill also increases the maximum civil penalty for violations of provisions relating to excavation damage to \$2,500 per day, not to exceed \$250,000 for any related series of violations within a calendar year, and remove the distinction between negligent, willful, and repeated violations. For any excavation damage violation that occurs less than 24 inches from a high consequence subsurface installation, this bill will allow the Public Utilities Commission of Nevada to triple the maximum penalty upon consideration of certain factors. A high consequence subsurface installation will be defined as: a natural gas pipeline operating at greater than 100 psig; a petroleum pipeline; a pressurized sewage pipeline or force main; certain high-voltage electric supply lines, high-capacity water and telecommunications lines; a hazardous materials pipeline; or any other subsurface installation that if damaged would interrupt an essential public service.

### NEW JERSEY

[A 2711](#) (Handlin): This bill proposes to create the New Jersey Taskforce on Underground Utility Lines for the purpose of studying issues related to placing overhead utilities underground. The bill was referred to the Assembly Committee on Telecommunications and Utilities on February 24, 2014.

[S 2422](#) (Greenstein & Bateman): This bill would require natural gas pipeline utilities to repair or replace leaking natural gas pipelines within time frames to be established by the Dept. of Environmental

Protection (DEP). In consultation with the Board of Public Utilities, the DEP would adopt implementing regulations to prioritize time frames for the repair and replacement of pipelines based on the severity of leaks, best practices and repair standards, and de minimis exceptions to the repair and replacement requirements. The penalties for noncompliance would be those set forth in the Air Pollution Control Act (1954). The bill was referred to the Senate Economic Growth Committee on September 18, 2014.

[A 4260](#) (Eustace): This bill is the Assembly version of S 2422, currently pending in the Senate. The Assembly bill was introduced and referred to the Telecommunications and Utilities Committee on March 2.

## NEW YORK

[AB 7965](#) (Rodriguez): This bill would amend the Public Service Law to require gas corporations to file with the NYPSC a plan addressing aging and leak-prone pipelines. Plans must: (1) prioritize the replacement of cast and wrought iron pipeline; (2) include completion timelines; and (3) establish workforce development plans to train and increase the number of laborers qualified to repair and replace leak-prone pipe. Gas corporations also would be required to file an annual summary documenting projects completed within the previous year. If approved by the NYPSC, gas corporations would be able to recover infrastructure replacement costs up to 1.5 percent of annual revenue. The bill was introduced and referred to the Committee on Appropriations, Authorities, and Commissions on June 2.

[AB 5083](#) (Paulin): This bill would amend the Public Service Law to require: (1) the Department of Public Service to establish a uniform system for classifying gas leaks; (2) gas companies to annually report the location, classification, date, and date of repair of each leak; and (3) the Department to promulgate regulations to implement the classification system and oversee annual reporting. The bill also would require the NYPSC to determine whether New York should require winter surveillance of cast or ductile iron pipelines. The bill was referred to the Corporations, Authorities, and Commissions Committee on February 12. *The Assembly amended the bill on June 12, and passed and sent the bill to the Senate on June 19. The Senate referred the bill to the Rules Committee.*

[SB 5206](#) (Griffo): This bill is the Senate version of AB 5083. The bill would establish reporting requirements for various classifications of gas leaks by utility corporations. The bill was introduced and referred to the Senate Energy and Telecommunications Committee on May 7.

[AB 730](#) (Lentol): This bill would require that the Department of Environmental Conservation, prior to the issuance or renewal of a major facility license, require applicants to demonstrate implementation of state and federal regulations for prompt detection of petroleum discharges from tanks and connecting pipelines, including installation of proper detection equipment. The bill was introduced and referred to the Standing Committee on Environmental Conservation on January 7.

[AB 2547](#) (Rodriguez): This bill would require operators of gas distribution and gas utility facilities to accelerate the repair, rehabilitation, and replacement of pipeline or equipment that is leaking, may pose a high risk of leaks, or may no longer be fit for service. The bill also would require the NYPSC to adopt a cost recovery program, develop timelines prioritizing the repair of all leaks based on severity, require the use of best available technologies to detect gas leaks, adopt standard methodology for calculating and reporting lost and unaccounted for (LAUF) gas, and adopt limits on cost recovery for LAUF gas. The bill was referred to the Energy Committee on January 16.

[AB 2648](#) (Pretlow): This bill would amend the Public Service Law to define "excavation" as including the use of hand tools, and would require excavators to request mark outs for excavation using hand tools through the One-Call notification system. Tilling soil for agricultural purposes, routine residential or right-of-way maintenance, and landscaping activities are exempt provided the activity is performed with non-powered equipment. The bill also would amend the definition of "underground facilities" to include all facilities that an operator uses to provide "services or materials," regardless of whether the operator installed the facility. The bill was referred to the Corporations, Authorities, and Commissions Committee on January 20.

[AB 2777](#) (Brennan): This bill would require gas corporations to file an annual gas safety report with the Department of Public Service. The report would include a description of the strategic planning and decision-making methodology employed in prioritizing pipeline replacement projects, the corporation's operations and maintenance activities relating to gas safety, the corporation's intrastate inspections policies, and a list of pipeline replacement projects. The Department must report deficiencies in the gas corporation's project prioritization or administration of pipeline infrastructure to the Public Service Commission, which could order reasonable improvements. This bill was referred to the Corporations, Authorities, and Commissions Committee on January 20. On March 24, the bill was passed by the Assembly and referred to the Senate Committee on Corporations, Authorities, and Commissions.

[SB 5811](#) (Perkins): This bill is the Senate version of AB 2777, and would require gas corporations to file an annual gas safety report with the Department of Public Service. On June 4, the bill was referred to the Senate Committee on Energy and Telecommunications.

### **NORTH DAKOTA**

On November 10, 2014, the North Dakota Public Service Commission (NDPSC) issued a notice that it is proposing to amend its pipeline safety regulations to include PHMSA's gas and hazardous liquid safety regulatory requirements adopted through November 6, 2014, and on January 7, issued an [Order](#) submitting the [proposed rules](#) to the Attorney General. The Order notes that, although the NDPSC has the authority to regulate the safety of the state's hazardous liquid pipelines, it currently does not have a certified hazardous liquid safety program with PHMSA. The proposed rules were published in the April 2015 North Dakota Administrative Code Supplement 356.

### **OKLAHOMA**

**Oklahoma Corporation Commission adopts rules relating to damage prevention and enforcement.** On March 15, the Oklahoma Corporation Commission (OCC) [adopted proposed rules](#) that provide the OCC with authority to enforce violations of the Oklahoma Underground Facilities Damage Prevention Act with respect to pipelines. The rules also require excavators to immediately notify local emergency responders in the event of an uncontrolled or unintentional release of flammable, toxic or corrosive gas or liquid from a pipeline or pipeline system. The rules were submitted to the Governor and the Oklahoma Legislature for approval. *On June 9, 2015, Governor, Mary Fallin issued a [declaration](#) stating that, because the Oklahoma Legislature did not pass an omnibus joint resolution specifying which proposed permanent administrative rules were approved and disapproved before it adjourned, she declared all rules submitted between April 2014 and April 2015 to be approved and adopted. The Governor's declaration finalized the OCC's adopted rules relating to damage prevention and enforcement.*

### **OREGON**

[HB 3410](#) (Helm): This bill would establish a nine-member Task Force on Secure Pipelines to study and report on state and federal safety standards, new technologies for safer pipeline transportation of petroleum, natural gas, and other flammable substances, costs related to such technologies, and incentives to encourage the use of such technologies to construct or retrofit pipelines and related facilities. The Task Force would be required to report its findings by September 15, 2016. The bill was referred to the Committee on Energy and Environment on March 6, with a subsequent referral to the Joint Committee on Ways and Means.

### **PENNSYLVANIA**

[SB 561](#) (Rafferty): This bill would amend the Gas and Hazardous Liquids Act to replace the Pennsylvania Public Utility Commission with the Department of Transportation of the Commonwealth as the entity with safety jurisdiction over pipelines. The bill also would require the newly created Department to seek certification from PHMSA to enforce pipeline safety requirements for intrastate gas and hazardous liquid pipelines, and to act as an interstate inspection agent on behalf of PHMSA. The bill was referred to the Consumer Protection and Professional Licensure Committee on March 6.

[HB 445](#) (Baker): This bill would amend the Underground Utility Line Protection Law to impose additional duties on facility owners, including submitting reports of alleged excavation damage violations, to establish an annual fee for excavators requesting information from the One Call System, and to create a Damage Prevention Committee to review reports of alleged violations and issue informal determinations imposing administrative penalties. The bill was referred to the Consumer Affairs Committee on February 11.

[SB 418](#): This bill would amend the Underground Utility Protection Law to require the exclusive use of steel products produced in the United States for the construction, alteration, repair, improvement, and maintenance of gathering lines. The bill was referred to the Consumer Protection and Professional Licensure Committee on February 12.

[SB 367](#) (White): This bill would amend the definition of “line” and “facility” in the Underground Utility Protection Law to include gathering lines used to gather natural gas from unconventional gas wells. The effect of this legislation is to make these lines in Pennsylvania subject to the state’s One-Call system. This bill was referred to the Consumer Protection and Professional Licensure Committee on January 30.

### **RHODE ISLAND**

[HB 5959](#) (Azzinaro): This bill will expand the authority of the Division of Public Utilities and Carriers to adopt federal pipeline safety standards. The bill was signed by the Governor on June 8.

### **FOR MORE INFORMATION**

Van Ness Feldman counsels clients on pipeline safety compliance, enforcement, and litigation under the Pipeline Safety Laws and Regulations and related statutes. If you are interested in additional information regarding pipeline safety matters or any PHMSA or pipeline related matter, please contact [Susan Olenchuk](#) at (202) 298-1896 or [sam@vnf.com](mailto:sam@vnf.com), [Jim Curry](#) at (202) 298-1831 or [jbc@vnf.com](mailto:jbc@vnf.com), [Keith Coyle](#), at (202) 298-1811 or [kjc@vnf.com](mailto:kjc@vnf.com), or any member of the firm’s Pipeline & LNG practice group.

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