

Public Interest Representatives meeting summary – 2/29/00

Attending:

Stacey Gerard, OPS

Jeff Wiese, OPS

Mike Israni, OPS

James Reynolds, OPS

Christine Sames, OPS

Ruth Ellen Schelhaus, LEPC Information Exchange

Lois Epstein, Environmental Defense Fund

Jim Pates, City of Fredericksburg

Larry Edgington, International Union of Operating Engineers

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S. Gerard opened the meeting with a status update on the HCA rulemaking, telling the group that a draft is expected to be into clearance this week, with the proposal delivered by March 30. She told participants that the proposal is expected to present Integrity Management Program requirements for mandatory testing in High-Consequence Areas, including a schedule, remediation plans, and priorities for repairs. HCAs are defined in the proposed rule based on population density, Unusually Sensitive Areas (USAs), and commercially navigable waterways. L. Epstein asked about inclusion of other waterways in this definition and was encouraged to provide input on this concern during the public comment period.

Gerard outlined the anticipated sequence for four stages of the HCA rulemaking. The first stage, due March 30, will govern liquid lines of greater than 500 miles; this will be followed by further proposals covering, in order:

- < liquid lines of less than 500 miles;
- < interstate gas lines;
- < intrastate gas lines; and
- < public communications.

Gerard told the group that this sequence was established in part to allow appropriate consideration of pipeline communications issue and to gain sufficient feedback from stakeholders.

Gerard then provided an update on the exploratory meeting held 2/28 at API, and expressed regret that few of the Public Interest Representatives had been able to attend. She outlined the meeting participants' interest in exploring a pilot program to explore and assess the efficacy of ways to strengthen the liaison between public officials and pipeline companies, and to test the usefulness of pipeline data provided to public officials. J. Pates reported the meeting's emphasis on improving interaction with localities, and welcomed the opportunity to consider restructuring the respective roles of federal, state, and local officials, emphasizing the distinction between participation and communication.

Gerard told the group that participants in the 2/28 meeting had begun to develop a conceptual model for such a pilot demonstration, and that it would be refined and circulated as a prospectus for comment by OPS' Advisory Committees, industry, and the Public Interest Representatives. She briefly outlined some of the types of operator information that would be included in the pilot; J. Pates suggested inclusion of a siting situation, and L. Epstein suggested including accident reports, including those that do not reach current reporting thresholds. Pates emphasized that, for local officials, understanding and assessing risk is the critical task, and that information provided should enable them to do so. Gerard urged all members of the group to review the prospectus when it becomes available and to provide input and suggestions.

The group then discussed the expanding role of OPS in relation to local communities; suggestions were made that OPS conduct or participate in public hearings independent of any pipeline incident, that it solicit public comment on enforcement actions, and that it make enforcement actions public at the local level.

C. Sames provided a brief update on the USA rule, which will be the subject of a technical workshop in April at which results of public comment will be presented. A specific area of concern raised by J. Pates was the definition of adequate alternative water supply.

L. Epstein asked for clarification on the question of national communications, which was not the focus of the 2/28 meeting at API. Gerard referred to the legislative proposal due this month, suggesting that it touches on this question, and stressed that OPS sees addressing broader pipeline risk communications as an incremental process. J. Wiese noted that the 2/28 meeting was not intended to provide answers but to begin a process, which OPS hopes will produce constructive change.

On the subject of broad public communications, Gerard said that OPS was reviewing existing data for use in a consolidated, more accessible database form, along with information from the National Pipeline Mapping System. L. Epstein agreed that OPS needs to provide more information, but stressed that companies themselves should be providing more detail, including information about their monitoring systems, a five-year accident record, and worst-case risk scenarios. She noted the parallels with EPA's Right-to-Known programs, which have effectively set a precedent with OMB cost/benefit analysis requirements.

Discussion then turned to the communications pilot demonstration. Epstein offered to identify potential communities; Wiese will poll members of the National League of Cities' environmental committee; Pates volunteered Fredericksburg for consideration. OPS will circulate the pilot program prospectus prior to the group's next meeting.

Epstein noted that the existing pipeline accident database is difficult to access; Gerard told the group that appropriations had been requested to enhance databases, including the NPMS. Epstein suggested that company-specific data were far more useful than aggregated information such as the API database contains.

R. Schelhaus told the group that the US Coast Guard will shortly begin to post specific response plans on its site, with information conformed to Privacy Act requirements. OPS agreed to check these postings and evaluate as a potential model. Schelhaus also reported that, based on personal experience, LEPCs are often reluctant to interact with the general public on risk issues.

The group agreed to reconvene once the prospectus is available, expected mid-April.