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ATTACHMENT B

US Department of Transportation Pipeline Safety Forum

April 18, 2011 Comments of UWUA

US DEPARTMENT OF TRANSPORTATION
Pipeline and Hazardous Materials Safety Administration

PIPELINE SAFETY FORUM
April 18, 2011
Washington, DC

COMMENTS OF THE UNITED STEELWORKERS UNION OF AMERICA

The Importance of Human Factors in Pipeline Safety and the Full Involvement of the Workers Who Build and Maintain the Nation's Pipelines in Safety Development and Implementation of Workplace Procedures that Places Safety First

Carl Wood
National Regulatory Affairs Director
815 16th Street
Washington, DC 20006
951-567-1199
carlwood@uwua.net

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COMMENTS OF THE UTILITY WORKERS UNION OF AMERICA

On

The Importance of Human Factors in Safety and the Full Involvement of the Workers in the Development and Implementation of Workplace Procedures that Places Safety First

On behalf of our 10,000 members working to deliver safely to America's homes, industries, facilities and powerplants throughout the Utility Workers Union of America (hereafter UWUA) I am pleased to offer these Comments that emphasize the importance of the work culture that embodies proactive approaches to and elimination of hazardous conditions in the gas delivery system in order to explosions, fires and events that injure and damage people and property. We applaud the proper reject the old saw "if it ain't broke don't fix it" as an invitation to industry.

Our approach to safety is based on the great importance of extensive engagement of employees, both management and the independent fully partnership in the workplace and industry culture that places safety first. This approach requires learning lessons from thorough safety incident cause analysis that identifies systemic risks and eliminates them. It entails full and adequate staffing of patrol and assessment activities and full and adequate staffing of operating and maintenance activities (1) factors that affect judgment such as fatigue or the task; (2) factors that influence adherence to procedures such as poor procedure description or poor cutting.

This approach must be institutionalized systems of communication among managers, employees and regulators/officials. Reporting to regulatory officials by the operator should be supplemented by inspe

both announced and undertaken regularly meetings between regulatc
employee representatives who have no incentive to minimi
conditions and hazards. [illegible] blame or trigger penalties, but rather foster an open and r
identifying and fixing the problems before [illegible] or kill.

The UWUA's approach suggests strongly that the PHMSA's eventual decisio
human factor considerations [illegible] Management Program
(DIMP) Final Rule must be [illegible] of the TIMP Rule
factors is [illegible]. To the extent that PHMSA is
convening the gas pipeline [illegible] facilitating
dialogue about improving the safety and integrity of gas del
prepared address the agency's approach to human factor issues such
aging utility [illegible] for the need to [illegible] the
adequacy of staffing [illegible] safety and maintenance functions
aftermath of San Bruno [illegible] between the
The detailed Comments on each [illegible] three
engaging operation and maintenance employees in robust communication among
workers, managers and regulators [illegible] in part [illegible] UWUA's th
nuclear industry and reflects in part its experience in
California.[3]

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[1] 74 FR 63906 at 63908 (December 4, 2009).

[2] The TIMP Rule is curious in its treatment of
identifies "human error" as a required category of threat
identification program; the rule then proceeds to drop the
[3] more easy to generalize from California's experience due
California's gas distribution utilities [illegible] gas and Electric Company
California Gas Company each have over [illegible] and
jurisdictional parameters stemming from the Hinshaw Amendment,
Natural Gas Act, 15 USC section 717(c), which places mos
their operations under the jurisdiction of [illegible] California (CPUC).
However, the active response of the CPUC to the San
laboratory for finding improvements in both safety philosophy

SAFETY CULTURE, PHILOSOPHY AND PRACTICE

For UWUA establishing the elements of an effective recognition that gas are essential facilities providing a essential good to the public. The gas business re delivery of a dangerous, combustible substance. Safety workers is of paramount importance to our perspective the gas business first and public safe

- It is recognized that gas are essential facilities critical and essential goods to the gas business transportation and delivery of a dangerous, combustible the public and the workers is paramount subordinating the pursuit of profit maximization operation and maintenance practices.

- Unsafe conditions and practices are identified proactively minimized through implementation of approach to safety engages all employees of the utility including contractors. Protecting workers and the public involves every aspect operations, not just the threat identification program Title 49, section 192 Subpart O is not sufficient excuses mitigation of human factor considerations.

- Systems of Safety is an abstract concept; identifying safety is a first step in making real safety empowerment and leadership in problem solving, addressing safety issues and proposing solutions. Integrating co for training, skill development and transmission, and r solving is an essential feature of a systems appr

- Clearly written, procedures periodic review and revision worker experience and feedback, and an expectation compliance are essential elements of systems approach to saf

California has undertaken a comprehensive gas safety rulemaking February 24, 2011 the should provide important concepts and guidance http://docs.cpuc.ca.gov/published/proceedings/R1102019.htm

- Safety events are addressed through root cause and
disciplinary action; the emphasis is on strengthening not
blaming the individual.

- The safety culture should recognize the values of
responsibility and power, and collective collaborative wor
employees of the gas business, both management and

- In our industry safety and service levels are inti
is consistently utilizing our experience and knowledge,
create a safe, injury-free environment for workers and
public. This establishes performance levels and metrics
historically prevailed in the industry.

This approach to developing a safety culture is
in the nuclear industry and best practices at other gas utiliti
provided leadership in safety culture development and offe
national level for worker/management cooperation and worker
the safety area. A successful systems safety approach requires a h
commitment and involvement by utility senior management the full
engagement of both union and management at all leve
respect in order to empower employees to create environment and
for the public. Articulating the expectation and describ
accompanied by concrete measures of implementation.

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[4] UWUA along with its union colleagues in the utility industry
Teamsters, works with the following companies among others
approach to safety approach to worker/management safety culture
Entergy (New York, Massachusetts, Michigan, Vermont); First Energy (Ohio);
(New York); DTE (Michigan), Peoples Gas (Illinois); Bay State
Dominion Resources (Massachusetts, Ohio, Pennsylvania); Allegheny Po
West Virginia). Southern California Edison has recently instituted a
training program implementing Systems of Safety in cooperation
246.

Institutionalizing a risk based approach on a systems approach is the best accomplished by developing a long term plan that is the foundation for holding the pipeline operator accountable and measuring eliminating and mitigating identified hazards. The fundamental plan is that it moves the responsibility from the past forward looking anticipation and prevention of the next lessons learned, but puts them to work as part of moves the line of safety back away from the threat,

In order to have an effective planning process, that and put into effect that all employees that are involved at the plan development, implementation, review and enforcement engaged employee in the fields of the assurance that plan will be effective in practice in preventing injury well as to the workers.

The elements of the plan should include at a

- identifying and eliminating hazards and systemic risks accidents, explosions, fires, and dangerous conditions and and its employees;
- identifying the safety systems that will be deployed mitigate hazards, including adequate documentation of ga capability;
- providing adequate storage and transportation capacity to to all customers consistent with rules authorized by governing core and curtailment, including pr for expansion, replacement, preventive maintenance and maintenance including repair of gas plant;
- providing for effective patrol and inspection of and other facility conditions and to effect
- providing for appropriate and effective system controls, personnel procedures, to limit the damage from acci and dangerous conditions;
- providing timely response customer and employee reports o other hazardous conditions and emergency events, includ disconnect/reconnect and procedures;

- establishing appropriate protocols for determining maximum operating pressures [illegible] relevant segments, including all documentation affecting calculation of maximum allowable pressures; and
- preparing for, preventing or minimizing damage from, earthquakes, fires, floods and other [illegible] or events; and
- ensuring adequate numbers of properly trained gas corpo carry out these activities; and
- exceeding the minimum standards for safe design, co operation and maintenance of gas transmission and prescribed by regulations issued by the US Departme 49 CFR [illegible] 192.

The safety plan would begin with the hazard ma proactive approach to answering the existential questions of “systemic [illegible] assessment: What else is out there?’ and ‘what can we do to prevent another tragedy from unexpected sources?’”

The current national discussion appears to focus on aging infrastructure and to prioritize hazards [illegible] and po magnitudes. In other words, are there other San Allentowns? Beginning to answer this [illegible] involv Transportation safety Board (NTSB) [illegible] PG&E in response to [illegible] of documentation of and capacities of existing physical infrastructure to establis foundation for operating procedures that permits a degree articulating improved patrol, inspection, [illegible] inspections remote [illegible] documentation practices [illegible] more thorough and more complete [illegible] them effectively ensuring continuity [illegible] time. (3) Once the physical mapped, a [illegible] developed [illegible] the [illegible] deficiencies hazards and managing the risks associated with cannot be [illegible] eliminated.

껨□η Equally껨□ηimportant껨□ηto껨□ηthe껨□ηdevelopment껨□ηof껨□ηa껨□ηsafety껨□
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whose껨□ηtraining껨□ηmay껨□ηbe inadequate, where direct observation껨□ηof껨□ηcompli
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the껨□ηcustomer껨□ηlevel,껨□ηidentifying껨□ηand껨□ηeliminating껨□ηconditions껨□ηa
cause껨□ηexplosions,껨□ηfires,껨□ηillness껨□ηor껨□ηother harms due to defective
equipment,껨□ηfacilities,껨□ηprocedures껨□ηor껨□ηother껨□ηconditions껨□ηincluding껨
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effective and responsive customer service call handling.

high pressure system such as the one that exploded

ongoing problems at the distribution and — without enhancement of actual customer service

events causing injury and damage and near misses, wh

in identifying and evaluating hazards and avoiding damage.

The important point is that hazard analysis and mitigation and elimination is an

continuous and interactive approach of proactively identifying

one-time snapshot, but an integral part of the safety

“how can this hazard be eliminated or reduced before it causes injury or damage,” with

participation and input from the employees. The TIMP and

should be modified to provide explicitly for employees

The plan would be submitted to the appropriate regulatory authority

initial approval and would be regularly reviewed and

This is not inconsistent with federal pipeline integrity

apply to both transmission and distribution including custo

reach of federal authority. This requirement would ap

In the California (Hinshaw) context the safety plan would be submitte

approved by CPUC, the whose continuous oversight and review

significant form of accountability. In other cases, PHMSA should

Memorandum of Understanding (MOU) with state regulatory

delegate to the state authorities inspection, review and

with funding (if necessary) appropriately sized and supported skilled ca

regulatory personnel.

TRANSPARENCY OF THE SAFETY COMMITMENT OF GOVERNMENT AGENCIES

A systems approach to safety requires removing obst

safety issues, both compliance and regulation, and enforcement

agencies. The goal is a cooperative proactive approach

before it happens, replacing fixing leaks approved plans before damage th
have been prevented. UWUA proposes a new era of regular and
communication among utility managers, employees and governm
accordance with the following principles:

- Gas pipelines are essential facilities providing a critic
the California public. Safe operation is important for
employees of the utility and for the consuming p
gas transport and delivery facilities.

- There should be regular institutionalized channels of
the three sets of safety stakeholders responsibility for op
(1) utility managers with operational responsibilities inclu
monitoring and remediation including repair and replacer
employees performing transmission, distribution and
(3) government agency investigative and enforcement
them to carry out their respective roles in assur
are operated and maintained in a safe and effect
the public and consumers of gas service.

- Utility employees through their bargaining representatives
fully and equally in development, implementation, interpr
modification of programs for protecting the safety of
employees, recognizing that specific
maintenance programs have applications for safety. They
in presentations to agencies having approval authority
when enforcement authorities come on the property
utility operation, maintenance, or other activities.

- Utility employees through their bargaining representatives
established channels of communication at regular interval
management with public agencies having enforcement
responsibility.

Applying these transparency principles, safety
be reported, including those corrected and near misses. We
constitute "near misses." It would accomplish this
the understanding that safe operation of the gas syste
constant vigilance and proactive intervention and thus incr

its safety; (2) it would improve understanding of the condition of particular pipelines; (3) it would enhance the ability to account for safety utility expenditures.

For example, PHMSA should require notification when an incident where pressure exceeded MAOP. The transparency principles that these incidents and near misses where risk increased but should be reported, should be subjected to root cause analysis and actions to eliminate the hazards and mitigate the (or perhaps more frequent) reporting of near misses involving excessive pressure hazard mapping and mitigative process. learn from the and not happen from identified risks nature and damage and

Thank you for the opportunity to present these