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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
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Washington DC

COMMENTS OF THE UNITED WORKERS UNION OF AMERICA

The Importance of Human Factors in Pipeline Safety
and the Full Involvement of the Workers
Development and Implementation of Future that
Places Safety Programs

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COMMENTS OF THE UTILITY WORKERS UNION OF

On

The Importance of Human Factors in Pipeline Safety and the Full Involvement of the Workers in the Development and Implementation of a Work Culture that Places Safety First in Pipeline Safety Programs

On behalf of its 50,000 more than members working to deliver [illegible] safely to America's homes, businesses, industries facilities and powerplants throughout the country, the Utility Workers Union of America (hereafter UWUA) [illegible] pleased to offer these Comments that emphasize the i[illegible] work culture that embodies a proactive approach to identifying and eliminating [illegible] hazardous conditions in the gas delivery system that result in explo[illegible] fires and events that injure and kill people and damage property. We [illegible] reject the old "if it ain't broke don't fix it" as an invitatio[illegible] industry.

Our approach to a safer industry depends to a great extent on the active engagement of employees, both management and labor, acting as independent [illegible] fully partners in workplace and industry culture that places safety f[illegible] This approach requires learning lessons from thorough safety events root cause analysis that identifies systemic risks and eliminates [illegible] entails full and adequate staffing of surveillance patrol and assessment act[illegible] and full and adequate staffing of operating and maintenance activities [illegible] (1) factors that affect judgment such as fatigue or [illegible] the task; (2) factors that influence compliance with procedures such [illegible] poor procedure description or corner cutting.

This approach requires robust institutionalized systems of communica[illegible] among managers, employees and regulators/officials. [illegible] reporting [illegible] regulatory officials in pipeline operations should be supplemented by inspe[illegible]

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both announced and undertaken regular meetings between regulatc
employee representatives who have no incentive to minimi
conditions and hazards. [illegible] blame or trigger [illegible] identifying and fixing the [illegible] or kill.

UWUA's approach suggests strongly that [illegible] human factor considerations [illegible] (DIMP) Final Rule must [illegible] factors is [illegible] convening the gas pipeline [illegible] dialogue about improving the safety and integrity of gas del
prepared address the [illegible] aging utility [illegible] adequacy of staffing [illegible] aftermath of San Bruno [illegible]

The detailed Comments on each [illegible] engaging operation and maintenance [illegible] workers, managers and [illegible] nuclear industry and reflects in part its experience in
California.[3]

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[1] 74 FR 63906 at 63908 (December 4, 2009), [illegible]
[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] [illegible] easy to generalize from California's experience due
California's gas distribution utilities [illegible] and Electric Company
California Gas Company each have over [illegible] jurisdictional parameters stemming from the Hinshaw Amendment, Natural Gas Act, 15 USC section 717(c), which places most their operations under the jurisdiction of [illegible] 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 to the gas business requi transportation and delivery of a dangerous, combustible the public and the workers is paramount subordinating the pursuit of profit maximization safe 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 aspe operations, not just the threat identification progra Title 49, section 192 Subpart O is not sufficient excuses mitigation of human factor considerations.

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

- Clearly written procedures with 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
  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 establishing performance levels and metrics
  historically prevailed in the industry.

This approach to developing a safety culture is

in the nuclear industry 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 hi

commitment and involvement by utility senior management

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 Pow
West Virginia). Southern California Edison has recently instituted a
training program implementing Systems of Safety in cooperation
246.

Institutionalizing a culture of safety based on a systems approach is

best accomplished by developing a forward looking plan that is the

for holding the pipeline operator accountable and measurin

eliminating and mitigating identified hazards. The fundamental

plan is that it moves the perspective 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 demarcating back away from before things break,

In order to have an effective planning process, t

and put into effect that employees at all levels are involved at

the plan development, implementation, review and enforcement. Fully

engaged employees in the field is the best 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 noncore curtailment, including pr for expansion, replacement, preventive maintenance and maintenance including repair of gas plant;
- providing for effective patrol and inspection of and other compromised facility conditions and to effect
- providing for appropriate and effective system controls, personnel procedures, to limit the damage from accid and dangerous conditions;
- providing timely response to customer and employee reports of other hazardous conditions and emergency events, includ disconnect/reconnect and lighting 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 risk 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 [illegible] of documentation of and capacities of existing physical infrastructure to establis foundation for operating procedures that permits a degree articulating improved patrol, inspection, testing and inspections remote devices [illegible] documentation practices [illegible] more thorough and more complete [illegible] them effectively ensuring continuity over time. Once the physical mapped, a [illegible] developed eliminating the identified deficiencies hazards and managing the risks associated with cannot be [illegible] eliminated.

Equally important to the development of a safety

factors that impact safety. where / This problem especially aging

infrastructure is universally acknowledged. The continued

potentially fatigued physical / equipment and material often depends o

judgment and performance of the employees who operate

public benefits from a trained, skilled, equipped, motivated, and

workers, who are fully engaged in operating the and issue

maintaining the plant and equipment with which they

interaction among labor, management and regulators about

system and the most efficient and effective ways to

that consumers will get the service they need at a

rate.

In this respect safety practice can build on prog

addressing workplace safety, particularly the development of

performing work safely and efficiently and the developmen

procedure compliance. Hazard mapping and hazard elimin

factors that undermine procedure compliance, excessively / including / shortages

for work orders, assignment / employee completion and compliance with

in the field including documentation, of / contractor / independent

whose training may be inadequate, and observation of compli

be attenuated and irregular working / hours where necessary.

From the public safety standpoint, hazard mapping / include

the customer level, identifying and eliminating conditions a

cause explosions, fires, illness or other / defective

equipment, facilities, procedures or other conditions including

error. This weight / leak detection / include and response at

to the home, lighting and other assistance / timely / appliar

connection and reconnection services (especially during the

effective and responsive customer service call handling. high pressure system such as the one that exploded ongoing problems at the distribution and customer service events causing injury and damage and near misses, which in identifying and evaluating hazards and avoiding damage. The important point is that hazard 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 before damage occurs" participation and input from the employee TIMP and should be modified to provide explicitly for employees The plan would be submitted to 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) safety exemption would be submitte approved by CPUC, whose continuous oversight and review significant form of 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 supervised and skilled regulatory personnel.

TRANSPARENCY OF SAFETY COMMITMENT GOVERNMENT AGENCIES

A systems approach to safety requires removing obst safety issues, both compliance and enforcement agencies. The goal is a cooperative proactive approach

before it happens, replacing-fixing reactive, the blame damage th
have been prevented. UWUA proposes a few of regular and
communication among utility managers, employees and governn
accordance with the following principles:

- Gas pipelines are essential facilities providing a critic the California public. Safe operation importance for ar employees of the utility and for the consuming 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 functions, (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 such industry operation and maintenance programs have implications for safety. They in presentations to agencies having approval authority when enforcement authorities come on the property utility operation, maintenance, construction or other activities.

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

Applying these transparency principles, all safety incidents should be reported, including those corrected by repair or that constitute "near misses." This would accomplish three things. It would the understanding that safe operation of the gas syster 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 of any incident where pressure exceed 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 hazard or 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 identifies prevents future damage and

Thank you for the opportunity to present these