

BEFORE

PUBLIC UTILITIES COMMISSION OF THE STATE OF

Order Instituting the Commission's Model to Adopt New Safety and Reliability Regulations for Natural Gas Transmission and Related Ratemaking Mechanisms

Order
on
to

and

Comments

Comments of Utility Workers Union of America on Proposed Regulation of Asset Retirement Obligations

Proposed Regulation of Asset Retirement Obligations, July 8, 2014

Order
on

and

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Order
on
to
for
and

July 18, 2014

Comments of Utility Workers Union of America (UWU) on Proposed Decision of ALJ Bush issued July 2011

UWU

Introduction

It is nearly 100 years since a defective PG&E pipe neighborhood in San Bruno, California, legislature and the undertaken a effort to transform the safety culture and transport and industry shift from a reactive “culture proactive” culture of the industry. As a result, its initial order in proceeding:

“We must ensure that our gas utilities recognize is not enough. Safe pipeline operations must begin management and the safety workrooms and crews of the pipeline operators must have a and workplace culture that places safety as their” (emphasis added)

UWU

The current order after the General Order on basic gas operations the Commission opportunity to their forward-looking approach Bruno order on the national and safety culture changes sought by California’s policy

UWU
1 Report of the Independent Review of the 2010 Page 9. to a regulatory model based on performance and effective mindset of the entire industry. Report of the 2, page 25. for projects authorized in rates are the driving forces investment and maintenance. PG&E as a company may or may not be running a safe system. Rather, regulation leads to an overall approach of (emphasis added)

2 UWU page 8; based on the 9, we are resolute in our commitment to improve the safety of this context, it is absolutely essential that we have candor and transparency in our Constitutional and statutory duties forthright and timely explanations of the issues, as well as advantages and disadvantages of the

UWU

The Commission proposed changes to 49 CFR in August 2013. The Commission stakeholders including UWUA and the U.S. Department of Energy's Office of Energy Efficiency and Energy Conservation (DOE) have provided comments on the Commission's proposed Decision (hereafter, "Proposed Decision"). The Commission has considered response to all of the comments and has adopted in concept several of UWUA's robust operation and maintenance provisions. The Commission will focus on the Operation and Maintenance Transmission and Distribution (OTMD) and Reporting (112, section 123). The Commission will also address the issues that will be adopted in the Commission's Order and assist the Commission in its safety program. The Commission's III summarizes UWUA's suggestion PD.

I. Operation and Maintenance Performance and Reporting

A. Leak Detection and Reporting

Leaks and the operator's approach to preventing them among the defining characteristics of a gas pipeline and a related issue for the Commission to assure system integrity. Every step of threat and system performance listed in the document regarding System Integrity has been included in the American Society of Mechanical Engineers (ASME) B31.4 standard, which is a part by leak prevention and frequency.

³ UWUA's Comments dated September 25, 2013 (hereafter addressed the August 2013 Staff proposal in a comprehensive responsive to a number of UWUA's concerns. UWUA here in summary fashion an effort to constructively engage on refers the Commission to the September Comments for a commentary.

⁴ This document is incorporated by reference as defined in the regulations. See generally 49 CFR 192.7 and its

- External Corrosion
- Internal Corrosion
- Stress corrosion cracking
- Manufacturing
- Construction
- Equipment
- Third Party Damage
- Incorrect Operation
- Weather-related and Outside Forces

Currently GO and operators specifically addressed to include limited leak surveys (per 143.1) and a requirement to expressly state in the regulation that the operator will repair during the calendar year, as a component of its annual report and 49 CFR sections 191.11 and 191.110. PHMSA and the PD addresses these deficiencies beginning with a change to the title that makes clear the distribution. It requires starting a new section for that UUA generally supports, with several constructive improvements that will make a significant

1. Leak Detection Section 143.1 (amended)

The foundation for a leak reduction strategy is prompt permanent repair of leaks. A separate high-of-way patrol and a more detailed leak survey used. Patrol involves primarily visual inspection and report of odor, ground or soil disturbance, dead vegetation, other conditions indicating that the facilities have been unreported incursions in the vicinity of a

incorporating the four general 86 lines in the AS and the of threat in Table and Appendix A.
 5. The Table is on page 30.

The PD proposes to extend the leak detection leak detection and aggressive, shortened interval for leak detection (Section 143.1(b) establishing a twice not exceed this proposal as to the needs of the current in gas distribution, and operated and maintained by the distribute gas at very high pressures (in excess of UWUA suggests that the transmission leak detection to the gas distribution facilities appropriate

2. Leak Classification and Action Criteria (Section Reducing leaks and emissions from leaks is at and delivery industry's safety has gas leaks for comprehensive leak reduction strategy developed though a process in which all knowledgeable parties participate, That process transparent, participatory, and not happened. However, the CPUC staff (in July 2012) made proposals that the staff to focus on make progress in avoiding, reducing large repairing the August 2013 staff (August proposal), finding it but a regression from current utility practices.

The proposed of a significant improvement, which support with clarifications that would make it avoiding, reducing, repairing and As a practical matter should result in repair of most leaks and significant upgrading of the program to the status of not completely repaired at time of discovery.

UWUA does not understand the PD to include repair for immediate repair.

In this UWUA rule, 133.2(a)(2) describes an inclusive list of examples of Grade 1 leak scenarios “requiring prompt clarification by adding “repair” to the actions required, that repair is a ~~primary~~ **mandatory** action on the beginning of 143.2(a)(2) should ~~include~~ **require** Grade ~~1~~ **leak** ~~and/or~~ **repair** action include, ~~but not~~

One of the virtues of the PD’s leak classification provides flexibility in the field 133.2(a)(2) defines operators. examples of Grade 1 leaks ~~are~~ **is**, ~~and~~ **of** ~~where~~ **which** ~~in~~ **in** (numbers (i) ~~and~~ **is**) ~~the~~ **judgments** ~~by~~ **by** personnel. Five ~~is~~ **objective** ~~conditions~~

- “(i) Any leak, which in the judgment of the scene, is regarded as immediate hazard;
- (ii) Escaping gas that has ignited unintentionally;
- (iii) Any indication of gas that ~~is~~ **has** migrated or to ~~it~~
- (iv) Any reading at the outside ~~of~~ **of** a could potentially migrate to the ~~out~~ **inside** wall of
- (v) Any reading of eighty percent ~~of~~ **of** the gas (LEL) or greater in ~~an~~ **an** enclosed space;
- (vi) Any reading of eighty percent ~~of~~ **of** LEL or substructures not associated with gas ~~in~~ **in** ~~places~~ **places** where potentially migrate to the outside wall of a
- (vii) Any leak that can be ~~seen~~ **heard**, or location that may endanger the ~~general~~ **general** public or

The subjective judgments called for items (i) and qualified personnel within the meaning of ~~the~~ **the** MSA 6 ~~part~~

Qualified means that an individual ~~has~~ **has** been evaluated

(a) ~~is~~ **is** assigned covered ~~tasks~~ **tasks**; and

(b) Recognize and react to abnormal operating conditions

143.2(a)(2)(i) qualified operator personnel regarded as an imminent hazard;...” and (vii) leak that can be judged, qualified Operator personnel may endanger public or specifying the requirements of final a controversy and conflict decisions and qualified suggestion applies to Grade 2 leak decisions as follows: 143.2(b)(5)(vi) Examples of Grade 2 leaks requiring action include... (vi) Any leak that in qualified personnel at the time is of sufficient magnitude to justify scheduled

The qualified (to be thorough) qualified straightforward description of scenarios where experience has shown a possibility? UWUA suggests adding to the list other situations because of qualified source of ignition: any present along with electrical equipment; any leaks in conditions are conducive to static electric build up adding the following qualified and qualified “ix.”

- vii. Any leak in an enclosed space where
- viii. Any leak in plastic pipe where static

Items (v) qualified conditions. qualified lower explosive limit qualified in the field by qualified concentration directly percentage of gas qualified application of conversion formula to qualified providing an alternative concentration metric of 2.7% qualified personnel. This suggestion applies to qualified involving element of Grade 2 leaks qualified

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켄ii. 켄Grade 2 켄Leaks

켄Grade 2 켄leaks 켄the 켄leak 켄as 켄recognized 켄as 켄the 켄of 켄detection 켄but 켄justifies 켄the 켄potential 켄for 켄a 켄future 켄Grade 2 켄leaks 켄must 켄be 켄repaired 15 켄PD 켄proposed 켄section 143.2(b) 켄introduces 켄the 켄concept 켄of 켄“clearing” 켄a 켄leak. 켄It 켄is 켄apparent 켄from 켄the 켄in 켄that 켄paragraph 켄the 켄is 켄a 켄face 켄repair.” 켄The 켄is 켄a 켄danger 켄in 켄the 켄PD’s 켄leak 2 켄leaks 켄through 켄the 켄process 켄to 켄commit 켄a 켄continuous 켄churn 켄of 켄leaks 켄for 켄years 켄through 켄a 켄series 켄of 켄repairs 켄be 켄clarified 켄on 켄this 켄point 켄to 켄“or 켄clear.” 켄A 켄preferred 켄approach. 켄If 켄the 켄comes 켄in 켄clearing 켄a 켄simple 켄language 켄change 켄be 켄needed 켄to 켄avoid 켄confusion

1. 켄Apply 켄the 켄same 켄concept 켄to 켄Grade 1 켄to 켄Grade 2 켄leaks 켄and 켄then 켄repaired 켄in 켄a 켄year. 켄Section 143.2(b)(5) 켄regraded 켄leaks 켄be 켄repaired 켄in 켄months, 켄adding 켄subsection 켄to 켄Section 143.2(b)(5)

2. 켄Apply 켄the 켄same 켄process 켄(Section 143.2(b)(2)) 켄to 2 켄leaks 켄repaired

3. **Place 켄an 켄outer 켄limit 켄of 켄24 켄months 켄for 켄leak 켄after 켄discovery**

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3. 켄Leak 켄at 켄Risers

켄A 켄riser 켄piping 켄in 켄the 켄service 켄that 켄off 켄transitions 켄from 켄below 켄grade 켄to 켄above 켄and 켄riser 켄level 켄pressure 켄(up 켄to 켄60 켄psi 켄in 켄the 켄case 켄of 켄pressures 켄in 켄the 켄case 켄of 켄steel 켄risers) 켄to 켄the 켄riser

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flow, etc. The Legislature has provided for the following functions. AB 216 (2011, Yee) and AB 56 (2011, section 5) currently addresses valves in a manner that a valve is operable in a manner that provides:

143.2 Valve Maintenance, the use of which for the safe operation of a distribution system, lubricated (where required) and partially open at 15 months, but at least once each calendar

The limitations in this provision include: (1) not (2) no definition of “necessary for the safe operation” therefore no guidance is covered by the maintenance dimensions of the universe of valves covered by the about the outcome of the maintenance procedure or (4) excessively long intervals and procedures. Other renumbering the section proposes a change.

UWUA recommended a significantly revised approach preventive scheduled maintenance:

143.4 Valve Maintenance

- (a) Each operator shall make a record of its a description of location, type, size, number and criticality
- (b) Each valve, the use of which may transmission or distribution system, shall be inspected, lubricated (where required) and partially open at the conclusion of the “operable” means that a few can easily open
- (c) The report of the inspection of valves as found at the beginning of the inspection; a

Note that the California regulation 192.745(b): Each operator must take action to correct found inoperable, unless the operator does not document the operable condition of a valve that

procedures or other activities at the site; and conclusion of the inspection.

(d) The operator will ensure that the inspection equipment to lubricate and operate the valve at the

valve

UWUA's recommendations poses several improvements, beginning comprehensive valve inventory. This enables an and prioritizing the use of which may be necessary system. The problem that this addresses is prioritization may leave many valves needed to address uninspected for years, eventually inoperable when necessary, such as occurred at San Bruno. The inventory including the SED staff and experienced utility employees identifying the valves "necessary for a safe" the Commission assure that valve maintenance contributes to improving decreasing the risk that an inoperable valve extends. Second, UWUA notes transmission and valves in the inventory. The HMSA regulations cover both transmission (distribution) (49 CFR 192.747) valves but apply a (partially operate for transmission versus "check" for standard would result in an outcome of "operable" distribution valves.

Third, UWUA recommends a standard for assessing of the inspection and maintenance procedure; the valve meaning that it can be "easily" and properly inspected with this maintenance standard, UWUA proposes that beginning and conclusion of maintenance procedure be importance of documenting the findings at the beginning is that it may suggest an unacceptable condition addressed, if deterioration from the condition in which conclusion of the previous inspection is approved

valve

Fourth, UWUA recommends shortening the maximum “valves necessary for the safe operation” from 15 lengthy inspection interval permits impaired function to a systemic safety risk that should be maintained an maintenance is ongoing in the that is dependent on workforce. The workforce adequacy deficit would be approved valves have an effective valve near (See below, bags.)

UWUA notes that in its September Comments it maintenance personnel to operate the valves assigned adds a general of training on company equipment qualification in its proposed by a good suggestion UWUA fully supports an improvement over UWUA’s valves. That section should be updated with

5. Encroachments and

5. Encroachments and

The act is an important new section on encroachment utility rights and reduce unsuspected dangers to the be given by repositioning marks that give any person might encroach actual notice of the presence of much easier for a person to ascertain proximity facilities and trigger PHMSA requires markers “wherever necessary to identify the location of the transmission possibility of damage for the UWUA is proposed

line-of-sight markers for the subjectivity in the PHMSA marker in the line of view of the adjacent m.

8. The Commission accepts UWUA’s proposed new sections 143.4 (Valves) that should be numbered Section

B. Improving Transparency in Reporting Matters addressing Section 123.2

1.

Improved Transparency in Reporting Matters

Improved transparency in reporting matters is an operational issue that has been promoted by the Commission from San Francisco in no area; however, the system is not what we know this; we have not tried to reduce leaks. Understanding reporting scope of the problem is the 'The Commission's PRS responded by proposing a new that contains a much more comprehensive and detailed annually CPUC (CPUC) with the annual report UWUA only reports.

There are several items that the Commission include in its decision

- (1) detailed report of response for the PD proposed actions 123.2
- (2) granularity of the report requiring disclosure terms of the ASME standards 23
- (3) reporting the time between report and repair proposed section 123.2(a) requires report that reveals on leaks repaired and pending repair does not fully effectiveness of leak repair. This proposal will improve Commission's ability to improve timeliness of leak repair both the public and the environment;
- (4) reporting certain "near misses" level over Section 123.2(d), including items near the incident reporting procedures of Sections 123.2(a) through 123.2(e) that occurred;

⁹ Report of the Independent Task Force (June 2011), Recommendations 5.4.4.5, page 75. San Francisco Public Utilities Commission April 11, 2011 through 13 responding to Assigned Commissioner Ruling issue

- (5) requirement of a granular analysis of post (LAUF) proposed section 123.2(c);
- (6) requirement proposed section 123.2(c) maintenance procedures to system that provide a basis for a of documentation and that takes to update information to planning and in the field;
- (7) the reporting employees assigned to operational activities in PD proposed section 123.2(f);
- (8) requirement that utilities include in the annual incidents in PD proposed section 123.2(h);
- (9) the to track activities classified according contained in ASME B31.8S which emphasize proposed section 123.2(g);
- (10) the requirement to include in the Annual plan as indicated.

WUA suggests that the Annual compilation of events, as defined in a new section, is a significant advance toward the goal hazards before they injure or damage. c.f., Pub. 961(d)(1).

“Near-miss events mean unplanned, undesired, events that are an operator’s facilities or operations but do not damage, leak, loss of gas, or gas pipeline, or in an otherwise reportable potential to do so.

Such events can include, but are not limited to:

- (a) A subsurface pipeline facility not marked for purposes;

- (b) Excavation activity near a pipeline facility or Underground Service Start ticket;

- (c) The operation of an incorrect valve or p

- (d) An incorrectly mapped pipeline facility;

- (e) Work activity in a procedure, moved operator was correctly applied but the activity, n

creating a situation or condition where an accident occurred.”

Tracking and reporting in the Rules and giving Operator discretion to include the provisions in a way that is the definition of a report. It provides an important tool for achieving hazard reduction. UUA suggests that a report of near miss events:

123.2 At the same time copies of the report submitted, each operator shall submit, in a form to the Commission's Safety and Enforcement Section, for the following information to demonstrate to the Commission the Operator's efforts towards minimizing the risk from system failures:

...

(1) A compilation of the near miss incidents that by the time they be significant or predictive of potential

2. Near Misses in Incident Reporting

UUA notes and discusses the impact of the page including pressure and pressure, and the incident of certain and incidents in the incident reporting Section 122.2(a) (applicable to incident 122.2(b) (1) and (2) PD, at page 13.

Near misses are events that can be reported before they cause injury and that, for that reason, UUA additional near miss incidents in the incident report regime follows:

122.2 Requirements for Reporting to the

(a) Each operator shall report incidents to the following criteria

iii. An event that is a near miss is significant if

judgment that even though it did not
Sections 22(a)(1)(i) or the above.

□

II. § 22(a)(1)(i) or the above.

□

A. the opening of the State Legislative Activity

In the session following the San Bernardino legislative
added to the Public Utilities Act a Comm. Pipeline
Safety including the Gas Pipeline Safety Act of 2011,
955 through 970, inclusive. The new chapter
including AB 56, Stats. 2011 Ch. 519 (Hill); SB 44,
216, Stats. 2011 Ch. 520 (Mez); SB 527 (Leno), and
2011 Ch. 528 (Padilla). This legislation declares that
employees is the top priority in operating the
section 9(b) and requires gas utilities and the Comm.
implement safety plans that are related to the Util. Code
Code section 9(b). In addition, it formally designates the
responsible entity for implementing and enforcing federal
(Pub. Util. Code section 9(b)), added by SB 44).
An update of GO 112 by the Commission should
Legislature's activity and objectives as a result of
updated GO 112 should contain the following language:
Subpart A. (Please note that this language is
Comments.)

Section 102.1. The current content of the
new language being the Natural Gas Pipeline Sa

□

102.1. The purpose of this article is to
Natural Gas Pipeline Safety Act of 2011, Pub. Code
inclusive, and the specific of safety as the top
California

□

□

Section B. Relationship Between and Federal

Up to now the Commission has leaned on the adopted by the Pipeline and Hazardous Materials 49 CFR Part 192, to provide substantive standards for maintenance, including documentation, testing, repairs and general this may be appropriate, since PHMSA has industry expertise than has the Commission, which put However PHMSA standards represent a national lowest for O&M that may not now be appropriate for emphasis on safety in the wake of the

An update to 2 should retain reference to PHMSA regulations contained in 49 CFR 191, 192, 193, 199, and 199.1 for rigorous standards appropriate for California pipelines in this part for any intrastate pipeline for support include the following language in the amended Section

101.2. These regulations apply to the federal regulations, specifically Title 49 of the Federal Regulations 191, 192, 193 and 199, which also govern the Operation, and Maintenance of Gas Pipelines. The gas pipeline regulations of the State of California are the federal pipeline safety regulations but are supplementary regulations. The standards or requirements in these than a federal standard applicable to intrastate transportation are compatible with the standards for the Public Utilities Code sections 955 and 970, and 149 for to safeguard the safety, health, comfort and conv utility employees, property and public welfare that

10. The 49 USC (s) 60104 (h) State authority that submitted a current certification 60104 (h) may adopt or more stringent safety standards for intrastate pipeline transportation only if those standards are compatible with prescribed under this chapter. Any standards continue for interstate pipeline facilities or intrastate pipeline

adequate service will be maintained by gas utility jurisdiction of the Commission.
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 C. Workforce Adequacy Definition in Section R.11-02-019

The Legislature has directed gas utilities to implement gas safety policies and procedures that will carry out the policy established in paragraph (3) of this section... an adequately sized, qualified, and properly trained workforce to carry out the purpose of the Code section 961(d)(10) undersized, untrained, unqualified, or unsafe procedures to be fulfilled, or inadequately executed. The Commission employ workforces sized and skilled to meet their safety-related policies and procedures that provide the public and make no safety

The Commission has committed to his address R.11-02-019. The Southern California Gas General decision, the Commission found that:

236. Pub. Util. Code § 961 requires a gas and reliable operation of the gas supply plan updates are to include information about “an adequately properly trained gas corporation workforce to carry out the purpose of the Code section 961, we refrain from deciding adequate size of the SDG&E’s gas workforce should be

D.13-05-010, Findings of Fact 236 and 237, page: UWUA proposes to define the term “adequate workforce” to meet the Commission’s standards and to be according to their own terms and on a timely

Section R.11-02-019

 (h) Adequate Workforce purposes of implementing Pub. Util. Code

section 961(d)(10) and for employing trained and qualified workers necessary to carry out these rules and standards of the utility's adopted maintenance procedures according to their terms and order promote the safety, health, comfort, and convenience of employees and the public.

This is, first, a quantitative standard that will prevent their own efforts to meet the Commission's and the adequate safe, reliable service delivered on a timely employing enough regular employees that actually do the A separate issue is the related questions of regulations, which currently GO 112 standard, require "qualification program," that permits otherwise unqualified covered tasks if "directed and observed by an individual 805(c)¹¹ The UWUA proposal would require the work performed by a qualified employee, not an unqualified someone.

D. Publishing Current GO 112 text on Commission Website
UWUA recommends that the new Commission 104.3 be timely published on the Commission website, so that the public is informed of its status for the rule and

104.3 Timely Update Commission Website
The Commission shall update the text of 5 GO days after the issuance of a decision adding, deleting, or General Order, or 15 days after any order comes into effect.

¹¹ PHMSA defines a person as "qualified" if the "perform assigned covered tasks." PHMSA 49 CFR 191.60 requires a person does not require any experience or demonstrate his or her lead to a scenario in which an inexperienced supervisor "observe" an unqualified contractor employee and give directions, and comply with PHMSA standard.

III. Summary of UWUA Recommendations

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UWUA has made a number of new sections; revisions of existing sections of GO 112. They

(1) Relation to Federal Law

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101.2. These rules are adopted in addition regulations, specifically Title 40 Regulations Code parts 191, 192, 193 and 199, which also govern Operation, and Maintenance of Gas Piping Lateral Gas pipeline in cities, State of California. These are the federal pipeline safety regulations but are superior regulations, except that specific standards or requirements more stringent than a federal standard applicable facilities or transportation declared to be compatible standard and will control, pursuant to Pub. Util 970, and 49 USC 60104(c).

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(2) Purpose of Rules to Implement State

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102.1. The purpose of these rules is to implement Gas Pipeline Safety Act of 2011, Pub. Util. Code and specifically to implement and enforce the public and is the top priority in the gas delivery system in California.

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(3) Timely Update on Commission Website

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104.3 Timely Update Commission Website

The Commission shall update the text of GO after the issuance of any amending General Order, or 15 days after any order comes into effect

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(4) Adequate Workforce definition

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(h) Adequate Workforce purposes of implementing Pub. Util. Code section 961(d)(10) and for employing their own trained and necessary workers to carry out these rules and the utility's adopted open maintenance procedures according to their terms and conditions

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order to promote the safety, health, comfort, and of employees and the public.

(5) 122.2 Near Miss Events in Incident

122.2 Requirements for Reporting to the CP

(a) A operator shall report incidents to the CP following criteria

iii. An event near this mis is significant in judgment or even though it did not Sections 122.2(a) or above

(6) 123.2 Near Miss Events in the C

123.2

...

(1) A compilation of near miss events as by the Operator to be significant or predictive

(7) Leak Classification and Actions

143.2 Leak classification and Incident Definition: Priority

leak repair

(a) A "Grade 1 leak" is an existing leak that can be repaired by persons or property and can be repaired, or action until the conditions are no longer hazardous.

(1) Prompt action in response to leak may mean the following:

(i) Implementation of the emergency response plan

(ii) Evacuating the premises;

(iii) Blocking off an area;

(iv) Rerouting traffic;

(v) Eliminating sources of ignition;

(vi) Venting the area;

(vii) Stopping the flow of gas by closing valves

(viii) Notifying fire department
leak

(2) Examples of Grade 2 leak repair criteria include, are and for

(i) Any leak, which meets the judgment criteria that is regarded as an immediate hazard;

(ii) Escaping that has ignited unintentionally;

(iii) Any indication of gas that has migrated into or through

(iv) Any reading at the outside of a leak tentatively will migrate to the outside wall of a building;

(v) Any reading of gas concentration of the gas' explosive limit or greater in an enclosed space;

(vi) Any reading of gas concentration for LEL or small structures not associated with a gas leak could migrate to the outside wall of a building;

vii. Any leak in an enclosed space where
viii. Any leak in a building

(ix) Any leak that has been seen by a qualified operator or person that may endanger the property

(b) A "Grade 2 leak" is a leak that is re-evaluated in the judgment of a qualified operator prior to repair based on the repair criteria for a hazard.

(1) Except as required by each criterion, repair of a Grade 2 leak shall be completed within a Grade leak occurs in a segment of a pipe that is an additional six months may be added to the maximum time provided above during the repair. An operator must follow the following criteria:

(i) Amount and migration of gas;

(ii) Proximity of gas to building and subsurface

(iii) Extent of damage; and

(iv) Soil type and conditions, such as frost cap, natural gas

(2) Each Operator must reevaluate Grade 2 leaks six months after they are permanently repaired. The frequency of reevaluation should be determined by the location and magnitude of

(3) Grade 2 leak is a safety hazard. Some Grade when evaluated by the criteria, will be repaired within five working days. Other Grade 2 leak within thirty days. Operator must bring these provisions to the individual re

for scheduling leakage repair of the working day. because of the magnitude, can be scheduled for routine basis with periodic reevaluation as necessary

(4) When evaluating cracks, leaks, or acquiring leaks ahead of ground freezing, cracks, and any leak that could potentially migrate through a building, frozen or other adverse soil conditions.

(5) Examples of Grade 2 leaks, six inches or more, include not limited to:

- (i) Any 1.5% or greater concentration for LEL or greater sidewalk or paved area that does not qualify as a gas leak where gas could potentially migrate to the outside.
- (ii) Any reading of one hundred percent or more in a paved area that does not qualify as a gas leak that potentially migrate to the outside wall of
- (iii) Any reading 2% or greater in EL in substructures associated with gas facilities and where migrate creating a pure hazard;
- (iv) Any reading between twenty percent LEL and LEL in an unconfined space;
- (v) Any reading that is greater than the yield strength or greater than the yield strength leak;

(vi) Any leak that is qualified to be repaired on the scene is of sufficient magnitude to justify scheduled (c) A "Grade 3 leak" is the maximum degree reasonably be expected to be not hazardous.

(1) Each Operator shall repair leaks within five or fifteen months of the first date the leak must be repaired. The leak is regraded, results in reading.

(2) Examples of Grade 3 leaks requiring reevaluation include, but are not limited to:

- (i) Any reading higher than appropriate standards such as small meter or gas valve
- (ii) Any reading that is unlikely the gas could migrate through the outside wall
- (d) Grade 1 and 2 leaks that are not repaired by a physical repair. After a leak has been downgraded reevaluated within 15 months and repaired within 21
- (e) All underground leaks on transmission lines classified subcategories of grades an operator may estimate between repaired by the Operator either upon discovery or discovery.

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(8) 꺆꺆꺆 Leaks at 꺆꺆꺆 meters and 꺆꺆꺆 risers

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143.3. 꺆꺆꺆 Leaks at 꺆꺆꺆 meters and 꺆꺆꺆 risers

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(a) 꺆꺆꺆 leak at 꺆꺆꺆 or 꺆꺆꺆 the 꺆꺆꺆 riser shall be 꺆꺆꺆 repaired within the 꺆꺆꺆 day the 꺆꺆꺆 the 꺆꺆꺆 report be repair 꺆꺆꺆 performed by 꺆꺆꺆 qualified 꺆꺆꺆 employee 꺆꺆꺆 of 꺆꺆꺆 the 꺆꺆꺆 operator.

(b) 꺆꺆꺆 operator shall include 꺆꺆꺆 these 꺆꺆꺆 reports 꺆꺆꺆 and 꺆꺆꺆 required by 꺆꺆꺆 section 꺆꺆꺆 123.2.

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(9) 꺆꺆꺆 Valves

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143.4 꺆꺆꺆 Valve 꺆꺆꺆 Maintenance

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(a) 꺆꺆꺆 Each 꺆꺆꺆 operator will 꺆꺆꺆 make 꺆꺆꺆 an 꺆꺆꺆 inventory 꺆꺆꺆 of a 꺆꺆꺆 description of the 꺆꺆꺆 location, 꺆꺆꺆 type, 꺆꺆꺆 size, 꺆꺆꺆 number, 꺆꺆꺆 function and 꺆꺆꺆 criticality.

(b) 꺆꺆꺆 Each, 꺆꺆꺆 the 꺆꺆꺆 use 꺆꺆꺆 of 꺆꺆꺆 which 꺆꺆꺆 may 꺆꺆꺆 be 꺆꺆꺆 ne transmission 꺆꺆꺆 or 꺆꺆꺆 distribution system, 꺆꺆꺆 must 꺆꺆꺆 be 꺆꺆꺆 inspected, lubricated (where 꺆꺆꺆 required) 꺆꺆꺆 and 꺆꺆꺆 left 꺆꺆꺆 fully 꺆꺆꺆 operational after inspection. 꺆꺆꺆 The "Fully 꺆꺆꺆 operational" that 꺆꺆꺆 valve can 꺆꺆꺆 easily and 꺆꺆꺆 close 꺆꺆꺆 the 꺆꺆꺆 valve. 꺆꺆꺆

(c) 꺆꺆꺆 The 꺆꺆꺆 report of 꺆꺆꺆 inspection must 꺆꺆꺆 include: 꺆꺆꺆 a 꺆꺆꺆 of the 꺆꺆꺆 valve 꺆꺆꺆 as 꺆꺆꺆 found 꺆꺆꺆 at 꺆꺆꺆 the 꺆꺆꺆 beginning 꺆꺆꺆 of 꺆꺆꺆 the 꺆꺆꺆 maintenance 꺆꺆꺆 procedures 꺆꺆꺆 or 꺆꺆꺆 other 꺆꺆꺆 at the 꺆꺆꺆 site; 꺆꺆꺆 and 꺆꺆꺆 the condition 꺆꺆꺆 at 꺆꺆꺆 the 꺆꺆꺆 conclusion 꺆꺆꺆 of 꺆꺆꺆 the 꺆꺆꺆 inspection.

(d) 꺆꺆꺆 The 꺆꺆꺆 operator will 꺆꺆꺆 ensure 꺆꺆꺆 that 꺆꺆꺆 each 꺆꺆꺆 inspection equipment 꺆꺆꺆 to 꺆꺆꺆 lubricate 꺆꺆꺆 and 꺆꺆꺆 operate 꺆꺆꺆 the 꺆꺆꺆 valve 꺆꺆꺆 at 꺆꺆꺆

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(10) 꺆꺆꺆 of 꺆꺆꺆 Marks

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143.5. 꺆꺆꺆 of 꺆꺆꺆 Marks

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Each 꺆꺆꺆 utility shall 꺆꺆꺆 provide 꺆꺆꺆 sign 꺆꺆꺆 marks along 꺆꺆꺆 its 꺆꺆꺆 transmission 꺆꺆꺆 and 꺆꺆꺆 distribution 꺆꺆꺆 that 꺆꺆꺆 marks 꺆꺆꺆 are 꺆꺆꺆 both 꺆꺆꺆 directions 꺆꺆꺆 from 꺆꺆꺆 point 꺆꺆꺆 of way 꺆꺆꺆 the 꺆꺆꺆 right

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CONCLUSION

[Redacted]

For the foregoing reasons UWA recommends that the [Redacted]

(1) [Redacted] modify the Proposed Decision of ALJ [Redacted] Bushey as follows

(2) [Redacted] improve the Proposed decision as modified.

[Redacted]

[Redacted]

Respectfully submitted,

[Redacted]

/s/ [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

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September 26, 2013

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