BEFORE THE

PUBLIC UTILITIES COMMISSION OF THE STATE C

Order Instituting Rulemaking)
on the Commission's Own Motion)
to Adopt New Safety and Reliability Regulations) R.11
for Natural Gas Transmission and Distribution Pip
and Related Ratemaking Mechanisms)

Comments of Utility Workers Union of America (UWUA)
On the
Proposed Decision of ALJ Bushey, issued July 8, 2014

Carl Wood
Regulatory Affairs Director
Utility Workers Union of America
2021 S. Nevada Street
Oceanside CA [illegible]
Phone: (951) [illegible]
E-mail: cwood@uwua.net

William Julian II
43556 Almond Lane
Davis CA 95618
Phone: [illegible]
E-mail: billjulian@sbcglobal.net

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Comments of Utility Workers Union of America (UWUA)
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Introduction

It is now nearly four years since a defective PG&E pipe ... neighborhood in San Bruno. Since then, the Legislature and the ... undertaken a major effort to transform the ... safety culture of natural gas transport and delivery, to shift from a reactive "culture ... proactive "culture of performance." As stated by the Commission in its initial order in this proceeding:[1]

> "We must ensure that our gas utilities recognize ... is not enough. Safe pipeline operations must begin ... management and the safety culture in the ... workrooms and ... crews of ... The pipeline operators must have a ... and workplace culture that places safety" as their ... (emphasis added)[2]

The current update to the CPUC's General Order governing basic gas operations presents the Commission with an opportunity to consolidate their ... forward-looking post-San Bruno efforts, and advance the operational and safety culture changes sought by California's policy-makers. ...

[1] Report of the Independent Review Panel, page 9. ... to a regulatory model based on performance and effective ... mindset of the entire agency to encourage and ... innovation to im... Report of the Independent Review Panel, page 2. ... page 25. ... expenditures ... for projects authorized in rates are the driving forces ... investment and maintenance programs. PG&E's gas operations ... *company may or may not be running a safe system. Rather, ... regulation leads to an overall approach of ... process excellence* (emphasis added)

[2] R.11-02-019, page 8; ... -06-0... issued June 9, 2011 ... We ... resolute in our commitment to improve the safety of ... this context, it is absolutely essential that our regulated ... candor and honesty ... *to perform our Constitutional and statutory du... forthright and timely explanations of the issues, as well ... advantages and disadvantages of* ... (emphasis added) ...

The SED Staff proposed changes to GO 112 in August 2013. ... stakeholders including UWUA were received in September 2013.[3] The Propos... Decision (hereafter, "PD") reflected in Appendix A constitutes a considered response to all of the ... advanced ... along ... of safety performance. UWUA supports the direction and many of ... PD which has adopted in concept several of UWU... robust operation and maintenance procedures ... 2104 Comments will focus ... GO 112 ... Operation and Maintenance ... Transmission and Distribution (GO 112, Section 143) and ... Reporting ... 112, Section 123). ... miscellaneous issues ... the ... will ... adopted General Order and assist the Commission in ... of its safety journey. Part III summarizes UWUA's suggestion... PD.

I. Operation and Maintenance Performance and Reporting

A. Leak Classification and Repair; addressing Section 143

Leaks and the operator's approach to preventing ... among the defining characteristics of a gas pipeline tran... and crucial issue for ... based performance to assuring system ... Every category of threat ... and system performance listed ... document Managing System Integrity of ... Gas ... Pipelines, American ... Society of Mechanical Engineers (ASME) ... ASME ... part by leak ... severity and frequency

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

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

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

Currently GO [illegible] 112 [illegible] matters specifically addressed to [illegible]

including [illegible] limited leak survey [illegible] (Section 143.1) and a [illegible]

requirement [illegible] expressly stated [illegible] that the [illegible] operator [illegible]

in the aggregate [illegible] repaired [illegible] pending repair during the [illegible]

calendar year, as a component of its annual repor[illegible]

and 49 CFR sections 191.11 [illegible] incorporating the [illegible] PHMSA [illegible] Annua[illegible]

The PD addresses these deficiencies [illegible] beginning strong[illegible]

with a change to the title that makes clear th[illegible]

distribution. It represents a starting point [illegible] step [illegible] forwar[illegible]

that UWUA generally supports, with several specific [illegible] rec[illegible]

constructive improvements that will [illegible] workable [illegible]

1. Leak Detection and Survey (Section 143.1 as amended)

The foundation for a leak reduction strategy is [illegible]

prompt permanent repair. Leak detection [illegible] separate [illegible] right-

of-way patrol and a more detailed leak survey usi[illegible]

Patrol involves primarily visual inspection and report f[illegible]

odor, ground or soil disturbance, dead vegetation, [illegible]

other conditions indicating that the facilities have been [illegible]

unreported incursions in right-of-way (potential dig [illegible]

incorporating the four general [illegible] measures [illegible] Chapter 9 [illegible] ASME B31 [illegible] the [illegible]
of threat in Table [illegible] and Appendix A.
5 2004 ASME B31.8S, Table [illegible], page 30.

The PD proposes to extend [illegible] inspection [illegible] leak detection [illegible] both transmission and [illegible] distribution [illegible] aggressive, shortened interval for leak detection surveys (Section 143.1(b) establishing a twice yearly [illegible] leak [illegible] detec[illegible] not exceeding [illegible] UWUA [illegible] supports this proposal as [illegible] to the needs of the current infrastructure [illegible] UWUA [illegible] operating [illegible] on the Southern California Gas (SCG) system [illegible] there are [illegible] pipeline facilities [illegible] distribution, and operated and maintained by the distri[illegible] carry gas at very high pressures (in excess of [illegible] UWUA suggests that the transmission leak detection [illegible] re[illegible] to the high pressure distribution facilities [illegible] appropriate

2. Leak Classification and Action Criteria (Section [illegible]

Reducing leaks and emissions from leaks is at [illegible] and delivery industry's safety challenges [illegible] consistently [illegible] UWUA [illegible] called for [illegible] comprehensive leak reduction strategy developed though a [illegible] process in which all knowledgeable parties participate, [illegible] That process [illegible] transparent, participatory, [illegible] robust and [illegible] effective [illegible] not [illegible] happened. However, the CPUC staff in [illegible] (in [illegible] July [illegible] August [illegible] 20[illegible] made proposals that [illegible] to the [illegible] responsive [illegible] concern to focus on [illegible] make progress in avoiding, reducing and [illegible] repairing [illegible] the August 2013 staff (August proposal), finding [illegible] but [illegible] a regression from current utility practices.

The PD version of [illegible] a significant improvement, which [illegible] support with clarifications and modifications that would make it [illegible] avoiding, reducing, repairing and [illegible] As a practical matter [illegible] should result in repair of most leaks and within a [illegible] upgrading of the [illegible] priority [illegible] the status of [illegible] not completely repaired at the time of discovery.

The virtues of 10 the PD in the PRC

- Improved patrol and leak survey procedures and
- Continuous evaluation of leaks, end with a point limit for permar 21 months (twelve months for underground transmiss
- Repair as a priority response for Grade 1 le
- Limitation on regrades of distribution and transmissio

The weaknesses 10 of the PRC should be corre

- More thorough consideration of valves;
- Clarification of the relationship between "repair" and "prompt including addressing leaks at risers;
- Language and concept clarifications that will help more smoothly

a. Summary Analysis of Section 143.

Proposed section 143.2 of the PD proposes classi for leaks. It establishes three grades of decreasing severity decreasing urgency of response, with Grade 1 being the most urgent.

i. Grade 1 Leaks

Grade 1 leaks are [that present] an existing or probable persons or property [requiring] prompt action, immediate repair, or action until the conditions are no longer hazardous. 143.2(a) By specifically requiring repair as a treatment for a Grade significant improvement over August Staff proposal.

The PD proposes a new "prompt action" concept alter or supplement immediate repair for Grade 1 leaks 143.2(a)(1) "pr action" described as actions including both large (rerouting traffi evacuation of premises) and small (venting, closure of were included in the August Staff proposal. Prompt actions that immediate repair reduce hazard in preparation for appropriate

UWUA does not understand the PD to still make ... for prom[pt]
immediate repair.

In this regard, UWUA notes that 143.2(a)(2) describes an exclusive list of
examples of Grade 1 leak scenarios "requiring prompt ...
clarified by adding "repair" to the actions required, ...
that repair is a permissive ... action ... The beginning ...
143.2(a)(2) should read: "Examples of Grade 1 leaks *requiring immediate repair and/or* prompt action include, but are not limited to ...

One of the virtues of the PD's leak classifica[tion] ...
provides flexibility in the field ... 143.2(a)(2) ... provides ... qualified operators. ...
examples of Grade 1 leaks specified ..., ... of which two
(numbers (i) and (vii)) require subjective judgments by ... on the scene ... personnel.
Five describe objective conditions.

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

The subjective judgments called for items (i) and ... qualified personnel within the meaning of[6] the ... PHMSA ...

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[6] 49 CFR 192 ... provides, in part:

Qualified means that an individual has been evaluated ...

(a) Perform assigned covered tasks; and

(b) Recognize and react to abnormal operating conditions

143.2(a)(2)(i)켐□ηand켐□η(vii)켐□ηshould켐□ηreflect켐□ηthat켐□ηin켐□ηthe켐□ηjudgment of
the *qualified* Operator켐□ηpersonnel at the scene켐□ηregarded켐□ηas켐□ηan켐□ηimmediate
hazard;…"and켐□η켐□η"(vii)켐□ηAny켐□ηleak켐□ηthat켐□ηcan, in the judgment of
*qualified*켐□η*Operator*켐□η*personnel* at the scene켐□ηthat켐□ηmay켐□ηendanger켐□η
public켐□ηor켐□η..."property켐□ηSpecifying켐□ηthe켐□ηrequirements of potential qualifica
controversy켐□ηand켐□ηconflicts over decisions켐□ηand켐□ηevaluations.켐□η
suggestion켐□ηapplies켐□ηto켐□ηGrade켐□η2켐□ηleak decisions proposed as section
143.2(b)(5)(vi)켐□ηExamples켐□ηof켐□ηGrade켐□η2켐□ηleaks켐□ηrequiring켐□ηaction
include…**(vi)** Any켐□ηleak켐□ηthat켐□ηin the judgment of *qualified* Operator personnel켐□ηat켐□η
the scene켐□ηis켐□ηof켐□ηsufficient켐□ηmagnitude켐□η"to켐□ηjustify켐□ηscheduled

켐□η

켐□ηThe켐□ηabove items (i) through (vi) are relatively켐□ηstraightforward켐□ηdescriptions
of켐□ηscenarios켐□ηwhere켐□ηexperience켐□ηhas켐□ηshown켐□ηa켐□ηpossibility
UWUA켐□ηsuggests켐□ηadding켐□ηto켐□ηthe켐□ηlist켐□ηother켐□ηsituations켐□η
because켐□ηof켐□ηthe presence of a켐□ηsource켐□ηof켐□ηignition:켐□η켐□ηany
present켐□ηalong켐□ηwith켐□ηelectrical켐□ηequipment;켐□ηany켐□ηleaks켐□ηin
conditions켐□ηare켐□ηconducive켐□ηto켐□ηstatic켐□ηelectric켐□ηbuild켐□ηup
adding켐□ηthe켐□ηfollowing language as "vii" and "viii" and켐□ηrenumbering as켐□η
"ix."켐□η

<u>*"vii.켐□η켐□ηAny켐□ηleak켐□ηin켐□ηan켐□ηenclosed켐□ηspace켐□ηwhere*</u>

<u>*viii.켐□η켐□ηAny켐□ηleak켐□ηin켐□ηplastic켐□ηpipe켐□ηwhere static*</u>

켐□η

켐□ηItems켐□η(v)켐□ηand (vi) describe gas concentration using a켐□ηmetric
lower켐□ηexplosive켐□ηlimit that is not compatible with equipment currently used
in켐□ηthe field켐□ηby켐□ηUWUA which measures gas켐□ηconcentration켐□ηdirectly
percentage켐□ηof켐□ηgas in sample; the application켐□ηof
conversion켐□ηformula켐□ηto calculate. <u>UWUA suggests providing켐□ηan켐□ηalternative</u>
<u>concentration켐□ηmetric켐□ηof켐□η2.7켐□η%</u>켐□ηas additional guidance for the
personnel.켐□η켐□ηThis켐□ηsuggestion켐□ηapplies켐□ηto the proposed use켐□ηof
involving treatment켐□ηof켐□ηGrade켐□η2 leaks (See proposed subsections켐□η14

켐□η

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ii. Grade 2 Leaks

Grade 2 leaks are a leak defined as ... "recognized as ... the time of detection but justifies scheduled repair ... a future hazard." Grade 2 leaks must be cleared or repaired within 15 ...

PD proposed section 143.2 subdivision (b) introduces the concept of "clearing" a leak. It is ... from repair in that paragraph ... repair." If there is a danger in the PD's leak ... 2 leaks through the defined process ... churn of leaks for years through a shifting ... be clarified on this point ... to "or clear." ... preferred approach. If the concept of clearing ... a simple language changes be needed to avoid confusion

1. Apply the same concept to Grade 1 ... to Grade 3 leaks ... regraded ... and then must be repaired within a year. Section 143.2 ... regraded Grade 2 leak should be repaired within six months, adding ... subsection to Section 143.2(b)(5)
2. Apply the 6-month re-evaluation process (Section 143.2(b)(2)) ... 2 leaks ... *repaired*
3. ***Place an outer limit of 24 months for ... leak after discovery***

3. <u>Leaks</u> at Risers

A Riser is the piping in the service line ... off ... transitions from below grade to above grade and carries ... level pressure (up to 60 psi in the case of ... pressures in the case of steel risers) to the ...

pressure before it enters a dwelling unit ... service ...
before it goes through the meter.

Risers are frequent sources of leaks. For th...
have considered leaks at risers to ... require repair immediately for ...
reasons:

- the pressures involved;
- the location on the service line (upstream of ... impossible to stop the uncontrolled release of gas;
- proximity of the leak to human habitation;
- the direct exposure of people to the leaking gas;
- the possibility that leaking gas ... enclosed space ...

UWUA proposes to ... practice of the immediate ... repair ... General Rate ...
Southern California Gas (SCG) requested and received f...
replacing leaky risers.

A leak at ... should always be considered a Grade ...
classification scheme proposed by the new section 143.2. However, for ...
above reasons the "prompt action" alternative to imme...
The regulation should require repair. UWUA proposes:

Add new Section 143.3 Leaks at Risers

<u>143.3. Leaks at meters and risers</u>

<u>(a) A leak at the meter ... shall be completely ... repaired on the same day the leak is reported ... repair ... performed by qualified employees of the operator.</u>
<u>(b) The operator shall include these ... in the report ... required by section 123.2.</u>

<u>4. Valves</u>: Add new Section ... Valve maintenance

Valves are a critical ... component ... transport ... delivery ... s
Valves can serve a number of functions including ...
reducing or increasing downstream pressure; redirecting gas ...

flow, etc. The Legislature has expressed … improving … particu

functions. See, e.g., SB 216 (2011, Yee) and AB 56 (2011, …

section … GO 112 currently addresses valves in a manner …

that a valve is operable in needed, … appropriate … GO 112 …

section 143.2 provides:

> **143.2 Valve Maintenance.** Each valve, the use of which … for the safe operation of a distribution system, … lubricated (where required) and partially operated 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 operati…

therefore no guidance on what this is to covered by the maintenan…

dimensions of the universe of valves covered by th…

about the outcome of the maintenance procedure;[7] or …

(4) excessively long intervals between maintenance procedures. Other …

renumbering the section, TURN proposes no change.

UWUA recommended a significantly revised approach …

preventive scheduled maintenance:

> <u>**143.4 Valve Maintenance**</u>
>
> <u>(a) Each operator … shall make … inventory of all valves … to its … a description of the location, type, size, number of … turns … and criticality.</u>
>
> <u>(b) Each valve, the use of which may … transmission or distribution system, must be inspected, serviced, lubricated … (where required) and operated at … the conclusion of the …</u>
> <u>"operable" means that … persons can easily operate … an…</u>
>
> <u>(c) The report of the inspection … found at the beginning of the inspection; a …</u>

---

[7] Note that the California regulation … 49 CFR … 192.745(b): "(b) Each operator must take prompt remedial action to correct … found inoperable, unless the operator designates … not document the operable condition of … serviced a valve … the repair.

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

(d) 꿺□η 꿺□η The 꿺□η operator 꿺□η will 꿺□η ensure 꿺□η that 꿺□η operators 꿺□η inspect 꿺□η equipment 꿺□η to 꿺□η lubricate 꿺□η and 꿺□η operate 꿺□η the 꿺□η valve 꿺□η at 꿺□η

꿺□η UWUA's 꿺□η recommendation 꿺□η proposes 꿺□η several 꿺□η improvements, 꿺□η beginning 꿺□η comprehensive 꿺□η valve 꿺□η inventory. 꿺□η 꿺□η 꿺□η This 꿺□η enables 꿺□η an 꿺□η and 꿺□η prioritizing 꿺□η the 꿺□η use 꿺□η of 꿺□η which 꿺□η may 꿺□η be 꿺□η necessa 꿺□η system. 꿺□η 꿺□η The 꿺□η problem 꿺□η that 꿺□η this 꿺□η addresses 꿺□η is 꿺□η prioritization 꿺□η may 꿺□η leave 꿺□η many 꿺□η valves 꿺□η needed 꿺□η to 꿺□η address uninspected 꿺□η for 꿺□η many 꿺□η years, 꿺□η potentially 꿺□η inoperable 꿺□η when 꿺□η necessary 꿺□η such 꿺□η as 꿺□η occurred 꿺□η at 꿺□η San 꿺□η Bruno. 꿺□η 꿺□η The 꿺□η inventory 꿺□η including 꿺□η the 꿺□η SED 꿺□η staff 꿺□η and 꿺□η experienced 꿺□η utility 꿺□η employe identifying 꿺□η the 꿺□η valves 꿺□η "necessary 꿺□η to 꿺□η safely 꿺□η operate 꿺□η the 꿺□η Con assure 꿺□η that 꿺□η valve 꿺□η maintenance 꿺□η contributes 꿺□η to 꿺□η improving 꿺□η decreasing 꿺□η the 꿺□η risk 꿺□η that 꿺□η an 꿺□η inoperable 꿺□η valve 꿺□η extends 꿺□η

꿺□η Second, 꿺□η UWUA 꿺□η includes 꿺□η transmission 꿺□η and 꿺□η distribution 꿺□η the inventory. 꿺□η 꿺□η 꿺□η PHMSA 꿺□η regulations 꿺□η cover 꿺□η both 꿺□η transmission 꿺□η (distribution 꿺□η (49 꿺□η CFR 꿺□η 192.747) 꿺□η valves 꿺□η but 꿺□η apply 꿺□η a 꿺□η (partially 꿺□η operate 꿺□η for 꿺□η transmission 꿺□η versus 꿺□η "check 꿺□η for 꿺□η d standard 꿺□η would 꿺□η result 꿺□η in 꿺□η an 꿺□η outcome 꿺□η of 꿺□η "operable" 꿺□η distribution 꿺□η valves.

꿺□η Third, 꿺□η UWUA 꿺□η recommends 꿺□η a 꿺□η standard 꿺□η for 꿺□η assessing 꿺□η of 꿺□η the 꿺□η inspection 꿺□η and 꿺□η maintenance 꿺□η procedures 꿺□η the 꿺□η valve meaning 꿺□η that 꿺□η it 꿺□η can 꿺□η be 꿺□η "easily 꿺□η operated 꿺□η and 꿺□η with 꿺□η this 꿺□η maintenance 꿺□η standard, 꿺□η UWUA 꿺□η proposes 꿺□η that 꿺□η c beginning 꿺□η and 꿺□η conclusion 꿺□η of 꿺□η maintenance 꿺□η procedure 꿺□η be 꿺□η importance 꿺□η of 꿺□η documenting 꿺□η the 꿺□η found 꿺□η at 꿺□η the 꿺□η beginning is 꿺□η that 꿺□η it 꿺□η may 꿺□η suggest 꿺□η an 꿺□η underlying 꿺□η process 꿺□η such addressed, 꿺□η if 꿺□η deterioration 꿺□η from 꿺□η the 꿺□η condition 꿺□η in 꿺□η which conclusion 꿺□η of 꿺□η the 꿺□η previous 꿺□η maintenance 꿺□η improved

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 identified and
maintenance is ongoing function that is dependent on
workforce. The workforce adequacy should be proposed
approved so that utilities can have an effective valve maintenance
(See below, pages ff.)

UWUA notes that in its September Comments it
maintenance personnel to operate the valves assigned
adds a general reference to training on comparable equipment
qualification in its new Section proposed 143.4. This is a good suggestion
UWUA fully supports an improvement over UWUA's sugge
valves. That section should be updated

5. Encroachments and Line-of-Sight Markers

The GO adds an important new section on encroachme
utility rights-of-way and reduce unsuspected dangers to the
be improved by line-of-sight markers that give any person
might encroach actual notice of the This provision will make
much easier for a potential excavator to ascertain proximity
facilities and trigger PHMSA (§ requires markers “wherever
necessary to identify the location of the transmission
possibility of damage or interference UWUA's proposed 192.707(
line-of-sight markers eliminates the subjectivity in the PHMSA
marker in the line of sight of the adjacent m

[8] If the Commission accepts UWUA's proposed new sections
143.4 (Valves) then section D should be renumbered Section

B. An Improved Annual Report Addressing Section 123.2

1. Improved Safety Reporting Matters

Improved transparency and accountability on operational issues is that has been promoted by the Commission from to San In no area is this system is we know this; we must reduce leaks. Understanding the reporting scope of the problem is the The PD has responded by proposing a new that contains a much more comprehensive and detailed annually to the CPUC (CPUC annual report the UWUA strongly supports PD

There are several items that the Commission include in its decision

(1) detailed report of responses to leaks from the PD proposed Section 123.2(c)

(2) granularity of the report requiring disclosure terms of the ASME proposed Section 123.2(g)

(3) reporting the time between proposed section 123.2(h), aggregate report that reveals on leaks repaired and pending repair does not fully effectiveness of leak repair. This proposal will Commission's ability to improve timeliness of leak both to the public and the environment;

(4) reporting certain "near misses" Section 123.2(d), including items reporting procedures of Sections occurred;

[9] *Report of the Independent Review Panel* (June 2011), Recommendations 5.4.4.5, page 75, Comments of the UWUA through 13 responding to Assigned Commissioner Ruling issue

(5) the requirement of a granular analysis for Gas Lost [and Unaccounted For Gas] (LAUF) in PD proposed section 123.2(i); 12

(6) the requirement in PD proposed section 123.2(e) to maintenance procedures to system and map record ... assessing accuracy of documentation and shortening the time it takes to update information used in planning and in the field;

(7) tracking and reporting employees assigned to operati[ons] activities in PD proposed section 123.2(f);

(8) the requirement that utilities include in the ann[ual] ... in incidents in PD proposed section 123.2(h);

(9) the requirement to track activities classified according to ... contained in ASME B31.8S, which emphasize leak ... PD proposed section 123.2(g);

(10) the requirement to include in the Annual ... plan as updated.

TURN/UWUA suggests that ... include in the Annual ... a compilation of ... events, as defined in a new ... proposed section ... definition is a significant advance toward the goal ... hazards before they cause injury or damage. C.f., Pub. ... 961(d)(1).

> "Near-miss events" mean unplanned, undesired, events that ... an operator's facilities or operations but do not r... damage, release of gas, loss of pressure, or interruption of service ... pipeline facilities, or in an otherwise a reportable ... potential to do so.
> Such events can include, but are not limited ...
> (a) A subsurface pipeline facility not marked or ... purposes;
> (b) Excavation activity near a pipeline facility co... Underground Service Alert ticket;
> (c) The operation of an incorrect valve or p...
> (d) An incorrectly mapped pipeline facility;
> (e) Work activity in which a procedure, or approved ... operator was correctly applied but the activity, n...

creating a situation or condition where [illegible] occurred."

Tracking and reporting [illegible] and giving Operator discretion to include [illegible] the definition [illegible] It provides an important tool [illegible] achieving hazard reduction. UWUA suggests [illegible] a report of [illegible] events:

> 123.2 At the same time copies of the [illegible] report submitted, each operator shall submit, in a format [illegible] the Commission's Safety and Enforcement [illegible] following information to demonstrate to the Commission Operator's efforts towards minimizing the risk from sy failures:
>
> ...
>
> (l) A compilation [illegible] by the [illegible] significant or predictive [illegible] potent

2. Treatment of Near Misses in Incident Reporting

UWUA notes and [illegible] including both pressure and [illegible] certain [illegible] Section 122.2(a)(applicable to [illegible] PD, at page 13.

Near misses are [illegible] before they cause injury and damage, UWUA additional near miss [illegible] report regime [illegible] follows:

> **122.2 Requirements for PUC Reporting to the**
>
> (a) Each operator shall report [illegible] to the following criteria:
>
> [illegible]
>
> iii. An [illegible] near miss [illegible] significant

judgment operator, even though it did not
Sections 2.2(a)(1)(i) or (ii), above.

II. Miscellaneous Issues

A. Acknowledging State Legislative Activity

In the session following the 2012 San Bruno ..., the Legislature ...
added to the Public Utilities Act a comprehensive ...
Safety including Natural 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 (Yee); SB 705, (Leno), and ...
2011 Ch. 522 (Padilla). This legislation declares that sa...
employees is the top priority in operating California's ...
section 963(b) and requires gas utilities and the Comm...
implement safety plans that achieve the objectives (Pub. Util. ...
Code section 961). In addition, it formally designates th...
responsible entity for implementing and enforcing federal ...
(Pub. Util. Code section 955(b), added by SB 44).

An update of GO 112 by the Commission sh...
Legislature's activity and objectives as adequate. ... in ...
updated GO 112 should contain the following language ...
Subpart A. (Please note that this language is ...
Comments.)

Section 102.1 Remove current content ... 102.1 ... new language implementing the Natural Gas Pipeline Sa...

<u>102.1. The purpose of state laws including the ... Natural Gas Pipeline Safety Act of 2011, Pub. ... inclusive, and specifically ... of safety as the top ... California law.</u>

B. Relationship Between State and Federal L

Up to now the Commission has leaned on fe

adopted by the Pipeline and Hazardous Materials Safety

49 CFR Part 192, to provide substantive standards

maintenance, including documentation, testing, repairs and m

general this may be appropriate, since PHMSA has

industry expertise than has the Commission, which put

However, the PHMSA standards represent a national lowest

for O&M that may not now be appropriate for

emphasis on safety in the wake of S

An update of GO 112 should retain incorporation by reference of PHMSA

regulations contained in 49 CFR 191 explicitly and not

rigorous standards, as appropriate for California. California not

in this for any intrastate pipeline[10] for transportation Subpart A

include the following language in an amended Section

> 101.2. Adopted rules. In addition to the federal
> regulations, specifically Title 49 of the Code of Federal Regulations
> 191, 192, 193 and 199, which also govern t
> Operation, and Maintenance of Gas Piping Systems
> gas pipeline facilities in the State of California. These supersede
> the federal pipeline safety regulations but are su
> regulations. <u>Specific standards or requirements in these</u>
> <u>than a federal standard applicable to intrastate p</u>
> <u>transportation are compatible with the federal</u> pursuant to Pu
> <u>Utilities Code sections 955 and 970</u>, and 49
> <u>to safeguard the safety, health, comfort and conv</u>
> <u>utility employees, property and public welfare</u> provide that

[10] 49 USC section 60104(c) Preemption. A State authority that
submitted a current certification under section <u>60105(a)</u> may adopt
or more stringent safety standards for intrastate pipeline
transportation only if those standards are compatible with
prescribed under this chapter. A State authority may not adopt or continue
standards for interstate pipeline facilities or interstate pipeline

adequate service will be maintained by gas utiliti
jurisdiction of the commission.
.

C. Workforce Adequacy Definition in Section

The Legislature has directed gas utilities to develop and implement gas safety plans that the gas corporation will ... the policy established in paragraph (3) of this subdivision ... an adequately sized, qualified and properly trained gas corporation workforce to carry out the plan. (Pub. Util. Code section 961(d)(10).) undersized, untrained, unqualified, related safety procedures to unfulfilled, or inadequately executed. The Commission employ workforces sized and skilled to meet their safety-related policies and procedures that provide the public and policy makers expect.

The Commission has committed to addressing this R.11-02-019. D.13-05-010, the Southern California Gas General decision, the Commission found that:

> 236. Pub. Util. Code § 961 requires a gas and reliable operation of its gas operations, plan updates are to include information about "an ade properly trained gas corporation workforce to carry
> 237. Since R.11-02-019 is addressing the workforce issues Pub. Util. Code § 961, we refrain from deciding adequate size of SDG&E's gas workforce should b

D.13-05-010, Findings of Fact 236 and 237, page

UWUA proposes to define the term "adequate wo the utility to meet the Commission's standards and to according to their own terms and on a timely

Section 10.1

(h) *Adequate Workforce* For purposes of implementing Pub.

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

This is, first, a quantitative standard that will prev their own efforts to meet the Commission's and th adequate safe, reliable service delivered on a timely employing enough regular employees to actually do the

A separate issue is the related questions of regulations, which currently the GO 112 standard, require "qualification program," that permits otherwise unqualified e covered tasks if "directed and observed by an ind 805(c).[11] The UWUA proposal in California require the work performed by a qualified employee, not an unqualified someone else.

D. Publishing Current GO 112 text on C

UWUA recommends that the new Commission Section 104.3 timely update GO 112 text on the Commission website, so that the p informed of the current state of requirements and

104.3 Timely Update on Commission Website

The Commission shall update the text of GO 112 within 35 days after the issuance of a decision adding, deleting, General Order, or 15 days after any order o comes later.

[11] PHMSA defines a person as "qualified" if the "perform assigned covered tasks" and "Evaluation." 49 CFR 192.803. by a does not require any experience or demonstration. This lead to a scenario in which an inexperienced supervisor "observe" an unqualified employee, utility or contractor employee and give directions, and comply with the PHMSA standard.

III. Summary of UWUA Recommendations

UWUA has made a number of recommendations for new sections and revisions of existing sections of GO 112. They

(1) Section 101.2 Relation to Federal Law

101.2. These rules are adopted in addition to regulations, specifically Title 49 of the Code of Federal Regulations, Parts 191, 192, 193 and 199, which also govern the Operation, and Maintenance of Gas Pipeline Systems in gas pipeline facilities in the State of California. These the federal pipeline safety regulations but are su regulations, except that specific standards or requirem more stringent than a federal standard applicable facilities or transportation declared to be compatible standard and will control, pursuant to Pub. Utilit 970, and 49 USC 60104(c).

(2) Section 102.1 Purpose of Rules to Implement State

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

(3) Section 104.3 Timely Update on Commission Website

104.3 Timely Update on Commission Websi

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

(4) Section 105(h) Adequate Workforce definition

(h) *Adequate Workforce* purposes of implementing Pub. section 961(d)(10) and for employees trained and qualified workers necessary to carry out these rules and Utility's adopted ope maintenance procedures including their terms and

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

(5) Section 122.2 Near Miss Events in Incident …

122.2 Requirements for Reporting to the CP…

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

(1) …

iii. An event, including a near miss, that is significant in the judgment of the operator, even though it did not m… Sections 122.2(a)(i) or (ii), above

(6) Section 123.2 Near Miss Events in the C…

123.2.

…

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

(7) Section 143.2 Leak Classification and Actions

143.2 Leak classification and Action Criteria – Grade Definition and Priority of leak repair.

(a) A "Grade 1 leak" is a leak that represents an existing or probable hazard to persons or property and requires immediate repair or continuous action until the conditions are no longer hazardous.

(1) Prompt action in response to a Grade 1 leak may require one or more of the following:

(i) Implementation of the company's emergency plan (49 CFR § 192.615);

(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 [illegible]

(2) Examples of Grade [illegible] include, [illegible] are limited to:

(i) Any leak, which [illegible] is regarded as an immediate hazard;

(ii) Escaping [illegible] that has ignited unintentionally;

(iii) Any indication of gas that has migrated into or [illegible];

(iv) Any reading at the outside [illegible] migrate to the outside wall of a building;

(v) Any reading [illegible] of the gas's explosive [illegible] or greater in an enclosed space;

(vi) Any reading [illegible] of LEL or small substructures not associated with gas [illegible] could migrate to the outside wall of a building;

"vii. Any leak in an enclosed space anywhere

viii. Any leak [illegible] build

(ix) Any leak that can be seen, can be felt, [illegible] that may endanger the or property.

(b) A "Grade 2 leak" is a leak that is re time of [illegible] scheduled repair based on [illegible] hazard.

(1) Except as required [illegible] repair Grade 2 leaks [illegible] leak occurs in a segment [illegible] additional six months [illegible] provided above [illegible] following criteria:

(i) Amount and migration of gas;

(ii) Proximity of gas to buildings and subsurface s

(iii) Extent of pavement; and

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

(2) Each Operator must reevaluate Grade 2 leaks six months [illegible] The frequency of reeval should be determined by the location and magnitude of r

(3) Grade 2 leaks [illegible] Grade when evaluated by the criteria, [illegible] five working days. Other Grade 2 leaks may be Operator must bring [illegible] the individual re

for␣scheduling␣leakage␣repair␣at␣the␣working␣day.␣M
because␣of␣the␣magnitude,␣can␣be␣scheduled␣for␣
routine␣basis␣with␣periodic␣reevaluation␣as␣nece
(4)␣When␣evaluating␣Grade␣2␣leaks,␣consideration␣
action␣ahead␣of␣ground␣freezing␣and␣
any␣leak␣that␣could␣potentially␣migrate␣to␣the␣building,␣
frozen␣or␣other␣adverse␣soil␣conditions.
(5)␣Examples␣of␣Grade␣2␣leaks␣include␣
not␣limited␣to:
(i)␣Any␣
sidewalk␣wall␣paved␣area␣not␣qualify␣as␣a␣
where␣gas␣could␣potentially␣migrate␣to␣the␣outside␣
(ii)␣Any␣reading␣of␣one␣hundred␣
wall␣paved␣area␣that␣does␣
potentially␣migrate␣to␣the␣outside␣wall␣of
(iii)␣Any␣reading␣
substructures␣associated␣with␣gas␣facilities␣and␣where␣
migrate␣creating␣a␣future␣hazard;
(iv)␣Any␣reading␣between␣twenty␣percent␣LEL␣and␣
LEL␣in␣an␣enclosed␣space;
(v)␣Any␣reading␣
yield␣strength␣or␣greater␣
leak;␣or
(vi)␣Any␣leak␣that␣
scene␣is␣of␣sufficient␣magnitude␣to␣justify␣scheduled␣
(c)␣A␣"Grade␣3␣leak"␣is␣a␣
reasonably␣be␣expected␣to␣remain␣not␣hazardous.
(1)␣Each␣Operator␣shall␣evaluate␣leaks␣during␣
or␣within␣fifteen␣months␣of␣the␣
the␣leak␣must␣be␣
results␣in␣a␣reading.
(2)␣Examples␣of␣Grade␣3␣leaks␣requiring␣reevaluation␣
include,␣but␣are␣not␣limited␣to:
(i)␣Any␣reading␣
such␣as␣small␣meter␣or␣gas␣valve
(ii)␣Any␣reading␣
unlikely␣the␣gas␣could␣migrate␣to␣the␣outside␣wall␣
(d)␣Grade␣1␣and␣2␣leaks␣
a␣physical␣repair.␣After␣a␣leak␣has␣been␣
reevaluated␣within␣15␣months␣and␣
(e)␣All␣underground␣leaks␣on␣transmission␣lines␣classifi
subcategories␣of␣grades␣an␣operator␣may␣
be␣repaired␣by␣the␣Operator␣either␣upon␣discovery␣
discovery.␣

(8) 143.3. Leaks at meters and risers

143.3. Leaks at meters and risers

(a) A leak that is not at the riser shall be co[...] repaired on the same day the leak is reported. [...] repair [...] performed by qualified employees of the operator.
(b) The operator shall include these reports [...] and [...] required by section 123.2.

(9) Valves

143.4 Valve Maintenance

(a) Each operator will make an inventory [...] a description of the location, type, size, number of turns, function [...] and criticality.
(b) Each valve, the use of which may be ne[...] transmission or distribution system, must annually be inspected, serviced, lubricated (where required) and left fully operational [...] inspection. "Fully operational" means that a crew of two can easily [...] and close the valve.
(c) The report of inspection must include: a [...] the valve as found at the beginning of the [...] maintenance procedures done at the site; and the [...] condition at the conclusion of the inspection.
(d) The operator will ensure that each insp[...] equipment to lubricate and operate the valve at [...]

(10) Section 143.5 Line of Sight Marks

143.5. Line of Sight Marks

Each utility shall provide line of sight markers along its [...] transmission and distribution right of way such that marks are [...] both directions from any given point on the right of way.

CONCLUSION

For the foregoing reasons UWUA requests that the

(1) Modify the Proposed Decision of ALJ Bushey as

(2) approve the Proposed decision as modified.

Respectfully submitted,

/s/ /s/

Carl Wood William Julian
Regulatory Affairs Director 43556 Almond Lane
Utility Workers Union of America Davis CA 95618
2021 S. Nevada Street Phone: (530) [illegible] 219
Oceanside CA [illegible] E-mail: billjulian@sbcglobal.net
Phone: (951) [illegible] 567
E-mail: wood@uwua.net

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