



July 31, 2015

VIA ELECTRONIC FILING

PHMSA Docket No. PHMSA-2014-0098
Docket Management System
U.S. Department of Transportation (DOT)
1200 New Jersey Avenue SE.
West Building, Room W12-140
Washington, DC 20590

Re: Docket No. PHMSA-2014-0098: Proposed Rule on Pipeline Safety: Plastic Pipe Rule; Federal Register Vol. 80, No. 98 (Thursday, May 21, 2015); RIN 2137-AE93

Dear Sir/Madam:

Gas Processors Association (“GPA”) is a non-profit trade organization made up of 122 corporate members. GPA’s membership accounts for approximately 92% of all natural gas liquids produced by the midstream energy sector in the United States. GPA members also produce, gather, transport and market natural gas and natural gas liquids.

On Thursday, May 21st, 2015 a Notice of Proposed Rulemaking (“Notice”) was published in the Federal Register concerning the regulation of plastic pipe used to transport natural gas. The rule seeks to adopt numerous adopted best practices as well as clarify the requirements for those who seek to use plastic pipe in regulated situations. These changes are proposed to address advancements in technology as well as updates in best practices that reflect lessons learned.

GPA appreciates the opportunity to submit comments to the docket as its members have a significant interest in the use of plastic pipe in both regulated and unregulated environments. Operators of gathering lines have long depended on the use of plastic pipe and many hope that with improvements in technology that plastic or composite pipe can continue to be used in regulated operations going forward.

GPA would like to raise several concerns as well as questions with regard to how this rule impacts gathering operations- particularly the applicability of standards being incorporated by reference that are specifically developed and published by the Standards Developing Organizations (SDO’s) for distribution pipelines.

The vast majority of the proposed rule relate to the design, construction and testing of plastic distribution pipe. This is accomplished by incorporating 14 standards into the pipeline safety rules. These standards focus on aspects of the manufacture of, design, construction and operation of plastic pipe. However, the scope of those standards is clearly for distribution pipes meeting the definition of §192.3. The standards are not designed, and have not considered, the impacts to gathering and transmission pipelines. The question then becomes is whether the Pipeline and Hazardous Materials Safety Administration (“PHMSA”) intends to prohibit the use of plastics for the purposes of gathering and transmission unless the operator seeks a formal waiver or special

permit? If not, is PHMSA intending to extend the scope of a published standard through regulation? GPA respectfully submits that both of the potential outcomes are inappropriate and have significant unintended consequences on the midstream industry and gathering and transmission operators and their future ability to utilize plastic pipe.

This concern is reinforced due to a single, but overly broad proposed provision that significantly expands the regulatory requirements applicable to gathering lines. Specifically, §192.9 is proposed to be expanded by adding paragraph (7) which states “If the pipeline contains plastic pipe or components, it must comply with all applicable requirements of this part for plastic pipe and components”. For reasons stated above, GPA would offer that it is not appropriate to apply all requirements, and adopted standards, to gathering lines. If PHMSA seeks to establish specific standards for gathering or transmission pipelines, those standards need to be vetted and then proposed in a future rulemaking- one that considers the applicability and the appropriateness of the standards for those types of facilities. If PHMSA does indeed seek to expand the scope of the standards, proposed provision §192.9 (d)(7) should be removed and added to existing §192.9 (d)(1) with either an effective date inserted or a clear discussion that the provision is not retroactive.

GPA stands willing to assist with this process. However, when the above two provisions are taken in combination, if adopted as proposed would result in significant unintended consequences that will not only result in the regulatory uncertainty of plastic pipes that have already been placed in service, it would possibly serve as a deterrent for the use of plastic pipe in gathering and transmission lines in the future- the exact opposite of the stated goal and intent of the proposed rule.

In addition to these primary, and significant concerns, GPA would offer comments on several components of the proposed changes. Specifically:

- The definition of “weak link” is unclear and should be revised to allow for other methods designed to monitor the installation process to prevent detrimental damage to a pipe from excessive tension forces. This can be accomplished by defining the term as: “*Weak Link* means a device or method used when pulling polyethylene pipe, typically through methods such as horizontal directional drilling, designed to prevent detrimental damage to plastic pipe from occurring caused by exceeding the maximum tensile stresses allowed during installation.”
- The expectation established under §192.329 relating to trenchless excavation and damage prevention is simply unrealistic and unattainable. As proposed, an operator installing plastic pipe using trenchless excavation must “ensure that the path of the excavation will provide sufficient clearance for installation and maintenance activities from other underground utilities and structures.” This standard assumes that an operator will have the ability to know the location of all other underground facilities when excavating. As PHMSA knows, many underground facilities- including water and sewer lines are not in qualified one call centers. Even if extensive efforts are made to secure the location of those facilities, there is no guarantee of “ensuring” their location. Further, no definition of “sufficient clearance” has been established. As a result, the proposed provision establishes a standard that cannot be reasonably met by operators. At a minimum, the provision should be rewritten to require specific steps to be taken by the operator when engaging in trenchless excavation if not removed completely from the proposal.
- As drafted, operators could interpret the rule to read that all risers must be made of plastic. Riser is a commonly used term in the industry used to describe any pipe used to transition from below ground or subsea to above the surface. As written in §192.204 (b), any pipe from below ground to above ground must be made of plastic. We do not think this was the intent of PHMSA. This can be addressed by renaming the section “Anodeless risers”.
- Under proposed §192.313 a plastic pipe must not be installed that “exceed the maximum

bend radius”. However, the “maximum” bend that any pipe can be is 180 degrees, which would leave the pipe without a bend. As a result, we believe PHMSA actually meant to use the word “minimum” as it would reference the greatest amount the pipe should be subjected to in terms of bending.

- Under proposed new section §192.720, the use of a leak repair clamp is prohibited for plastic pipe. GPA seeks clarification as to whether this change then allows the use of clamps for gathering and transmission repairs as the proposal just references distribution pipelines.
- As drafted, new section §192.756 seeks to establish a requirement for equipment and maintenance and calibration used for joining plastic pipe. However, as drafted, the rule does not take into account the type of equipment being tested. For this reason, GPA suggests the proposal be amended in the following manner: “The calibration must be appropriate for the type of equipment being evaluated and be able to validate the equipment is within the acceptable tolerance limit of that equipment as stated by the manufacturer.”
- Under the proposed rule language, mechanical fittings, joints, or connections will be required to be a Category 1 as defined in ASTM F1924, ASTM F1948, and ASTM F1973 for the applicable material. GPA would offer that Category 1 fittings are only available for pipeline diameters up to four (4) and maybe six (6) inches. However, many plastic gathering and transmission lines are in excess of these diameters. The question then becomes what an operator of a plastic gathering or transmission operator to do when the required fitting is not commercially available? To address this, GPA would suggest that the requirement is clarified to only apply to distribution pipelines or provide a methodology for gathering and transmission pipelines to use fittings and other connections other than Category 1.

GPA would also respectfully request that a chart or additional clarification is provided in the regulations to confirm what Category of fitting is appropriate in different scenarios. PHMSA indicates in the preamble that: “The definitions in each of these standards are slightly different in language but are still consistent with each other and the performance language in ASTM D2513.” Creating a chart will provide clear guidance- and reference- as to what is required in what situation.

GPA would also request that PHMSA clarify that the proposals contained within the proposed rule are only applicable to plastic pipe installed after a date certain in the future and plastic pipe that has been manufactured after a date certain, which accommodates existing industry standards and regulatory rules. As currently drafted, these issues are unclear and could result in provisions being interpreted to be retroactively applied.

We hope that the issues outlined in these comments provide additional information and perspective to be considered as PHMSA evaluates the comments received and develops the final rule. Please contact me if GPA can be of assistance to PHMSA as this effort moves forward. I can be reached at (918) 493-3872 or mhite@GPAglobal.org.

Sincerely,

Matthew Hite
Vice President of Government Affairs