

July 29, 2015

DOT Docket Management System
U.S. Department of Transportation, Docket Operations, M-30
Room W12-140
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

RE: Docket No. PHMSA-2014-0098
Pipeline Safety: Plastic Pipe Rule

Dear Sir:

I am submitting comments on the Notice of Proposed Rulemaking (Notice) under Docket No. PHMSA-2014-0098, Pipeline Safety: Plastic Pipe Rule. I thank you for the opportunity to do so.

I am a consultant with over 40 years' experience in pipeline safety both from the regulatory side as well as the pipeline operator side. I have worked for Federal and State pipeline safety regulatory agencies on natural gas, LNG, and liquid pipeline regulations and for a major liquid pipeline operator. In addition I have worked as a consultant and expert witness on pipeline safety issues. Most recently I am providing regulatory training to the pipeline industry for Title 49, Code of Federal Regulations, and Parts 190, 191, 192 & 195 in conjunction with the Transportation Safety Institute (TSI) in Oklahoma City.

I would like to congratulate you on your efforts to address specific issues and to clarify the regulations. I appreciate the amount of material provided for each of the subject areas of this Notice which provides a good amount of insight into your intent. In my recent training efforts with TSI, pipeline operators continue to ask what is PHMSA's intent with a particular code requirement. The detail you have provided in the preamble to this NPRM will go a long way to assist the pipeline operators in complying with these revisions.

PHMSA-2014-0098

7/29/2015

General Comments of this NPRM

Having been involved in the interpretation and development of pipeline safety regulations for over 40 years I first want to make a general comment on the resultant final rule that will be produced from this Notice. The regulations must be concise and very clear to avoid the typical confusion that has sometimes arisen in past regulatory revisions. Past revisions to the pipeline regulations have resulted in long term difficulties in determining the meaning of a regulatory change and have required a great effort not only by the pipeline industry affected by those revisions but by the agencies that are charged with the enforcement of those regulations.

Comments: My comments will follow your identification of each area being addressed in this Notice.

Section A. Traceability and Tracking

I understand the reason why traceability and tracking are of concern. Many of those reasons are well set out in the Notice. There was discussion on making the identification on the pipe and components being visible for 50 years or the life of the pipeline. Reference is also made to ASTM F2897-11a, which I do not believe addresses the actual marking of the pipe and components, only certain specifications that should be a part of the coding system.

My understanding of the preamble in the Notice, page 29264 was that one of the commenters wanted to ensure that the identification markings on the pipe or components would be visible for 50 years or the life of the pipeline. Is PHMSA's intent that a pipeline, installed after the effective date of this Notice, containing materials subject to this regulation, be excavated and that the required markings on the pipe or component be visible and/or legible? If the markings are not legible, visible, and permanent, say 30-40 years after installation, as required by the proposed §192.63(e)(3), would the operator be subject to a non-compliance?

§192.63(e)

(3) All markings on plastic pipelines prescribed in the specification and paragraph (e)(2) shall be legible, visible, and permanent in accordance with the

listed specification. Records of markings prescribed in the specification and paragraph (e)(2) shall be maintained for the life the pipeline per the requirements of §§ 192.321(k) and 192.375(d).

Do I also understand the last sentence in this proposed code section to say that “*Records of markings*” would provide proof that the requirements of ASTM F2897-11a had been met and the lack of visible marking of the pipe or component some years after installation would not be indicative of a compliance issue?

Section G. Plastic Pipe Installation

G.8 – Equipment: Plastic Pipe Joining (Section §192.756)

I agree that using properly calibrated and properly maintained equipment is essential in producing valid joints in plastic pipe. Although manufacturers’ recommendations address this issue I think the addition of this proposed regulatory code section highlights the importance of this element. I would think that it would also be better to require that the operator have their own written procedures that address the calibration and testing of the specific joining equipment they utilize, even if they follow and/or reference the manufacturer’s recommendations. This aspect at least shows the operator put some thought into the process and did not simply refer to the manufacturer’s recommendations.

I think the language in proposed §192.756(c) provides good examples of the equipment being addressed in this requirement.

I do find a problem with the exception allowance of the record requirement in §192.756(d).

(d) The operator must maintain records of these tests and calibrations (other than daily verifications and adjustments) for the life of the pipeline.

Even though the operator may test and calibrate the equipment on some predetermined frequency, and have records that are to be kept for the life of the pipeline, I believe that the daily or periodic verification and/or adjustment records

are just as important and should also be kept for the life of the pipeline. What if the piece of equipment successfully passed its last scheduled test and calibration but due to current usage and or transportation issues, the equipment becomes out of calibration, the adjustment just prior to use of the equipment then becomes more critical than the record that was possibly generated some months before. The critical issue is the condition of the equipment immediately prior to its use. I therefore suggest that the exception for “*(other than daily verification and adjustments)*” be removed. Section (d) should read:

(d) The operator must maintain all records of these tests, calibrations, verifications, and adjustments for the life of the pipeline.

I thank you for the opportunity to comment on this Notice and your continued effort to ensure the safety of this valuable energy infrastructure.

Sincerely,

Thomas M. Lael

Thomas Lael Services, L.P.
201 Parkview Drive
Bartlesville, OK 74003
(918)337-4867
E-mail: dlael@cableone.net