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BEFORE THE ARIZONA CORPORATION

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Arizona Corporation Commission

Commissioners
MARC SPITZER Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
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KRISTIN K. MAYES

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IN THE MATTER OF THE NOTICE OF
PROPOSED RULE MAKING REGARDING
THE TRANSPORTATION OF NATURAL
GAS, OTHER GASES AND HAZARDOUS
LIQUIDS BY PIPELINES

DOCKET NO. RG-00000A-04-0069
STAFF'S INITIAL RESPONSE TO
AUG'S COMMENTS REGARDING
THE PROPOSED RULEMAKING AND
COMMENTS FROM THE OFFICE
OF THE SECRETARY OF STATE

Staff of the Utilities Division ("Staff") of the Arizona Corporation Commission submits its Initial Response to the Arizona Utility Group ("AUG") Comments on the proposed rulemaking that amends the Rules on the Transportation of Natural Gas, Other Gases and Hazardous Liquids by Pipelines (hereinafter "the Rules"). Staff is meeting with representatives of AUG on July 7, 2004, to discuss AUG's comments. Those discussions will focus on AUG's comments on proposed regulations A.A.C. R14-5-202(O), (P), (R), and (S). Staff will file supplemental comments after the July 7, 2004 meeting, and will indicate if it has any suggested modifications to the Rules, or where Staff believes the Rules should stay as is. This Response will point out those places where Staff agrees with AUG.

Also, the Office of the Secretary of State provided verbal comments to Staff's Counsel. This Response highlights those changes the Secretary of State's Office recommends.

Attached to this Response is an updated version of the Rules incorporating agreed-upon comments from AUG and comments from the Office of the Secretary of State. A redlined copy is also provided.

- I. Comments from AUG that Staff agrees with: The proper addresses and proper editions of federal forms should be reflected in the Rules, and reference to the Commission's Pipeline Safety Section should be the 'Office of Pipeline Safety' in the Rules.

1 1. **Addresses should be updated:** Staff recommends updating the following four
2 addresses:

- 3 • NACE International, referred to in A.A.C. R14-5-202(E)(1), from P.O. Box
4 218340, Houston, Texas 77218-8340 to 1440 South Creek Drive, Houston, Texas
5 77084-4906.
- 6 • CSSINFO, referred to in A.A.C. R14-5-202(E)(2), from 310 Miller Avenue, Ann
7 Arbor, Michigan 48103 to its new name of Techstreet, 777 East Eisenhower
8 Parkway, Ann Arbor, Michigan 48108.
- 9 • ASTM, referred to in A.A.C. R14-5-202(P) and R14-5-205(J), from ASTM, 1916
10 Race Street, Philadelphia, Pennsylvania 19103-1187 to its new name of ASTM
11 International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA
12 19428-2959.
- 13 • The United States Government Printing Office, referred to in A.A.C. R14-2-
14 202(B), (J), (K), and R14-2-205(B), and (G), from P.O. Box 371975M,
15 Pittsburgh, Pennsylvania 15250-7975 to P.O. Box 371954, Pittsburgh,
16 Pennsylvania 15250-7954.

17 The changes have been made in the version of the rules attached to this Response.

18 2. **The most current editions of federal forms should be noted in the Rules:**
19 AUG recommends that the report forms used by the Commission be the current forms specified
20 in the federal regulations. Staff agrees. Staff recently discovered that the Federal Office of
21 Pipeline Safety (“OPS”) updated several of its forms regarding accidents and for annual reports,
22 since Decision No. 66994. OPS Form RSPA 7100.1-1 has been updated for use in 2005: While
23 the current version can be used for annual reports in 2004, the new version must be used starting
24 in 2005. Because the new version does not become mandatory until 2005, it is titled the March
25 2005 edition. OPS Form RSPA 7100.2-1 was also updated and is known as the December 2003
26 edition. OPS Forms RSPA 7100.1-1 and RSPA 7100.2-1 are referenced in proposed R 14-5-
27 204(A)(2) and (3), respectively. So, Staff recommends that the most recent editions be cited in
28 the above rules. Staff is not aware that a March 2004 edition of OPS Form RSPA 7100.2-1
exists. But Staff will continue to monitor OPS’ website for any possible future updates to its
forms. All of the other forms with the editions noted in the proposed rulemaking are the most
recent editions, as of July 6, 2004. Also, the word “Edition” should be added after “February
2004” in R14-5-204(A)(1).

1 3. **References to “Commission Office of Pipeline Safety” should be changed to**
2 **“Office of Pipeline Safety”**: AUG notes that “Commission Office of Pipeline Safety” is used in
3 several locations throughout the rules. Given that “Office of Pipeline Safety” is defined in R14-
4 5-201 as “the Pipeline Safety personnel for the Commission,” Staff agrees that the term should
5 be consistent throughout the rules. Staff recommends changing “Commission Office of Pipeline
6 Safety” to “Office of Pipeline Safety.” Staff has made the change to “Office of Pipeline Safety”
7 in the attached version of the Rules.

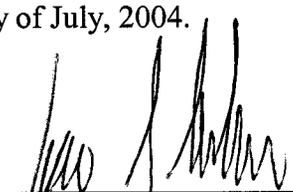
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9 **II. Comments from the Office of the Secretary of State should also be incorporated into**
10 **the Rules**

11 The Secretary of State’s Office provided verbal comments to Staff’s Counsel. These
12 comments edit the Rules, so that they conform to the Arizona Rulemaking Manual, and reflect
13 that the Secretary of State’s Office will no longer be keeping copies of incorporated reference
14 materials on file. The Secretary of State Office’s comments do not substantively change
15 standards for intrastate natural gas and hazardous liquid pipelines in the Rules.

16 1. **References to a “paragraph”, “subparagraph”, or “item” in the Rules should**
17 **be changed to refer to them as a “subsection”**: The Rules approved by the Commission in
18 Decision No. 66994 (May 24, 2004) added two new subsections on laboratory testing for
19 intrastate and master meter operators, R14-5-202(S) and R14-5-205(P), respectively. These
20 subsections have parts that reference other parts within the subsection and other subsections.
21 These parts are referenced with the words “paragraph”, “subparagraph” and “items.” To conform
22 to the Arizona Rulemaking Manual, A.A.C. R1-1-408, these parts should be referenced as
23 subsections. Staff requests that the Secretary of State Office’s proposed changes to the Rules,
24 shown in the June 4, 2004 edition of the Arizona Administrative Register, be made. The Rules
25 also have the sentence “[a]ny release of hazardous liquid or carbon dioxide, that was significant
26 in the judgment of the operator even though it did not meet the criteria of any other paragraph of
27 this section,” in R14-5-203(B)(2)(g). For this subsection, Staff recommends that the phrase be
28 changed to “[a]ny release of hazardous liquid or carbon dioxide, that was significant in the
judgment of the operator even though it did not meet the criteria of this subsection.”

1 2. **Since copies of incorporated reference materials will no longer be on file with**
2 **the Secretary of State's Office, that phrase should be stricken throughout the Rules:** The
3 Secretary of State's Office also communicated to Staff's Counsel that it no longer will have
4 incorporated reference materials on file. It has requested that the phrase "on file with the Office
5 of the Secretary of State" be struck from the final rulemaking package. This phrase is located in
6 several sections of the Rules at the following locations: R14-5-202(B), (E)(1) and (2), (J), (K),
7 (P) and (R), R14-5-203(B)(2)(f)(ii), (C)(2)(a) and (b), (C)(3) and (C)(3)(c)(ii), R14-5-204(A)(2)
8 and (3), and R14-5-205(B), (G), (J), (O) and (Q). The word "and" is also stricken where
9 appropriate. Finally, the phrase at R14-5-204(A)(1) – "on file with the Secretary of State" –
10 should be deleted.

11
12 RESPECTFULLY SUBMITTED this 6th day of July, 2004.

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The original and thirty (30) copies
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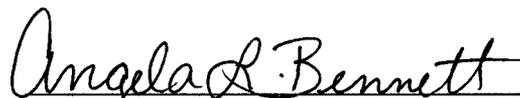
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Angela L. Bennett secretary to
Jason D. Gellman

1

ARTICLE 2. PIPELINE SAFETY

R14-5-202. Construction and Safety Standards

- A. Applicability: This rule applies to the construction, reconstruction, repair, operation and maintenance of all intrastate natural gas, other gas, LNG and hazardous liquid pipeline systems, as described in ARS 40-441.
- B. Subject to the definitional changes in R14-5-201 and the revisions noted in subsection (C), the Commission adopts, incorporates, and approves as its own 49 CFR 40, 191, 192 except I (2) and (3) of Appendix D to Part 192, 193, 195, except 195.1(b)(2) and (3), and 199, revised as ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State~~, and copies available from the ~~Commission Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, ~~P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975.
- C. The above mentioned incorporated Parts of 49 CFR, except Parts 191, 193 Subpart A and 195 Subpart A and B, are revised as follows:
1. Substitute "Commission" where "Administrator of the Research and Special Programs Administration" or "Office of Pipeline Safety" (OPS) appear.
 2. Substitute "Office of Pipeline Safety, Arizona Corporation Commission, at its office in Phoenix, Arizona" where the address for the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U. S. Department of Transportation appears.
- D. Operators of an intrastate pipeline will file with the Commission an Operation and

Maintenance Plan (O & M), including an emergency plan, 30 days prior to placing a pipeline system into operation. Any changes in existing plans will be filed within 30 days of the effective date of the change.

E. Operators of an intrastate pipeline transporting sour gas or oil are subject to industry standards addressing facilities handling hydrogen sulfide (H₂S). Standards adopted are:

1. NACE Standard MR-0175-99 (1999 Revision); (and no future revisions), Standard Materials Requirements-Sulfide Stress Cracking Resistant Metallic Material for Oilfield Equipment, incorporated by reference and no future amendments. Copies are available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906~~P.O. Box 218340, Houston, Texas 77218-8340~~ and on file with the Office of the Secretary of State.
2. API RP55 (1995 Edition); (and no future amendments), API recommended practice for conducting oil and gas production operations involving hydrogen sulfide, incorporated by reference and no future amendments. Copies are available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and Techstreet, 777 East Eisenhower Parkway, Ann Arbor, Michigan 48108~~the CSSINFO, 310 Miller Avenue, Ann Arbor, Michigan, 48103~~ and on file with the Office of the Secretary of State.

- F.** Operators of an intrastate pipeline transporting LNG, hazardous liquid, natural gas or other gas will not construct any part of a hazardous liquid, LNG, natural gas or other gas pipeline system under a building. For building encroachments over a pipeline system, the operator may require the property owner to remove the building from over the pipeline or reimburse the operator the cost associated with relocating the pipeline system. The encroachment shall be resolved within 180 days of discovery, or the operator shall discontinue service to the pipeline system. When the encroachment can not be resolved within the 180 days the operator shall submit to the Office of Pipeline Safety within 90 days of discovery a written plan to resolve the encroachment. The Office of Pipeline Safety may then extend the 180-day requirement in order to allow the ratepayer and the operator to implement the written plan to resolve the encroachment.
- G.** Operators of an intrastate distribution pipeline transporting LNG, ~~hazardous liquid~~, natural gas or other gas will not construct any part of a pipeline system closer than 8 inches to any other underground structure. If the 8-inch clearance cannot be maintained from other underground structures, a sleeve, casing, or shielding shall be used.
- H.** Operators of an intrastate pipeline transporting natural gas or other gas that have regulators, meters, or regulation meter sets that have been out of service for 36 months will abandon those lines and cap all ends. The Operator's steps to accomplish the abandonment shall not exceed 6 months beyond the 36 months out service status.
- I.** Operators of an intrastate pipeline shall not install or operate a gas regulator that might release gas in its operation closer than 3 feet to a source of ignition, opening into a building, air intake into a building or to any electrical source not intrinsically safe. The three (3) foot clearance from a source of ignition will be measured from the vent or source of release

(discharge port), not from the physical location of the meter set assembly. This subsection shall not be effective with respect to building permits which are issued and subdivisions which are platted prior to October 1, 2000. For encroachment within the required three foot clearance caused by an action of the property owner, occupant or a service provider, after the effective date of this rule the operator may require the property owner to resolve the encroachment or reimburse the operator the cost associated with relocating the pipeline system. The encroachment shall be resolved within 180 days of discovery or the operator shall discontinue service to the effected pipeline system. When the encroachment cannot be resolved within the 180 days the operator shall submit to the Office of Pipeline Safety within 90 days of discovery a written plan to resolve the encroachment. The Office of Pipeline Safety may then extend the 180-day requirement in order to allow the ratepayer and the operator to implement the written plan to resolve the encroachment.

- J.** Operators of an intrastate pipeline transporting LNG, natural gas, other gases or hazardous liquid will utilize a cathodic protection system designed to protect the metallic pipeline in its entirety, in accordance with 49 CFR 192, Subpart I, ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State, and copies available from the Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954 ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975~~ except I (2) and (3) of Appendix D to Part 192 shall not be utilized.
- K.** Operators of an intrastate pipeline transporting natural gas or other gas will not use solvent cement to join together plastic pipe manufactured from different materials unless the operator

utilizes a joining procedure in accordance with the specifications of 49 CFR 192, Subpart F, ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State,~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954 ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975.~~

- L. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas will not install Acrylonitrile-Butadiene-Styrene (ABS) or aluminum pipe in their pipeline systems.
- M. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas will not install plastic pipe aboveground unless the plastic pipeline is protected by a metal casing, or equivalent, and approved by the Office of Pipeline Safety. Temporary aboveground plastic pipeline bypasses are permitted for up to sixty (60) days, provided that the plastic pipeline is protected and is under the direct supervision of the operator at all times.
- N. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas that construct a pipeline system or any portion thereof using plastic pipe, will install, at a minimum, a 14-gauge coated or corrosion resistant, electrically conductive wire as a means of locating the pipe while it is underground. Tracer wire shall not be wrapped around the plastic pipe, tracer wire may be taped, or attached in some manner to the pipe provided that the adhesive or the attachment is not detrimental to the integrity of the pipe wall.
- O. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas ~~pipeline system~~ that construct an underground pipeline system ~~using plastic pipe~~, will bury the installed pipe with a minimum of 6 inches of sandy type soil surrounding the pipe for

bedding and shading, free of any rock or debris, unless otherwise protected and approved by the Office of Pipeline Safety.

- P.** Operators of an intrastate pipeline transporting natural gas or other gas ~~pipeline system~~ that construct an underground pipeline system using plastic pipe will install the pipe with sufficient slack to allow for thermal expansion and contraction. ~~In addition, all plastic pipe shall be marked CD or CE as required by ASTM D2513-95e~~ In addition, all plastic pipe and fittings shall be marked "Gas" and shall be marked CD, CE, CF or CG as required by ASTM D2513(1995c Edition and no future editions), incorporated by reference, on file with the Office of the Secretary of State, and copies available from the Commission Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, the ASTM, 1916 Race Street, Philadelphia, Pennsylvania 19103-1187, for areas where the service temperature is above 100°F.
- Q.** Operators of an intrastate pipeline system transporting hazardous liquid, natural gas or other gases shall qualify welding procedures and shall perform welding of steel pipelines in accordance with API Standard 1104. Each welder must be qualified in accordance with API Standard 1104, 49 CFR 192, appendix A. The qualification of welders delineated in 49 CFR 192, appendix C may be used for low stress level pipe.
- R.** Operators of an intrastate pipeline transporting natural gas or other gas pipeline system shall survey and grade all detected leakage by the following guide: ASME Guide for Gas Transmission and Distribution Pipeline System, Guide Material, Appendix G-11-1983 except 4.4(c) (1983 Revision and no future revisions), incorporated by reference ~~and on file with the~~

~~Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the ASME, United Engineering Center, 345 East 47th Street, New York, N. Y. 10017. (“Should” as referenced in the Guide will be interpreted to mean “shall”). Leakage survey records shall identify in some manner each pipeline surveyed. Records shall be maintained to demonstrate that the required leakage survey has been conducted.

S. Laboratory testing of intrastate pipelines shall be conducted in accordance with the following:

1. If an operator of an intrastate natural gas, other gas or hazardous liquid pipeline removes a portion of a pipeline that failed for any reason other than observable external corrosion or third-party damage, the operator shall retain the portion that was removed and shall notify the Office of Pipeline Safety of the removal within two hours after the removal is completed. A notice made pursuant to this subsection shall include all of the following:
 - a. Identity of the failed pipeline.
 - b. Location of the failure.
 - c. Date and time of the removal.
 - d. Length of the removed portion.
 - e. Storage location of the removed portion.
 - f. The operator’s opinion regarding the probable cause or causes of the failure.
 - g. Any additional information about the failure or the removal of the portion of the pipeline that failed that is requested by the Office of Pipeline Safety.

2. Within forty-eight hours after notification pursuant to subsection (1), the Office of Pipeline Safety shall notify the operator either that:
 - a. The Office of Pipeline Safety is directing the operator to have the portion of the pipeline that was removed tested by a laboratory to determine the cause or causes of the failure.
 - b. The Office of Pipeline Safety is not directing laboratory testing and the operator may discard the portion of the pipeline that was removed.

3. If the Office of Pipeline Safety directs laboratory testing pursuant to subsection (2)(a):
 - a. The Office of Pipeline Safety shall:
 - i. Determine the laboratory that will do the testing pursuant to subsection (4) and the period of time within which the testing is to be completed.
 - ii. Approve the number and types of tests to be performed.
 - iii. Notify the operator of its determinations pursuant to subsections (3)(a)(i) and (ii).
 - b. The operator shall:
 - i. Notify the Office of Pipeline Safety of the number and types of tests proposed by the operator.
 - ii. Notify the Office of Pipeline Safety of the date and time of any laboratory tests at least twenty days before the tests are done.
 - iii. At the request of the Office of Pipeline Safety, ensure that a representative of the Office of Pipeline Safety is permitted to observe any or all of the tests.
 - iv. Ensure that the original laboratory test results are provided to the Office of

Pipeline Safety within thirty days of the completion of the tests.

v. Pay for the laboratory testing.

4. In determining a laboratory pursuant to subsection (3)(a)(i), the Office of Pipeline Safety shall:

a. Submit a written request to at least three different laboratories for bids to conduct the testing.

b. Consider the qualifications of the respondent laboratories to perform the testing, including:

i. Past experience in performing the required test or tests according to ASTM International standards.

ii. Any recognition that the laboratory may demonstrate with national or international laboratory accreditation bodies.

c. Select the laboratory that offers the optimum balance between cost and demonstrated ability to perform the required test or tests.

d. The Office of Pipeline Safety shall not select a laboratory pursuant to this subsection before either of the following, which ever occurs first:

i. The Office of Pipeline Safety has received written bids from at least three different laboratories.

ii. Thirty days from the date of the request for bids has passed.

S. T. All repair work performed on an existing intrastate pipeline transporting LNG, hazardous liquids, natural gas or other gas ~~pipeline system~~ will comply with the provisions of this Article.

T. U. The Commission may waive compliance with any of the aforementioned parts upon a finding

that such a waiver is in the interest of public and pipeline safety.

~~U.~~ V. To ensure compliance with provisions of this rule the Commission or an authorized representative thereof may enter the premises of an operator of an intrastate pipeline to inspect and investigate the property, books, papers, business methods, and affairs that pertain to the pipeline system operation.

~~V.~~ W. All other Commission administrative rules are superseded to the extent they are in conflict with the pipeline safety provisions of this Article.

R14-5-203. Pipeline Incident Reports and Investigations

A. Applicability. This rule applies to all intrastate pipeline systems.

B. Required incident reports by telephone:

1. Operators of an intrastate pipeline transporting LNG, natural gas or other gas pipeline system will notify by telephone the Office of Pipeline Safety upon discovery of the occurrence of any of the following:

a. The release of natural gas, other gas or liquefied natural gas (LNG) from a pipeline or LNG facility, when any of the following results:

i. Death or personal injury requiring hospitalization.

ii. An explosion or fire not intentionally set by the operator.

iii. Property damage, including the value of the gas lost, estimated in excess of \$5,000.

b. Emergency transmission pipeline shutdown.

c. News media inquiry.

d. Overpressure of a pipeline system where a pipeline operating at less than 12 PSIG exceeds MAOP by 50%, where a pipeline operating between 12 PSIG

and 60 PSIG exceeds MAOP by 6 PSIG or where a pipeline operating over 60 PSIG exceeds MAOP plus 10%.

- e. Permanent or temporary discontinuance of gas service to a master meter system or when assisting with the isolation of any portion of a gas master meter system due to a failure of a leak test.
 - f. Emergency shutdown of a LNG process or storage facility.
2. Operators of an intrastate pipeline transporting hazardous liquid will notify by telephone the Office of Pipeline Safety upon discovery of the occurrence of any of the following:
- a. Death or personal injury requiring hospitalization.
 - b. An explosion or fire not intentionally set by the operator.
 - c. Property damage estimated in excess of \$5,000.
 - d. Pollution of any land, stream, river, lake, reservoir, or other body of water that violates applicable environmental quality, water quality standards, causes a discoloration of the surface of the water or adjoining shoreline, or deposits sludge or emulsion beneath the surface of the water or upon adjoining shorelines.
 - e. News media inquiry.
 - f. Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:
 - i. Not otherwise reportable under this section;

ii. Not one described in 49 CFR 195.52(a)(4); (1994 Revision and no future revisions), incorporated by reference and ~~on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.

iii. Confined to company property or pipeline right-of-way;
and

iv. Cleaned up promptly.

g. Any release of hazardous liquid or carbon dioxide, that was significant in the judgment of the operator even though it did not meet the criteria of this subsection.

3. Telephone incident reports will include the following information:

- a. Name of the pipeline system operator,
- b. Name of the reporting party,
- c. Job title of the reporting party,
- d. The reporting party's telephone number,
- e. Location of the incident,
- f. Time of the incident, and
- g. Fatalities and injuries, if any.

C. Require written incident report:

1. Operators of an intrastate pipeline transporting natural gas, LNG or other gases will file a written incident report when an incident occurs involving a natural gas or other gas pipeline that results in any of the following:
 - a. An explosion or fire not intentionally set by the operator.
 - b. Injury to a person that results in 1 or more of the following:
 - i. Death.
 - ii. Loss of consciousness.
 - iii. Need for medical treatment requiring hospitalization.
 - c. Property damage, including the value of the lost gas, estimated in excess of \$5,000.
 - d. Emergency transmission pipeline shutdown.
 - e. Overpressure of a pipeline system where a pipeline operating at less than 12 PSIG exceeds MAOP by 50%, where a pipeline operating between 12 PSIG and 60 PSIG exceeds MAOP by 6 PSIG or where a pipeline operating over 60 PSIG exceeds MAOP plus 10%.
 - f. Emergency shutdown of a LNG process or storage facility.
2. Written incident reports concerning natural gas or other gas pipeline systems will be in the following form:
 - a. RSPA F7100.1 - Distribution System: Incident Report, incorporated by reference ~~and on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.

- b. RSPA F7100.2 - Transmission and Gathering System: Incident Report, incorporated by reference ~~and on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.
 - c. Written incident reports with respect to LNG facilities will be in an investigative form defining the incident and corrective action taken to prevent a reoccurrence.
3. Operators of an intrastate pipeline transporting hazardous liquid will make a written incident report on RSPA F 7000-1, (January 2001 Revision and no future revisions), incorporated by reference ~~and on file with the Office of the Secretary of State~~, and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004, when there is a release of hazardous liquid which results in any of the following:
 - a. An explosion or fire not intentionally set by the operator.
 - b. Injury to a person that results in 1 or more of the following:
 - i. Death.
 - ii. Loss of consciousness.
 - iii. Inability to leave the scene of the incident unassisted.
 - iv. Need for medical treatment.
 - v. Disability which interferes with a person's normal daily activities beyond the date of the incident.

- c. Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:
 - i. Not otherwise reportable under this section;
 - ii. Not one described in 49 CFR 195.52 (a)(4); (1994 Revision and no future revisions), incorporated by reference ~~and on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.
 - iii. Confined to company property or pipeline right-of-way; and
 - iv. Cleaned up promptly.
 - d. Estimated property damage, including cost of clean-up and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding \$5,000.
 - e. News media inquiry.
4. Written incident reports as required in this Section will be filed with the Office of Pipeline Safety, within the time specified below:
- a. Natural gas, LNG or other gas - within 20 days after detection.
 - b. Hazardous liquids - within 15 days after detection.
5. The Operators shall also file a copy of all DOT required written incident reports with the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC

20590.

6. Operators of a natural gas or other gas pipeline system will request a clearance from the Office of Pipeline Safety prior to turning on or reinstating service to a master meter operator.

D. Investigations by the Commission:

1. The Office of Pipeline Safety will investigate the cause of incidents resulting in death or serious injury.
2. Pursuant to an investigation under this rule, the Commission, or an authorized agent thereof, may:
 - a. Inspect all plant and facilities of a pipeline system.
 - b. Inspect all other property, books, papers, business methods, and affairs of a pipeline system.
 - c. Make inquiries and interview persons having knowledge of facts surrounding an incident.
 - d. Attend, as an observer, hearings and formal investigations concerning pipeline system operators.
 - e. Schedule and conduct a public hearing into an incident.
3. The Commission may issue subpoenas to compel the production of records and the taking of testimony.
4. Incidents not reported in accordance with the provisions of this rule will be investigated by the Office of Pipeline Safety.
5. Incidents referred to in incomplete or inaccurate reports will be investigated by the

Office of Pipeline Safety.

6. Late filed incident reports will be accompanied by a letter of explanation. Incidents referred to in late filed reports may be investigated by the Office of Pipeline Safety.

R14-5-204. Annual Reports

- A. Except for operators of an intrastate pipeline transporting LNG, ~~hazardous liquid~~, all other intrastate pipeline operators will file with the Office of Pipeline Safety, not later than March 15, for the preceding calendar year, the following appropriate report(s):

1. RSPA F 7000-1.1 (February 2004 Edition and no future editions) – “Annual Report for calendar year 20___, hazardous liquid or carbon dioxide systems” and “Instructions for completing RSPA F 7000-1.1 Annual Report for calendar year 20___ hazardous liquid or carbon dioxide systems incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the Information Resources Manager, Office of Pipeline Safety, U.S. Department of Transportation, Room 2335, 400 Seventh Street, S.W., Washington, DC 20590.
- ~~1.~~ 2. RSPA F7100.1-1 (November 1985 Edition for use in 2004; March 2005 Edition and no future editions, which can be used in 2004 but will become mandatory starting in 2005) - "Annual Report for Calendar Year 20___, Gas Distribution System" and "Instructions for Completing RSPA Form F7100.1-1, Annual Report for Calendar Year 20___, Gas Distribution System", incorporated by reference, ~~on file with the Office of the Secretary of State~~, and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the Information Resources Manager,

Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, Room 8417, 400 Seventh Street, S.W., Washington, D.C. 20590.

~~2.3.~~ RSPA F7100.2-1 (~~January 2002~~ December 2003 Edition and no future editions) - "Annual Report for Calendar Year 20___, Gas Transmission and Gathering Systems" and "Instructions for Completing Form RSPA F7100.2-1, Annual Report for Calendar Year 20___, Gas Transmission and Gathering Systems", incorporated by reference, ~~on file with the Office of the Secretary of State~~, and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, Room 8417, 400 Seventh Street, S.W., Washington, D.C. 20590.

- B.** The operator will also file a copy of all required annual reports by March 15 to the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street S.W., Washington, D.C. 20590-0001.

R14-5-205. Master Meter System Operators

- A.** Applicability. This rule applies to the construction, reconstruction, repair, emergency procedures, operation and maintenance of all master meter systems, as a condition of receiving service from public service corporations. Noncompliance with this rule by operators of a master meter system shall constitute grounds for termination of service by the public service corporation when informed in writing by the Office of Pipeline Safety. In case

of an emergency, the Office of Pipeline Safety may give the public service corporation oral instructions to terminate service, with written confirmation to be furnished within 24 hours.

- B.** Subject to the definitional changes in R14-5-201 and the revisions noted in subsection (C), the Commission adopts, incorporates, and approves as its own 49 CFR 191 and 192, revised as of ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State~~, and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954 ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975~~.
- C.** The above mentioned incorporated parts of 49 CFR, except Part 191, are revised as follows:
1. Substitute "Commission" where "Administrator of the Research and Special Programs Administration", or "Office of Pipeline Safety" (OPS) appear.
 2. Substitute Office of "Pipeline Safety, Arizona Corporation Commission, at its office in Phoenix, Arizona" where the address for the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation appears.
- D.** Operators of a master meter system will establish an Operation and Maintenance Plan (O & M) including an emergency plan. The plans must be maintained at the master meter system location.
- E.** Operators of a master meter system will not construct any part of a natural gas or other gas system under a building or permit a building to be placed over a pipeline. Within 180 days of discovery of a building being located over a pipeline, the operator shall remove the

building from over the pipeline, relocate the pipeline or discontinue the service to the pipeline located under the building.

- F. Operators of a master meter system will not install Acrylonitrile-Butadiene-Styrene (ABS) or aluminum pipe in their systems.
- G. Operators of a master meter system will not use solvent cement to join together plastic pipe manufactured from different materials unless the operator utilizes a joining procedure in accordance with the specifications of 49 CFR 192, Subpart F, ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State,~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, 4200 ~~West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954 ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975.~~
- H. Operators of a master meter system that construct a pipeline or any portion thereof using plastic pipe will install, at a minimum, a 14-gauge coated or corrosion resistant, electrically conductive wire as a means of locating the pipe while it is underground. Tracer wire shall not be wrapped around the plastic pipe, tracer wire may be taped, or attached in some manner to the pipe provided that the adhesive or the attachment is not detrimental to the integrity of the pipe wall.
- I. Operators of a master meter system that construct an underground pipeline ~~using plastic pipe,~~ will bury the installed pipe with a minimum of 6 inches of sandy type soil surrounding the pipe for bedding and shading, free of any rock or debris, unless otherwise protected and approved by the Office of Pipeline Safety.

- J.** Operators of a master meter system that construct an underground pipeline using plastic pipe will install the pipe with sufficient slack to allow for thermal expansion and contraction. ~~In addition, all plastic pipe shall be marked CD or CE as required by ASTM D2513-95e.~~ In addition, all plastic pipe and fittings shall be marked “Gas” and shall be marked CD, CE, CF or CG as required by ASTM D2513 (1995c Edition and no future editions), incorporated by reference, on file with the Office of the Secretary of State and copies available from the Commission Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, the ASTM, 1916 Race Street, Philadelphia, Pennsylvania 19103-1187, for areas where the service temperature is above 100°F.
- K.** Operators of a master meter gas system shall qualify welding procedures and shall perform welding of steel pipelines in accordance with API Standard 1104. Each welder must be qualified in accordance with API Standard 1104, 49 CFR 192, appendix A.
- L.** All repair work performed on existing master meter systems will comply with the provisions of this Article.
- M.** Operators of a master meter system will not construct any part of a natural gas or other gas system closer than 8 inches to any other underground structure.
- N.** Operators of a master meter system will file a Notice of Construction 30 days prior to commencement of the construction of any pipeline. The Notice will contain the following information:
1. The dates of construction,
 2. The size and type of pipe to be used,

3. The location of construction, and
 4. The Maximum Allowable Operating Pressure (MAOP).
- O. Operators of a master meter system will perform leakage surveys at intervals not exceeding 15 months but at least once each calendar year and will survey and grade all detected leakage by the following guide -- ASME Guide for Gas Transmission and Distribution Pipeline System, Guide Material, Appendix G-11-1983 (1983 Revision and no future revisions), except 4.4(c), incorporated by reference, ~~on file with the Office of the Secretary of State, and~~ copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington,~~ Phoenix, Arizona 85007 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the ASME, United Engineering Center, 345 East 47th Street, New York, New York 10017. (“Should” as referenced in the guide will be interpreted to mean “shall”.) Leak detection procedures shall be approved by the Office of Pipeline Safety.
- P. Laboratory testing of master meter systems shall be conducted in accordance with the following:
1. If an operator of a master meter system removes a portion of a pipeline that failed for any reason other than observable external corrosion or third-party damage, the operator shall retain the portion that was removed and shall notify the Office of Pipeline Safety of the removal within two hours after the removal is completed. A notice made pursuant to this subsection shall include all of the following:
 - a. Identity of the failed pipeline.
 - b. Location of the failure.
 - c. Date and time of the removal.
 - d. Length of the removed portion.

- e. Storage location of the removed portion.
 - f. The operator's opinion regarding the probable cause or causes of the failure.
 - g. Any additional information about the failure or the removal of the portion of the pipeline that failed that is requested by the Office of Pipeline Safety.
2. Within forty-eight hours after notification pursuant to subsection (1), the Office of Pipeline Safety shall notify the operator either that:
- a. The Office of Pipeline Safety is directing the operator to have the portion of the pipeline that was removed tested by a laboratory to determine the cause or causes of the failure.
 - b. The Office of Pipeline Safety is not directing laboratory testing and the operator may discard the portion of the pipeline that was removed.
3. If the Office of Pipeline Safety directs laboratory testing pursuant to subsection (2)(a):
- a. The Office of Pipeline Safety shall:
 - i. Determine the laboratory that will do the testing pursuant to subsection (4) and the period of time within which the testing is to be completed.
 - ii. Approve the number and types of tests to be performed.
 - iii. Notify the operator of its determinations pursuant to subsections (3)(a)(i) and (ii).
 - b. The operator shall:
 - i. Notify the Office of Pipeline Safety of the number and types of tests proposed by the operator.
 - ii. Notify the Office of Pipeline Safety of the date and time of any laboratory

tests at least twenty days before the tests are done.

- iii. At the request of the Office of Pipeline Safety, ensure that a representative of the Office of Pipeline Safety is permitted to observe any or all of the tests.
- iv. Ensure that the original laboratory test results are provided to the Office of Pipeline Safety within thirty days of the completion of the tests.
- v. Pay for the laboratory testing.

4. In determining a laboratory pursuant to subsection (3)(a)(i), the Office of Pipeline Safety shall:

- a. Submit a written request to at least three different laboratories for bids to conduct the testing.
- b. Consider the qualifications of the respondent laboratories to perform the testing, including:
 - i. Past experience in performing the required test or tests according to ASTM International standards.
 - ii. Any recognition that the laboratory may demonstrate with national or international laboratory accreditation bodies.
- c. Select the laboratory that offers the optimum balance between cost and demonstrated ability to perform the required test or tests.
- d. The Office of Pipeline Safety shall not select a laboratory pursuant to this subsection before either of the following, which ever occurs first:
 - i. The Office of Pipeline Safety has received written bids from at least three different laboratories.
 - ii. Thirty days from the date of the request for bids has passed.

- P. Q.** Operators of a master meter system will file an annual report with the Commission on Commission Form 1-90/15M (1990 Edition and no future editions), "Annual Report for Calendar Year 20___, Small Operators of Gas Distribution System," incorporated by reference, ~~on file with the Office of the Secretary of State,~~ and copies available from the ~~Commission, Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004. This report will be filed with the Office of Pipeline Safety not later than April 15 for the preceding calendar year.
- Q. R.** The Commission may waive compliance with any of the aforementioned parts upon a finding that such a waiver is in the interest of public safety.
- R. S.** To ensure compliance with provisions of this rule, the Commission or an authorized representative thereof, may enter the premises of an operator of a master meter system to inspect and investigate the property, books, papers, business methods, and affairs that pertain to the operation of the master meter system.
- S. T.** All other Commission administrative rules are superseded to the extent they are in conflict with the pipeline safety provisions of this Article.

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ARTICLE 2. PIPELINE SAFETY

R14-5-202. Construction and Safety Standards

A. Applicability: This rule applies to the construction, reconstruction, repair, operation and maintenance of all intrastate natural gas, other gas, LNG and hazardous liquid pipeline systems, as described in ARS 40-441.

B. Subject to the definitional changes in R14-5-201 and the revisions noted in subsection (C), the Commission adopts, incorporates, and approves as its own 49 CFR 40, 191, 192 except I (2) and (3) of Appendix D to Part 192, 193, 195, except 195.1(b)(2) and (3), and 199, revised as ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State, and copies available from the Commission Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975.~~

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C. The above mentioned incorporated Parts of 49 CFR, except Parts 191, 193 Subpart A and 195 Subpart A and B, are revised as follows:

1. Substitute "Commission" where "Administrator of the Research and Special Programs Administration" or "Office of Pipeline Safety" (OPS) appear.
2. Substitute "Office of Pipeline Safety, Arizona Corporation Commission, at its office in Phoenix, Arizona" where the address for the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U. S. Department of Transportation appears.

D. Operators of an intrastate pipeline will file with the Commission an Operation and

Maintenance Plan (O & M), including an emergency plan, 30 days prior to placing a pipeline system into operation. Any changes in existing plans will be filed within 30 days of the effective date of the change.

E. Operators of an intrastate pipeline transporting sour gas or oil are subject to industry standards addressing facilities handling hydrogen sulfide (H₂S). Standards adopted are:

1. NACE Standard MR-0175-99 (1999 Revision); (and no future revisions), Standard Materials Requirements-Sulfide Stress Cracking Resistant Metallic Material for Oilfield Equipment, incorporated by reference and no future amendments. Copies are available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the NACE International, ~~1440 South Creek Drive, Houston, Texas 77084-4906~~ P.O. Box 218340, Houston, Texas 77218-8340 and ~~on file with the Office of the Secretary of State.~~

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2. API RP55 (1995 Edition); (and no future amendments), API recommended practice for conducting oil and gas production operations involving hydrogen sulfide, incorporated by reference and no future amendments. Copies are available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and ~~Techstreet, 777 East Eisenhower Parkway, Ann Arbor, Michigan 48108~~ the CSSINFO, 310 Miller Avenue, Ann Arbor, Michigan, 48103 and ~~on file with the Office of the Secretary of State.~~

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- F.** Operators of an intrastate pipeline transporting LNG, hazardous liquid, natural gas or other gas will not construct any part of a hazardous liquid, LNG, natural gas or other gas pipeline system under a building. For building encroachments over a pipeline system, the operator may require the property owner to remove the building from over the pipeline or reimburse the operator the cost associated with relocating the pipeline system. The encroachment shall be resolved within 180 days of discovery, or the operator shall discontinue service to the pipeline system. When the encroachment can not be resolved within the 180 days the operator shall submit to the Office of Pipeline Safety within 90 days of discovery a written plan to resolve the encroachment. The Office of Pipeline Safety may then extend the 180-day requirement in order to allow the ratepayer and the operator to implement the written plan to resolve the encroachment.
- G.** Operators of an intrastate distribution pipeline transporting ~~LNG, hazardous liquid,~~ natural gas or other gas will not construct any part of a pipeline system closer than 8 inches to any other underground structure. If the 8-inch clearance cannot be maintained from other underground structures, a sleeve, casing, or shielding shall be used.
- H.** Operators of an intrastate pipeline transporting natural gas or other gas that have regulators, meters, or regulation meter sets that have been out of service for 36 months will abandon those lines and cap all ends. The Operator's steps to accomplish the abandonment shall not exceed 6 months beyond the 36 months out service status.
- I.** Operators of an intrastate pipeline shall not install or operate a gas regulator that might release gas in its operation closer than 3 feet to a source of ignition, opening into a building, air intake into a building or to any electrical source not intrinsically safe. The three (3) foot clearance from a source of ignition will be measured from the vent or source of release

(discharge port), not from the physical location of the meter set assembly. This subsection shall not be effective with respect to building permits which are issued and subdivisions which are platted prior to October 1, 2000. For encroachment within the required three foot clearance caused by an action of the property owner, occupant or a service provider, after the effective date of this rule the operator may require the property owner to resolve the encroachment or reimburse the operator the cost associated with relocating the pipeline system. The encroachment shall be resolved within 180 days of discovery or the operator shall discontinue service to the effected pipeline system. When the encroachment cannot be resolved within the 180 days the operator shall submit to the Office of Pipeline Safety within 90 days of discovery a written plan to resolve the encroachment. The Office of Pipeline Safety may then extend the 180-day requirement in order to allow the ratepayer and the operator to implement the written plan to resolve the encroachment.

J. Operators of an intrastate pipeline transporting LNG, natural gas, other gases or hazardous liquid will utilize a cathodic protection system designed to protect the metallic pipeline in its entirety, in accordance with 49 CFR 192, Subpart I, ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State, and copies available from the Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975~~ except I (2) and (3) of Appendix D to Part 192 shall not be utilized.

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K. Operators of an intrastate pipeline transporting natural gas or other gas will not use solvent cement to join together plastic pipe manufactured from different materials unless the operator

utilizes a joining procedure in accordance with the specifications of 49 CFR 192, Subpart F, ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on~~ file with the Office of the Secretary of State, and copies available from the ~~Commission~~ Office of Pipeline Safety, and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954 ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975~~.

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- L. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas will not install Acrylonitrile-Butadiene-Styrene (ABS) or aluminum pipe in their pipeline systems.
- M. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas will not install plastic pipe aboveground unless the plastic pipeline is protected by a metal casing, or equivalent, and approved by the Office of Pipeline Safety. Temporary aboveground plastic pipeline bypasses are permitted for up to sixty (60) days, provided that the plastic pipeline is protected and is under the direct supervision of the operator at all times.
- N. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas that construct a pipeline system or any portion thereof using plastic pipe, will install, at a minimum, a 14-gauge coated or corrosion resistant, electrically conductive wire as a means of locating the pipe while it is underground. Tracer wire shall not be wrapped around the plastic pipe, tracer wire may be taped, or attached in some manner to the pipe provided that the adhesive or the attachment is not detrimental to the integrity of the pipe wall.
- O. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas ~~pipeline system~~ that construct an underground pipeline system ~~using plastic pipe~~, will bury the installed pipe with a minimum of 6 inches of sandy type soil surrounding the pipe for

bedding and shading, free of any rock or debris, unless otherwise protected and approved by the Office of Pipeline Safety.

P. Operators of an intrastate pipeline transporting natural gas or other gas pipeline system that construct an underground pipeline system using plastic pipe will install the pipe with sufficient slack to allow for thermal expansion and contraction. ~~In addition, all plastic pipe shall be marked CD or CE as required by ASTM D2513-95.~~ In addition, all plastic pipe and fittings shall be marked "Gas" and shall be marked CD, CE, CF or CG as required by ASTM D2513(1995c Edition and no future editions), incorporated by reference, on file with the Office of the Secretary of State, and copies available from the Commission-Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, the ASTM, 1916 Race Street, Philadelphia, Pennsylvania 19103-1187, for areas where the service temperature is above 100°F.

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Q. Operators of an intrastate pipeline system transporting hazardous liquid, natural gas or other gases shall qualify welding procedures and shall perform welding of steel pipelines in accordance with API Standard 1104. Each welder must be qualified in accordance with API Standard 1104, 49 CFR 192, appendix A. The qualification of welders delineated in 49 CFR 192, appendix C may be used for low stress level pipe.

R. Operators of an intrastate pipeline transporting natural gas or other gas pipeline system shall survey and grade all detected leakage by the following guide: ASME Guide for Gas Transmission and Distribution Pipeline System, Guide Material, Appendix G-11-1983 except 4.4(c) (1983 Revision and no future revisions), incorporated by reference ~~and on file with the~~

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~~Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the ASME, United Engineering Center, 345 East 47th Street, New York, N. Y. 10017. (“Should” as referenced in the Guide will be interpreted to mean “shall”). Leakage survey records shall identify in some manner each pipeline surveyed. Records shall be maintained to demonstrate that the required leakage survey has been conducted.

S. Laboratory testing of intrastate pipelines shall be conducted in accordance with the following:

1. If an operator of an intrastate natural gas, other gas or hazardous liquid pipeline removes a portion of a pipeline that failed for any reason other than observable external corrosion or third-party damage, the operator shall retain the portion that was removed and shall notify the Office of Pipeline Safety of the removal within two hours after the removal is completed. A notice made pursuant to this subsection shall include all of the following:

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- a. Identity of the failed pipeline.
- b. Location of the failure.
- c. Date and time of the removal.
- d. Length of the removed portion.
- e. Storage location of the removed portion.
- f. The operator’s opinion regarding the probable cause or causes of the failure.
- g. Any additional information about the failure or the removal of the portion of the pipeline that failed that is requested by the Office of Pipeline Safety.

2. Within forty-eight hours after notification pursuant to subsection (1), the Office of Pipeline Safety shall notify the operator either that:

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- a. The Office of Pipeline Safety is directing the operator to have the portion of the pipeline that was removed tested by a laboratory to determine the cause or causes of the failure.
- b. The Office of Pipeline Safety is not directing laboratory testing and the operator may discard the portion of the pipeline that was removed.

3. If the Office of Pipeline Safety directs laboratory testing pursuant to subsection (2)(a):

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- a. The Office of Pipeline Safety shall:
 - i. Determine the laboratory that will do the testing pursuant to subsection (4) and the period of time within which the testing is to be completed.
 - ii. Approve the number and types of tests to be performed.
 - iii. Notify the operator of its determinations pursuant to subsections (3)(a)(i) and (ii).
- b. The operator shall:
 - i. Notify the Office of Pipeline Safety of the number and types of tests proposed by the operator.
 - ii. Notify the Office of Pipeline Safety of the date and time of any laboratory tests at least twenty days before the tests are done.
 - iii. At the request of the Office of Pipeline Safety, ensure that a representative of the Office of Pipeline Safety is permitted to observe any or all of the tests.
 - iv. Ensure that the original laboratory test results are provided to the Office of

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Pipeline Safety within thirty days of the completion of the tests.

v. Pay for the laboratory testing.

4. In determining a laboratory pursuant to subsection (3)(a)(i), the Office of Pipeline Safety shall:

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- a. Submit a written request to at least three different laboratories for bids to conduct the testing.
- b. Consider the qualifications of the respondent laboratories to perform the testing, including:
 - i. Past experience in performing the required test or tests according to ASTM International standards.
 - ii. Any recognition that the laboratory may demonstrate with national or international laboratory accreditation bodies.
- c. Select the laboratory that offers the optimum balance between cost and demonstrated ability to perform the required test or tests.
- d. The Office of Pipeline Safety shall not select a laboratory pursuant to this subsection before either of the following, which ever occurs first:
 - i. The Office of Pipeline Safety has received written bids from at least three different laboratories.
 - ii. Thirty days from the date of the request for bids has passed.

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S. T. All repair work performed on an existing intrastate pipeline transporting LNG, hazardous liquids, natural gas or other gas ~~pipeline system~~ will comply with the provisions of this Article.

F. U. The Commission may waive compliance with any of the aforementioned parts upon a finding

that such a waiver is in the interest of public and pipeline safety.

~~U.~~ V. To ensure compliance with provisions of this rule the Commission or an authorized representative thereof may enter the premises of an operator of an intrastate pipeline to inspect and investigate the property, books, papers, business methods, and affairs that pertain to the pipeline system operation.

~~V.~~ W. All other Commission administrative rules are superseded to the extent they are in conflict with the pipeline safety provisions of this Article.

R14-5-203. Pipeline Incident Reports and Investigations

A. Applicability. This rule applies to all intrastate pipeline systems.

B. Required incident reports by telephone:

1. Operators of an intrastate pipeline transporting LNG, natural gas or other gas ~~pipeline system~~ will notify by telephone the Office of Pipeline Safety upon discovery of the occurrence of any of the following:
 - a. The release of natural gas, other gas or liquefied natural gas (LNG) from a pipeline or LNG facility, when any of the following results:
 - i. Death or personal injury requiring hospitalization.
 - ii. An explosion or fire not intentionally set by the operator.
 - iii. Property damage, including the value of the gas lost, estimated in excess of \$5,000.
 - b. Emergency transmission pipeline shutdown.
 - c. News media inquiry.
 - d. Overpressure of a pipeline system where a pipeline operating at less than 12 PSIG exceeds MAOP by 50%, where a pipeline operating between 12 PSIG

and 60 PSIG exceeds MAOP by 6 PSIG or where a pipeline operating over 60 PSIG exceeds MAOP plus 10%.

- e. Permanent or temporary discontinuance of gas service to a master meter system or when assisting with the isolation of any portion of a gas master meter system due to a failure of a leak test.
 - f. Emergency shutdown of a LNG process or storage facility.
2. Operators of an intrastate pipeline transporting hazardous liquid will notify by telephone the Office of Pipeline Safety upon discovery of the occurrence of any of the following:
- a. Death or personal injury requiring hospitalization.
 - b. An explosion or fire not intentionally set by the operator.
 - c. Property damage estimated in excess of \$5,000.
 - d. Pollution of any land, stream, river, lake, reservoir, or other body of water that violates applicable environmental quality, water quality standards, causes a discoloration of the surface of the water or adjoining shoreline, or deposits sludge or emulsion beneath the surface of the water or upon adjoining shorelines.
 - e. News media inquiry.
 - f. Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:
 - i. Not otherwise reportable under this section;

ii. Not one described in 49 CFR 195.52(a)(4); (1994 Revision and no future revisions), incorporated by reference and ~~on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.

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iii. Confined to company property or pipeline right-of-way; and

iv. Cleaned up promptly.

g. Any release of hazardous liquid or carbon dioxide, that was significant in the judgment of the operator even though it did not meet the criteria ~~of this subsection.~~

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3. Telephone incident reports will include the following information:

- a. Name of the pipeline system operator,
- b. Name of the reporting party,
- c. Job title of the reporting party,
- d. The reporting party's telephone number,
- e. Location of the incident,
- f. Time of the incident, and
- g. Fatalities and injuries, if any.

C. Require written incident report:

1. Operators of an intrastate pipeline transporting natural gas, LNG or other gases will file a written incident report when an incident occurs involving a natural gas or other gas pipeline that results in any of the following:
 - a. An explosion or fire not intentionally set by the operator.
 - b. Injury to a person that results in 1 or more of the following:
 - i. Death.
 - ii. Loss of consciousness.
 - iii. Need for medical treatment requiring hospitalization.
 - c. Property damage, including the value of the lost gas, estimated in excess of \$5,000.
 - d. Emergency transmission pipeline shutdown.
 - e. Overpressure of a pipeline system where a pipeline operating at less than 12 PSIG exceeds MAOP by 50%, where a pipeline operating between 12 PSIG and 60 PSIG exceeds MAOP by 6 PSIG or where a pipeline operating over 60 PSIG exceeds MAOP plus 10%.
 - f. Emergency shutdown of a LNG process or storage facility.

2. Written incident reports concerning natural gas or other gas pipeline systems will be in the following form:

- a. RSPA F7100.1 - Distribution System: Incident Report, incorporated by reference ~~and on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.

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b. RSPA F7100.2 - Transmission and Gathering System: Incident Report, incorporated by reference ~~and on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.

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c. Written incident reports with respect to LNG facilities will be in an investigative form defining the incident and corrective action taken to prevent a reoccurrence.

3. Operators of an intrastate pipeline transporting hazardous liquid will make a written incident report on RSPA F 7000-1, (January 2001 Revision and no future revisions), incorporated by reference ~~and on file with the Office of the Secretary of State~~, and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004, when there is a release of hazardous liquid which results in any of the following:

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- a. An explosion or fire not intentionally set by the operator.
- b. Injury to a person that results in 1 or more of the following:
 - i. Death.
 - ii. Loss of consciousness.
 - iii. Inability to leave the scene of the incident unassisted.
 - iv. Need for medical treatment.
 - v. Disability which interferes with a person's normal daily activities beyond the date of the incident.

c. Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:

- i. Not otherwise reportable under this section;
- ii. Not one described in 49 CFR 195.52 (a)(4); (1994 Revision and no future revisions), incorporated by reference ~~and on file with the Office of the Secretary of State~~ and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004.
- iii. Confined to company property or pipeline right-of-way; and
- iv. Cleaned up promptly.

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d. Estimated property damage, including cost of clean-up and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding \$5,000.

e. News media inquiry.

4. Written incident reports as required in this Section will be filed with the Office of Pipeline Safety, within the time specified below:

- a. Natural gas, LNG or other gas - within 20 days after detection.
- b. Hazardous liquids - within 15 days after detection.

5. The Operators shall also file a copy of all DOT required written incident reports with the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC

20590.

6. Operators of a natural gas or other gas pipeline system will request a clearance from the Office of Pipeline Safety prior to turning on or reinstating service to a master meter operator.

D. Investigations by the Commission:

1. The Office of Pipeline Safety will investigate the cause of incidents resulting in death or serious injury.
2. Pursuant to an investigation under this rule, the Commission, or an authorized agent thereof, may:
 - a. Inspect all plant and facilities of a pipeline system.
 - b. Inspect all other property, books, papers, business methods, and affairs of a pipeline system.
 - c. Make inquiries and interview persons having knowledge of facts surrounding an incident.
 - d. Attend, as an observer, hearings and formal investigations concerning pipeline system operators.
 - e. Schedule and conduct a public hearing into an incident.
3. The Commission may issue subpoenas to compel the production of records and the taking of testimony.
4. Incidents not reported in accordance with the provisions of this rule will be investigated by the Office of Pipeline Safety.
5. Incidents referred to in incomplete or inaccurate reports will be investigated by the

Office of Pipeline Safety.

6. Late filed incident reports will be accompanied by a letter of explanation. Incidents referred to in late filed reports may be investigated by the Office of Pipeline Safety.

R14-5-204. Annual Reports

A. Except for operators of an intrastate pipeline transporting LNG, ~~hazardous liquid~~, all other intrastate pipeline operators will file with the Office of Pipeline Safety, not later than March 15, for the preceding calendar year, the following appropriate report(s):

1. RSPA F 7000-1.1 (February 2004 Edition and no future editions) – “Annual Report for calendar year 20__ , hazardous liquid or carbon dioxide systems” and “Instructions for completing RSPA F 7000-1.1 Annual Report for calendar year 20__ hazardous liquid or carbon dioxide systems incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the Information Resources Manager, Office of Pipeline Safety, U.S. Department of Transportation, Room 2335, 400 Seventh Street, S.W., Washington, DC 20590.

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- ± 2. RSPA F7100.1-1 (November 1985 Edition ~~for use in 2004; March 2005 Edition and no future editions, which can be used in 2004 but will become mandatory starting in 2005~~) - "Annual Report for Calendar Year 20__ , Gas Distribution System" and "Instructions for Completing RSPA Form F7100.1-1, Annual Report for Calendar Year 20__ , Gas Distribution System", incorporated by reference, ~~on file with the Office of the Secretary of State~~, and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the Information Resources Manager,

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Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, Room 8417, 400 Seventh Street, S.W., Washington, D.C. 20590.

~~2.3. RSPA F7100.2-1 (January 2002 December 2003 Edition and no future editions) -~~

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"Annual Report for Calendar Year 20___, Gas Transmission and Gathering Systems" and "Instructions for Completing Form RSPA F7100.2-1, Annual Report for Calendar Year 20___, Gas Transmission and Gathering Systems", incorporated by reference, ~~on file with the Office of the Secretary of State,~~ and copies available from

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~~the Commission Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona~~

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~~85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, Room 8417, 400 Seventh Street, S.W., Washington, D.C. 20590.

B. The operator will also file a copy of all required annual reports by March 15 to the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street S.W., Washington, D.C. 20590-0001.

R14-5-205. Master Meter System Operators

A. Applicability. This rule applies to the construction, reconstruction, repair, emergency procedures, operation and maintenance of all master meter systems, as a condition of receiving service from public service corporations. Noncompliance with this rule by operators of a master meter system shall constitute grounds for termination of service by the public service corporation when informed in writing by the Office of Pipeline Safety. In case

of an emergency, the Office of Pipeline Safety may give the public service corporation oral instructions to terminate service, with written confirmation to be furnished within 24 hours.

- B.** Subject to the definitional changes in R14-5-201 and the revisions noted in subsection (C), the Commission adopts, incorporates, and approves as its own 49 CFR 191 and 192, revised as of ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State, and copies available from the Commission Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954 ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975.~~

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- C.** The above mentioned incorporated parts of 49 CFR, except Part 191, are revised as follows:
1. Substitute "Commission" where "Administrator of the Research and Special Programs Administration", or "Office of Pipeline Safety" (OPS) appear.
 2. Substitute Office of "Pipeline Safety, Arizona Corporation Commission, at its office in Phoenix, Arizona" where the address for the Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation appears.
- D.** Operators of a master meter system will establish an Operation and Maintenance Plan (O & M) including an emergency plan. The plans must be maintained at the master meter system location.
- E.** Operators of a master meter system will not construct any part of a natural gas or other gas system under a building or permit a building to be placed over a pipeline. Within 180 days of discovery of a building being located over a pipeline, the operator shall remove the

building from over the pipeline, relocate the pipeline or discontinue the service to the pipeline located under the building.

F. Operators of a master meter system will not install Acrylonitrile-Butadiene-Styrene (ABS) or aluminum pipe in their systems.

G. Operators of a master meter system will not use solvent cement to join together plastic pipe manufactured from different materials unless the operator utilizes a joining procedure in accordance with the specifications of 49 CFR 192, Subpart F, ~~January 16, 2002~~ January 15, 2004 (and no future amendments), incorporated by reference, ~~on file with the Office of the Secretary of State~~, and copies available from the ~~Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954 ~~P.O. Box 371975M, Pittsburgh, Pennsylvania 15250-7975~~.

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H. Operators of a master meter system that construct a pipeline or any portion thereof using plastic pipe will install, at a minimum, a 14-gauge coated or corrosion resistant, electrically conductive wire as a means of locating the pipe while it is underground. Tracer wire shall not be wrapped around the plastic pipe, tracer wire may be taped, or attached in some manner to the pipe provided that the adhesive or the attachment is not detrimental to the integrity of the pipe wall.

I. Operators of a master meter system that construct an underground pipeline ~~using plastic pipe~~, will bury the installed pipe with a minimum of 6 inches of sandy type soil surrounding the pipe for bedding and shading, free of any rock or debris, unless otherwise protected and approved by the Office of Pipeline Safety.

J. Operators of a master meter system that construct an underground pipeline using plastic pipe will install the pipe with sufficient slack to allow for thermal expansion and contraction. ~~In addition, all plastic pipe shall be marked CD or CE as required by ASTM D2513-95c.~~ In addition, all plastic pipe and fittings shall be marked "Gas" and shall be marked CD, CE, CF or CG as required by ASTM D2513 (1995c Edition and no future editions), incorporated by reference, on file with the Office of the Secretary of State and copies available from the Commission Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, the ASTM, 1916 Race Street, Philadelphia, Pennsylvania 19103-1187, for areas where the service temperature is above 100°F.

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K. Operators of a master meter gas system shall qualify welding procedures and shall perform welding of steel pipelines in accordance with API Standard 1104. Each welder must be qualified in accordance with API Standard 1104, 49 CFR 192, appendix A.

L. All repair work performed on existing master meter systems will comply with the provisions of this Article.

M. Operators of a master meter system will not construct any part of a natural gas or other gas system closer than 8 inches to any other underground structure.

N. Operators of a master meter system will file a Notice of Construction 30 days prior to commencement of the construction of any pipeline. The Notice will contain the following information:

1. The dates of construction,
2. The size and type of pipe to be used,

3. The location of construction, and
4. The Maximum Allowable Operating Pressure (MAOP).

O. Operators of a master meter system will perform leakage surveys at intervals not exceeding 15 months but at least once each calendar year and will survey and grade all detected leakage by the following guide -- ASME Guide for Gas Transmission and Distribution Pipeline System, Guide Material, Appendix G-11-1983 (1983 Revision and no future revisions), except 4.4(c), incorporated by reference, ~~on file with the Office of the Secretary of State, and copies available from the Commission~~ Office of Pipeline Safety, ~~1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004 and the ASME, United Engineering Center, 345 East 47th Street, New York, New York 10017. (“Should” as referenced in the guide will be interpreted to mean “shall”.) Leak detection procedures shall be approved by the Office of Pipeline Safety.

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P. Laboratory testing of master meter systems shall be conducted in accordance with the following:

1. If an operator of a master meter system removes a portion of a pipeline that failed for any reason other than observable external corrosion or third-party damage, the operator shall retain the portion that was removed and shall notify the Office of Pipeline Safety of the removal within two hours after the removal is completed. A notice made pursuant to this subsection shall include all of the following:

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- a. Identity of the failed pipeline.
- b. Location of the failure.
- c. Date and time of the removal.
- d. Length of the removed portion.

- e. Storage location of the removed portion.
- f. The operator's opinion regarding the probable cause or causes of the failure.
- g. Any additional information about the failure or the removal of the portion of the pipeline that failed that is requested by the Office of Pipeline Safety.

2. Within forty-eight hours after notification pursuant to subsection (1), the Office of Pipeline Safety shall notify the operator either that:

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- a. The Office of Pipeline Safety is directing the operator to have the portion of the pipeline that was removed tested by a laboratory to determine the cause or causes of the failure.
- b. The Office of Pipeline Safety is not directing laboratory testing and the operator may discard the portion of the pipeline that was removed.

3. If the Office of Pipeline Safety directs laboratory testing pursuant to subsection (2)(a):

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- a. The Office of Pipeline Safety shall:
 - i. Determine the laboratory that will do the testing pursuant to subsection (4) and the period of time within which the testing is to be completed.
 - ii. Approve the number and types of tests to be performed.
 - iii. Notify the operator of its determinations pursuant to subsections (3)(a)(i) and (ii).
- b. The operator shall:
 - i. Notify the Office of Pipeline Safety of the number and types of tests proposed by the operator.
 - ii. Notify the Office of Pipeline Safety of the date and time of any laboratory

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tests at least twenty days before the tests are done.

- iii. At the request of the Office of Pipeline Safety, ensure that a representative of the Office of Pipeline Safety is permitted to observe any or all of the tests.
- iv. Ensure that the original laboratory test results are provided to the Office of Pipeline Safety within thirty days of the completion of the tests.
- v. Pay for the laboratory testing.

4. In determining a laboratory pursuant to subsection (3)(a)(i), the Office of Pipeline Safety shall:

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- a. Submit a written request to at least three different laboratories for bids to conduct the testing.
- b. Consider the qualifications of the respondent laboratories to perform the testing, including:
 - i. Past experience in performing the required test or tests according to ASTM International standards.
 - ii. Any recognition that the laboratory may demonstrate with national or international laboratory accreditation bodies.
- c. Select the laboratory that offers the optimum balance between cost and demonstrated ability to perform the required test or tests.
- d. The Office of Pipeline Safety shall not select a laboratory pursuant to this subsection before either of the following, which ever occurs first:
 - i. The Office of Pipeline Safety has received written bids from at least three different laboratories.
 - ii. Thirty days from the date of the request for bids has passed.

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P. Q. Operators of a master meter system will file an annual report with the Commission on Commission Form 1-90/15M (1990 Edition and no future editions), "Annual Report for Calendar Year 20___, Small Operators of Gas Distribution System," incorporated by reference, ~~on file with the Office of the Secretary of State, and copies available from the Commission, Office of Pipeline Safety, 1200 West Washington, Phoenix, Arizona 85007~~ 2200 North Central Avenue, Suite 300, Phoenix, Arizona 85004. This report will be filed with the Office of Pipeline Safety not later than April 15 for the preceding calendar year.

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Q. R. The Commission may waive compliance with any of the aforementioned parts upon a finding that such a waiver is in the interest of public safety.

R. S. To ensure compliance with provisions of this rule, the Commission or an authorized representative thereof, may enter the premises of an operator of a master meter system to inspect and investigate the property, books, papers, business methods, and affairs that pertain to the operation of the master meter system.

S. T. All other Commission administrative rules are superseded to the extent they are in conflict with the pipeline safety provisions of this Article.