

DEPARTMENT OF TRANSPORTATION**Pipeline and Hazardous Materials Safety Administration**

[Docket No. PHMSA-04-19856]

Pipeline Safety: Notice to Operators of Natural Gas and Hazardous Liquid Pipelines To Accurately Locate and Mark Underground Pipelines Before Construction-Related Excavation Activities Commence Near the Pipelines**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.**ACTION:** Notice; Issuance of Advisory Bulletin.

SUMMARY: This advisory reminds and reinforces the importance of safe locating excavation practices near underground pipelines. PHMSA's pipeline safety regulations require pipeline operators to implement damage prevention programs to protect underground pipelines during construction related excavation. In addition, PHMSA recommends pipeline operators excavating in areas populated with other pipelines and utilities follow all consensus best practices and guidelines developed by the Common Ground Alliance. Recent serious incidents especially reinforce the importance of accurately locating and marking pipelines and highlight an urgent need for pipeline operators to review how they implement their damage prevention programs to prevent further accidents caused by construction related damage. This Advisory Bulletin provides guidance on how to do this.

ADDRESSES: This document can be viewed on the PHMSA home page at: <http://www.phmsa.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Joy Kadnar, (202) 366-0568, or by e-mail at Joy.Kadnar@dot.gov.

SUPPLEMENTARY INFORMATION:**1. Background**

Recently several construction related incidents have caused damage to underground natural gas and hazardous liquid pipelines in several States, including California, Texas, Virginia, and Wyoming. Some of these incidents have resulted in deaths, injuries, property damage, and disruption to communities. Following an appropriate damage prevention program is the best way to prevent such incidents in the future.

This is the second bulletin PHMSA has issued on locating damage prevention this year. In Advisory

Bulletin 06-01, published in the **Federal Register** on January 17, 2006 (71 FR 2613), we described other preventable accidents caused by construction-related damage. Advisory Bulletin 06-01 specifically called on operators to ensure that individuals critical to damage prevention at construction sites are qualified to perform the necessary safety tasks. These tasks include one-call notifications, line locating and marking, and inspection of construction activities. In Advisory Bulletin 02-01, published in the **Federal Register** on May 24, 2002 (67 FR 36667), we pointed to the best practices on damage prevention found in the Common Ground Study and urged operators to follow them (see <http://ops.dot.gov/init/prevent/damage.htm>). The Common Ground Alliance is continuing the work on developing best practices begun with the Common Ground Study. These best practices are widely accepted as providing the basis for conducting safe locating excavation near pipelines.

Investigations by PHMSA and its State partners continue to show that the pipeline operators involved in construction related incidents may not always comply with Federal pipeline safety regulations or their own construction and maintenance practices. Among the problems discovered are the following:

- Pipeline operators do not always follow their procedures for constructing, repairing, ditching, and backfilling in areas where there are existing pipelines. Typically, procedures prohibit machine excavation within two feet of existing pipelines.
- Inspectors working for pipeline operators at construction sites sometimes fail to assist the operator's employees, the operator's contractors, and third-party construction contractors in verifying the marked locations of the existing pipeline facilities.
- Operators do not always verify pipeline "as-built" drawings and make them available to locators and excavators at construction sites before activities began.
- Operators do not always mark pipelines at cross-overs.
- In locations with parallel pipelines, operators sometimes mark the wrong pipeline.
- Pipeline operators do not always correctly mark all pipelines in the vicinity of the construction and maintenance activities, and sometimes fail to assign personnel skilled enough to observe excavation and backfilling tasks.

Good procedures can prevent accidents only if they are followed.

II. Advisory Bulletin (ADB-06-03)

To: Owners and Operators of Natural Gas and Hazardous Liquid Pipeline Systems.

Subject: Accurately Locating and Marking Underground Pipelines Before Construction-Related Excavation Activities Commence Near the Pipelines.

Advisory: Construction-related excavation damage continues to be one of the three leading causes of pipeline damage. PHMSA continues to find pipeline operators damaging regulated pipelines, production and gathering pipelines, and other utilities adjacent to where construction and maintenance is being performed. This damage jeopardizes the safety of excavators, pipeline employees, construction personnel, and others in the vicinity of the excavation. To guard the integrity of buried pipelines and prevent injury, death, and property and environmental damage, PHMSA advises pipeline operators to take the following damage prevention measures:

- Use safe locating excavation practices. Follow your procedures and processes for excavation and backfill. When constructing a new pipeline, honor the marking of existing pipelines.
- Locate and mark pipelines accurately before locating excavation begins. Do not rely solely on maps, drawings, or other written materials to locate pipelines.
- Make sure that individuals locating and marking the pipelines have the knowledge, skills, and abilities to read and understand pipeline alignment and as-built drawings, and that they know what other buried utilities exist in the construction area.
- Make sure that individuals locating and marking the pipelines have up-to-date pipeline alignment and as-built drawings.
- Make sure that individuals locating and marking the pipelines are familiar with state and local requirements on marking.
- Mark all pipelines, including laterals. This is especially important in areas where there is a considerable amount of new pipeline and utility construction.
- Consider environmental conditions such as rain and snow when selecting marking methods.
- In areas where the pipelines are curved or make sharp bends to avoid other utilities or obstructions, consider the visibility and frequency of markers.
- Confirm the accuracy of pipe locating before excavation begins. This applies when the pipeline operator conducts the excavation using its own employees, a contractor, or a third party.

- Use qualified personnel for locating and marking pipelines. At a minimum, they should have received appropriate training such as that outline in the National Utility Locating Contractors Association locator training standards and practices.

- Make sure excavators have sufficient information about underground pipelines at the construction site to avoid damage to the pipeline. Facilitate communication during the construction activity.

- Calibrate tools and equipment used for line locating and make sure they are in proper working order.

- Individually mark pipelines located within the same trench where possible.

- Follow the best practices on locating and marking pipelines developed by the Common Ground Alliance.

- When pipelines are hit or almost hit during excavation, evaluate the practices and procedures in use before continuing the construction activity.

Operators should use the full range of safe locating excavation practices. In particular, pipeline operators should ensure the use of qualified personnel to accurately locate and mark the location of its underground pipelines.

Authority: 49 U.S.C. chapter 601; 49 CFR 1.53.

Issued in Washington, DC, on November 17, 2006.

Jeffrey D. Wiese,

Acting Deputy Associate Administrator for Pipeline Safety

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2006-25803; Notice 1]

Pipeline Safety: Request for Waiver; Kinder Morgan Louisiana Pipeline, L.L.C.

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

ACTION: Notice of Intent to Consider Waiver Requests.

SUMMARY: Kinder Morgan Louisiana Pipeline L.L.C. (KMLP) requests a waiver to use a 0.80 design factor in the steel pipe design formula for Class 1 locations on Leg 1 of its proposed natural gas interstate Kinder Morgan Louisiana Pipeline. The waiver will allow KMLP to design, construct and operate Leg 1 of its pipeline at hoop

stresses up to 80 percent of the specified minimum yield strength (SMYS) in Class 1 locations. KMLP seeks relief from the related capacity design requirements for pressure relieving and pressure limiting stations on the same segment of the proposed pipeline.

DATES: Persons interested in submitting comments regarding this waiver request must do so by December 22, 2006.

ADDRESSES: Comments should reference Docket No. PHMSA-2006-25803 and may be submitted in the following ways:

- The DOT Web site: <http://dms.dot.gov>. To submit comments on the DOT electronic docket site, click "Comments/Submissions," click "Continue," fill in the requested information, click "Continue," enter your comment, then click "Submit."

- Fax: 202-493-2251.

- Mail: Docket Management System: U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- Hand Delivery: DOT Docket Management System; Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- E-Gov Web site: <http://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

Instructions for submitting comments: You should identify the docket number (PHMSA-2006-25803) at the beginning of your comments. If you submit your comments by mail, please submit two copies. If you wish to receive confirmation that PHMSA received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.regulations.gov>, and may access all comments received by DOT at <http://dms.dot.gov> by performing a simple search for the docket number.

Note: All comments will be posted without changes or edits to <http://dms.dot.gov>, including any personal information provided.

Privacy Act Statement: Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Alan Mayberry by telephone at (202) 366-5124; by fax at (202) 366-4566; by mail at DOT, Pipeline and Hazardous Materials Safety Administration,

Pipeline Safety Program, 400 Seventh Street, SW., Room 2103, Washington, DC 20590; or by e-mail at alan.mayberry@dot.gov.

SUPPLEMENTARY INFORMATION:

Background

Kinder Morgan Louisiana Pipeline L.L.C. (KMLP) requests a waiver of compliance from certain regulatory requirements in 49 CFR 192.111 and 192.201 for Class 1 locations on Leg 1 only of its proposed natural gas interstate pipeline. KMLP specifically requests a waiver to allow the use of a 0.80 design factor in the steel pipe design formula in § 192.105 in lieu of the design factor of 0.72 specified § 192.111 for Class 1 locations. The waiver will allow KMLP to design, construct and operate Leg 1 of its pipeline at hoop stresses up to 80 percent of the specified minimum yield strength (SMYS) in Class 1 locations. KMLP neither seeks a waiver from any other design factors, nor for any other segments of its pipeline.

A waiver allowing an increase of the design factor from 0.72 to 0.80 in the steel pipe design formula in § 192.105 requires a modification in the required design capacities of pressure relieving and limiting stations installed to protect the pipeline. Therefore, KMLP also requests a waiver of § 192.201(a)(2)(i), which prescribes the design capacity requirements for pressure relieving and limiting stations on pipelines with a maximum allowable operating pressure (MAOP) of 60 pounds per square inch gauge (psig) or more. KMLP specifically wants to design the pressure relieving and pressure limiting stations on Leg 1 of its pipeline such that the maximum pressure will not exceed the MAOP plus 4 percent or the pressure that produces a hoop stress of 83 percent of SMYS, whichever is lower.

System Description

KMLP plans to construct and operate its pipeline to deliver approximately 3,395,000 Dekatherms per day (Dth/d) of regasified liquefied natural gas (LNG) from the Sabine Pass LNG terminal (currently under development) in Cameron Parish, Louisiana (LA), to markets in the eastern half of the United States. The pipeline will consist of two legs and two laterals. The pressure to operate the pipeline will be supplied by the LNG terminal so the proposed project does not include the construction of compressor stations.

Four major segments comprise the KMLP pipeline project as follows:

- Leg 1 is a 137-mile, 42-inch diameter, pipeline running