



Spill & Other Reporting Requirements

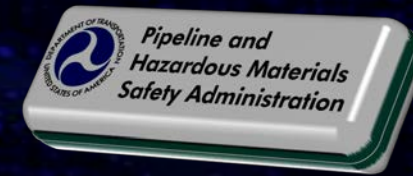
Including
New Reporting Requirements
From the Hazardous Liquid Rule

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Spill & Other Reporting Requirements

Including
New Reporting Requirements
From the Hazardous Liquid Rule



New Reporting Requirements

Gravity Lines & Regulated-Only Gathering

- New Code sections: §195.13 & §195.15
- Important Effective Dates:
 - **§195.49 Annual Report (March 31, 2021)**
 - **§195.50, .54 Accident Reports (Jan 1, 2021)**
 - **§195.55, .56, .58 Safety Related Condition Reports (Jan 1, 2021)**



New Reporting Requirements

Gravity Lines & Regulated-Only Gathering

Reporting Forms

- **Annual Reporting Form** – The revised form is available for reporting of CY 2020 data.
- **DOT Form PHMSA F 7000-2 Gravity and Reporting-Regulated Hazardous Liquid Accident Report (New)** – This form is new and does not impact the current HL incident reporting form. These 2 forms are separate.



Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

Purpose

The purpose of this new code section (§195.13) is to cover gravity lines that are longer than the typical short line within a tank farm or other facility. The congressional intent is to capture gravity lines that can build up large amounts of pressure because they traverse areas with significant elevation changes, which could have significant consequences in the event of a release.

**Gravity pipelines carry product by means of gravity. No pumps or other mechanical assistance.*



Hazardous Liquid Rule

New Reporting Requirements – Regulated-Only Gathering

Purpose

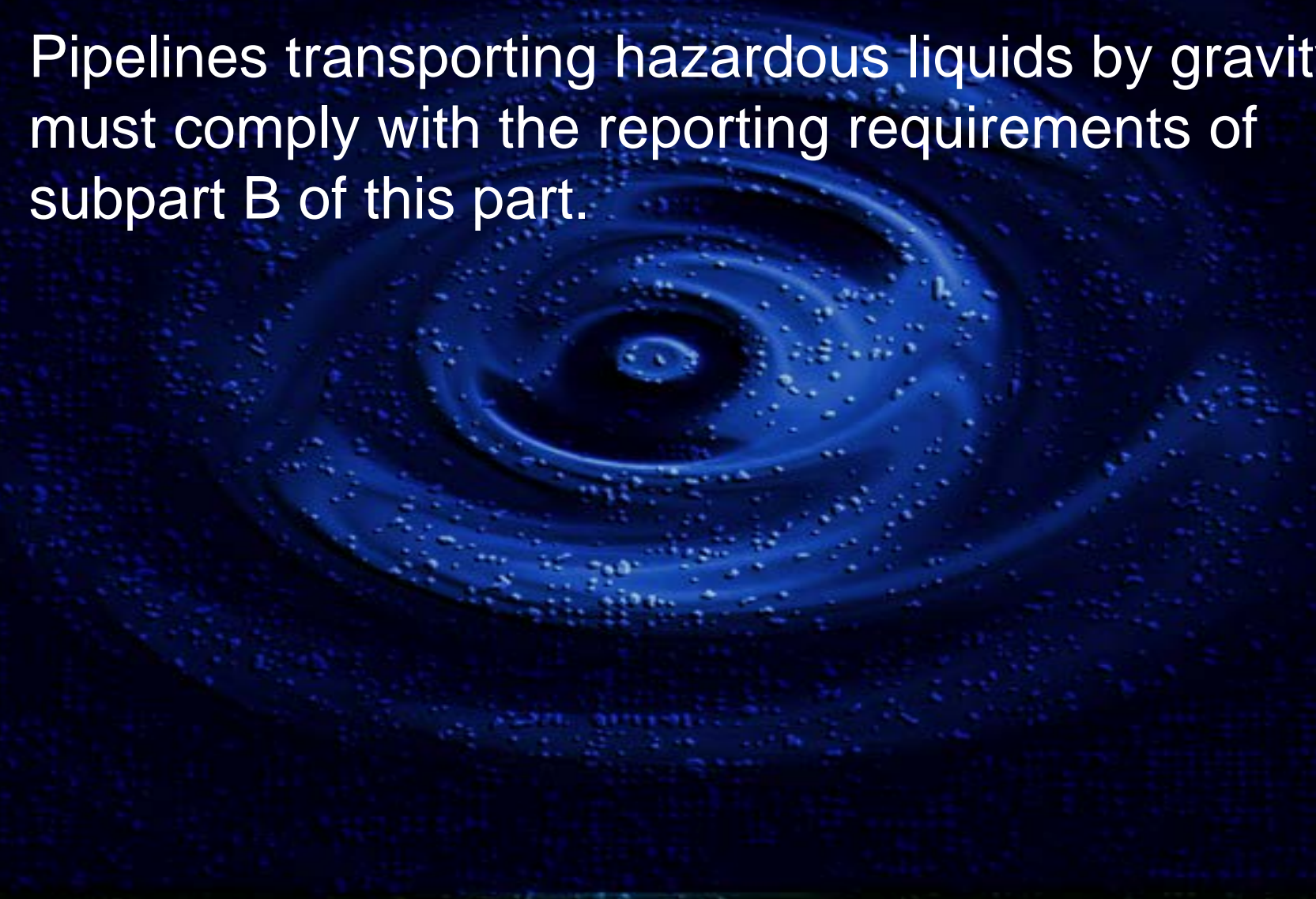
The purpose of this new code section (§195.15) is to collect items in the annual report that primarily include the mileage count for those gathering lines currently unregulated, the diameters of those lines, and whether they are operating at greater or less than 20 percent SMYS. The goal of collecting this specific information is to provide PHMSA with a better understanding of the scope of the Nation's gathering pipeline infrastructure.



Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

Pipelines transporting hazardous liquids by gravity must comply with the reporting requirements of subpart B of this part.





Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

Exceptions

- A gravity line that meets the definition of a **low-stress pipeline**, travels no farther than **1 mile from a facility boundary**, and does not cross any waterways used for commercial navigation.
- The reporting requirements in §§ 195.52, 195.61, and 195.65 do not apply to the transportation of a hazardous liquid in a gravity line.
- The drug and alcohol testing requirements in Part 199 of this subchapter do not apply to the transportation of a hazardous liquid in a gravity line.



Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

PHMSA Information Gathering

- PHMSA focused on the data elements that will enable the agency to assess the risk posed by these lines and determine whether requirements that are more stringent are warranted in the future.
- Since gravity lines are excluded from §195.1, they are not subjected to any part of this part except for reporting requirements.



Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

Points for Inspection Staff

- Check to ensure that all gravity lines have been identified.
 - Will require a mapping review during inspection.
- Ensure all reporting requirements are met for these pipelines within the system being inspected by the prescribed dates of the rule.
- Gravity lines currently only have a reporting requirement and are not subject to any other subpart of this part.



Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

Potential Issues

- Section §195.2 – **Definitions:** There was no update to this paragraph to define what a gravity line is.
 - Gravity pipelines carry product by means of gravity. No pumps or other mechanical assistance.



Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

Potential Issues

- On March 31, 2021, **(Initial year only)**, all operators that owned gravity lines, that were not excepted, were required to have an annual report submitted for the previous calendar year (2020). The calendar year for 2020 started on January 1, 2020 and went to the end of the calendar year (December 31, 2020) although the rule wasn't effective until July 1, 2020.
- On June 15, 2022, all operators that own gravity lines, that are not excepted, were required to have an annual report submitted for the previous calendar year (2021).



Hazardous Liquid Rule

New Reporting Requirements – Gravity Lines

Potential Issues

- The exception states that “...this section does not apply to the transportation of a hazardous liquid in a gravity line that meets the definition of a low-stress pipeline, travels no farther than 1 mile from a facility boundary, and does not cross any waterways used for commercial navigation”.
- Does this mean that for a pipeline to be excluded from the reporting requirement using this section that it must meet all 3 of these exceptions? The answer is YES. The pipeline must contain all 3 to be an exception under this paragraph.



Hazardous Liquid Rule

Regulated-Only Gathering

Gathering lines that do not otherwise meet the definition of a regulated rural gathering line and any gathering line not already covered under § 195.1(a)(1), (2), (3) or (4) must comply with the reporting requirements of subpart B of this part.



Hazardous Liquid Rule

New Reporting Requirements – Regulated-Only Gathering

Exceptions

- This section does not apply to those gathering lines that are otherwise excepted under § 195.1(b)(3), (b)(7), (b)(8), (b)(9), or (b)(10).
- The reporting requirements in §§ 195.52, 195.61, and 195.65 do not apply to the transportation of a hazardous liquid in a gathering line.
- The drug and alcohol testing requirements in Part 199 of this subchapter do not apply to the transportation of a hazardous liquid in a gathering line.



Hazardous Liquid Rule

New Reporting Requirements – Regulated-Only Gathering

Points for Inspection Staff

- Confirm that all gathering lines that are required to be reported are identified.
 - Will require a mapping review during inspection.
- Ensure all reporting requirements are met for these pipelines within the system being inspected by the prescribed dates of the rule.
- Make sure that the correct/updated annual & accident reporting forms are utilized to capture the proper gathering line data.



Hazardous Liquid Rule

New Reporting Requirements – Regulated-Only Gathering

Potential Issues

- Targeting the correct gathering lines that meet the criteria for the §195.15.
 - Refer to §195.11 (Regulated rural gathering lines) and § 195.1(a)(1), (2), (3), or (4) and capture the lines that are not covered by these paragraphs.



Hazardous Liquid Rule

New Reporting Requirements – Regulated-Only Gathering

Potential Issues

- On March 31, 2021, **(Initial year only)**, all operators that owned gathering lines, that were not excepted, were required to have an annual report submitted for the previous calendar year (2020). The calendar year for 2020 started on January 1, 2020 and went to the end of the calendar year (December 31, 2020) although the rule wasn't effective until July 1, 2020.
- On June 15, 2022, all operators that own gathering lines, that are not excepted, were required to have an annual report submitted for the previous calendar year (2021).



This recording should provide some additional clarity for gathering lines . . .

Clarification of
Regulated
Gathering Lines





§195.48 Scope.

- Periodic reporting and reporting of accidents and safety-related conditions
- All pipelines subject to this Part



§195.48 Scope.

An operator of a Category 3 rural low-stress pipeline meeting the criteria in § 195.12* is not required to complete those parts of the hazardous liquid annual report DOT Form PHMSA F 7000-1.1 associated with IM (Integrity Management) or high consequence areas



§195.49
Annual Reporting



§195.49 Annual Reporting

Each operator must annually complete and submit DOT Form PHMSA F 7000-1.1 for each type of hazardous liquid pipeline facility operated at the end of the previous year.



§195.49 Annual Reporting

An operator must submit the annual report by June 15 each year.

Note: Annual reports on pipelines specified under §195.13 (gravity lines) and §195.15.(regulated-only gathering lines) were required to be reported by March 31, 2021 for the initial year. The form has been revised to accommodate these pipelines.



§195.49 Annual Reporting

A separate report is required for crude oil, HVL (including anhydrous ammonia), petroleum products, carbon dioxide pipelines, and fuel grade ethanol pipelines.



§195.49 Annual Reporting

For each state a pipeline traverses, an operator must separately complete those sections on the form requiring information to be reported for each state.



§195.50 Reporting accidents

An accident report is required for each failure in a pipeline system subject to this part in which there is a release of the hazardous liquid or carbon dioxide transported resulting in any of the following:





§195.50 Reporting accidents

(a) Explosion or fire not intentionally set by the operator.





§195.50 Reporting accidents



(b) **Release of 5 gallons** or more of hazardous liquid or CO₂,



§195.50 Reporting accidents

- except that no report is required for a release of less than 5 barrels resulting from a pipeline maintenance activity if the release is:





§195.50 Reporting accidents

- (1) Not otherwise reportable under this section,
- (2) Not one described in Sec. 195.52(a)(4)
- (3) Confined to company property or pipeline right-of way, and
- (4) Cleaned up promptly,

-continued-



§195.50 Reporting accidents

(c) Death of any person,

(d) Personal injury necessitating hospitalization,

-continued-



§195.50 Reporting accidents

(e) 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 **\$50,000**.



§195.52 Immediate notice of certain accidents

(a) At the earliest practicable moment following discovery of a release of the hazardous liquid or carbon dioxide transported resulting in an **event described in §195.50,**





§195.52 Immediate notice of certain accidents

but no later than one hour after confirmed discovery, the operator of the system must give notice, in accordance with paragraph (b) of this section of any failure that:





§195.52 Immediate notice of certain accidents

- (1) Caused a death or a personal injury requiring hospitalization;
- (2) Resulted in either a fire or explosion not intentionally set by the operator;





§195.52 Immediate notice of certain accidents

(3) Caused estimated property damage, including cost of cleanup and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding **\$50,000**;





§195.52 Immediate notice of certain accidents

(4) Resulted in pollution of any stream, river, lake, reservoir, or other similar body of water that violated applicable water quality standards,





§195.52 Immediate notice of certain accidents

(4) (Continued)
caused a discoloration of the surface of the water
or adjoining shoreline, or





§195.52 Immediate notice of certain accidents

(4) (Continued)

deposited a sludge or emulsion beneath the surface of the water or upon adjoining shorelines;
or





§195.52 Immediate notice of certain accidents

(5) In the judgment of the operator was significant even though it did not meet the criteria of any other paragraph of this section.

classification

pollution

location

news coverage





§195.52 Immediate notice of certain accidents

(b) Information required. Each notice required by paragraph (a) of this section must be made to the National Response Center either by telephone to 800-424-8802 (in Washington, DC, 202-267-2675) or electronically at *<http://www.nrc.uscg.mil>*





§195.52 Immediate notice of certain accidents

- (1) Name, address and identification number of the operator.
- (2) Name and telephone number of the reporter.
- (3) The location of the failure.
- (4) The time of the failure.
- (5) The fatalities and personal injuries, if any.
- (6) Initial estimate of amount of product released in accordance with paragraph (c) of this section.
- (7) All other significant facts known by the operator that are relevant to the cause of the failure or extent of the damages.





§195.52 Immediate notice of certain accidents

(c) **Calculation.** A pipeline operator must have a written procedure* to calculate and provide a reasonable initial estimate of the amount of released product.

*ADB – 10 – 01, January 26, 2010





§195.52 Immediate notice of certain accidents

(d) **New information.** Within 48 hours after the confirmed discovery of an accident, to the extent practicable, an operator must revise or confirm its initial telephonic notice required in paragraph (b) of this section





§195.52 Immediate notice of certain accidents

(d) **New information** (continued)

with a revised estimate of the amount of product released, location of the failure, time of the failure, a revised estimate of the number of fatalities and injuries, and all other significant facts that are known by the operator that are relevant to the cause of the accident or extent of the damages.

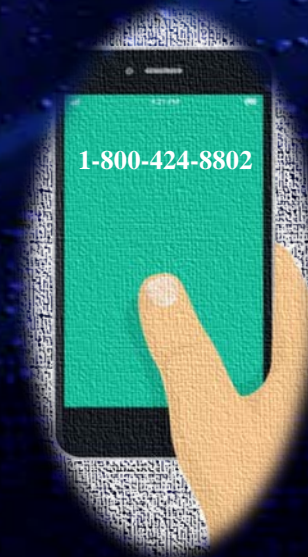




§195.52 Immediate notice of certain accidents

(d) New information (continued)

If there are no changes or revisions to the initial report, the operator must confirm the estimates in its initial report.





§195.54 Accident reports.

- Each operator that experiences an accident required to be reported under §195.50 must, as soon as practicable, but not later than 30 days after discovery, file an accident report on DOT Form PHMSA F 7000-1 Accident Report - Hazardous Liquid/CO2 Pipeline Systems.

Note: *For Pipelines specified under §195.13 and §195.15 use DOT Form PHMSA F 7000-2 Gravity and Reporting-Regulated Hazardous Liquid Accident Report.*



§195.54 Accident reports.

- Must file supplemental reports (DOT Form PHMSA F 7000-1) with changes or additions within 30 days receiving any changes in information

Note: *For Pipelines specified under §195.13 and §195.15 use DOT Form PHMSA F 7000-2 Gravity and Reporting-Regulated Hazardous Liquid Accident Report.*



SECTION §195.55

REPORTING SAFETY-RELATED CONDITIONS.





§195.55 Reporting safety-related conditions.

(a) Shall report per 195.56 the following conditions involving pipelines in service:

(1) General corrosion that has reduced wall to less than required for MOP, and localized corrosion pitting that might result in leakage.





§195.55 Reporting safety-related conditions.

(2) Unintended movement or abnormal loading by environmental causes--floods, earthquake, etc.





§195.55 Reporting safety-related conditions.

(3) Any material defect or physical damage that impairs serviceability





§195.55 Reporting safety-related conditions.

(4) Any malfunction or operating error that causes pressure to exceed 110% of MOP



- continued -



§195.55 Reporting safety-related conditions.

(5) A leak in a pipeline that constitutes an emergency.



§195.55 Reporting safety-related

Emergency is characterized by the need for immediate corrective action to protect the public and property.

(5) A leak in a pipeline that constitutes an emergency.

Examples of leaks that may constitute an emergency are those that occur in residential or commercial areas in conjunction with a natural disaster, those where a flammable vapor is detected inside a building, and those that involve response by police or fire departments.



§195.55 Reporting safety-related conditions.

(6) Any safety-related condition that could lead to an imminent hazard and causes (other than abandonment) a 20% or more reduction in operating pressure or shutdown.





§195.55 Reporting safety-related conditions.

(b) A report is not required for any safety-related condition that -

(1) Exists on a pipeline that is more than 220 yards from any building intended for human occupancy or outdoor place of assembly

EXCEPT FOR





§195.55 Reporting safety-related conditions.

EXCEPT FOR

For conditions that exist within the right-of-way of any ACTIVE:

Street



Highway Paved Road



Railroad





§195.55 Reporting safety-related conditions.

EXCEPT FOR (continued)

or that occur offshore or onshore where liquid could pollute river, stream, other body of water





§195.55 Reporting safety-related conditions.

(2) Is a reportable accident under 195.50 or results in an accident before filing deadline

IS AN ACCIDENT



§195.55 Reporting safety-related conditions.

(3) Is corrected by repair or replacement before filing deadline **EXCEPT** that reports are required for all conditions under (a)(1) **OTHER** than localized corrosion pitting on an effectively coated and cathodically protected pipeline.





§195.55 Reporting safety-related conditions.

(3) Is corrected by repair or replacement before filing deadline **EXCEPT** the reports are required for all conditions under (a)(1) other than localized pitting on an effectively coated and cathodically protected pipeline.

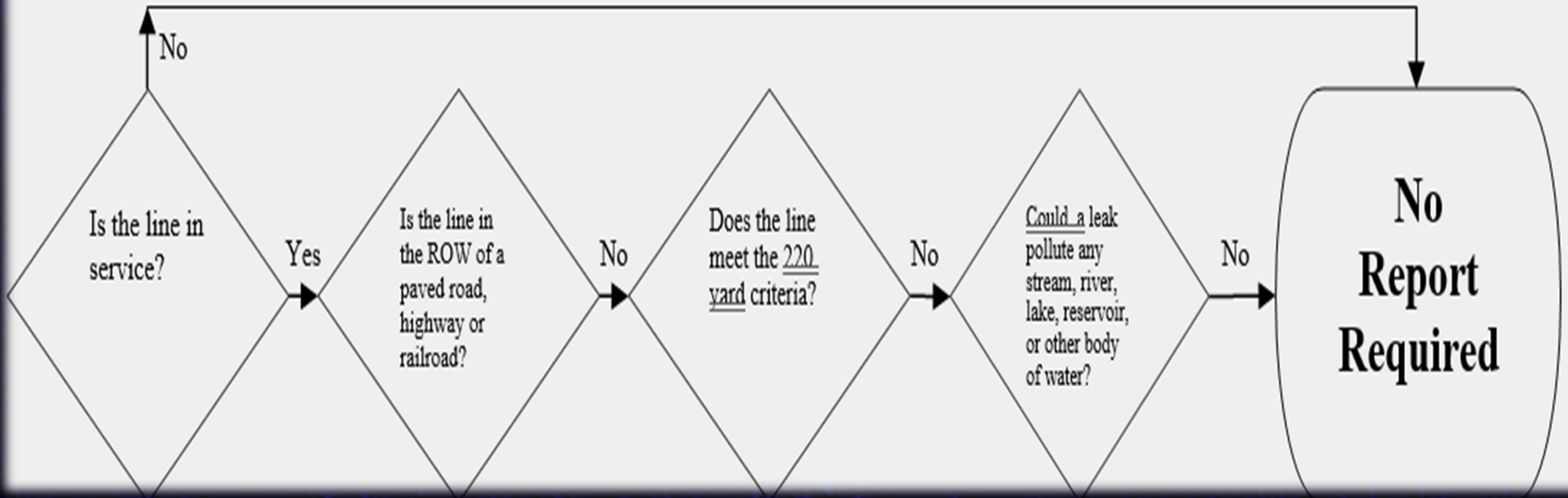
Possibilities

- General corrosion - bare and not protected
- General corrosion - coated and protected
- Localized pitting - bare and not protected
- Localized pitting - protected and not coated



§195.55 Reporting safety-related conditions.

Hazardous Liquid Safety Related Condition Evaluation For Reporting





§195.56 Filing safety-related condition reports.

(a) Each report must be filed (received by OPS) in writing within 5 working days (not including Saturdays, Sundays, or Federal holidays) after the day a representative of the operator **determines** the condition exists...



§195.56 Filing safety-related condition reports.

DETERMINE (definition)

To establish or ascertain definitely, as after:



investigation, reasoning or calculation.



§195.56 Filing safety-related condition reports.

(a)...but not later than 10 working days after the day a representative of the operator **discovers** the condition. Separate conditions may be described in a single report if they are closely related. Reports may be transmitted by electronic mail to InformationResourcesManager@dot.gov, or by facsimile at (202) 366-7128.





§195.56 Filing safety-related condition reports.

DISCOVER (definition)

To gain knowledge of (something) through observation, study, or search;

to be the first to find, learn or observe.



§195.56 EXAMPLE

DISCOVER **DETERMINE** **WRITTEN REPORT**
 MON-TUE-WED-THU-FRI-SAT*SUN* MON-TUE-WED-THU-FRI-SAT*SUN* MON





§195.58 Report submission requirements.

(a) General. Except as provided in paragraphs (b) and (e) of this section, an operator must submit each report required by this part electronically to PHMSA at <http://opsweb.phmsa.dot.gov> unless an alternative reporting method is authorized in accordance with paragraph (d) of this section.



§195.58 Report submission requirements.

(b) *Exceptions.* An operator is not required to submit a safety-related condition report (§195.56) or an offshore pipeline condition report (§195.67) electronically.



§195.58 Report submission requirements.

(c) *Safety-related conditions.* An operator must submit concurrently to the applicable State agency a safety-related condition report required by §195.55 for an intrastate pipeline or when the State agency acts as an agent of the Secretary with respect to interstate pipelines.



§195.58 Report submission requirements.

(d) *Alternate Reporting Method.* If electronic reporting imposes an undue burden and hardship, the operator may submit a written request for an alternative reporting method PHMSA



§195.58 Report submission requirements.

(d) Alternate Reporting Method. (continued)

The request must describe the undue burden and hardship. PHMSA will review the request and may authorize, in writing, an alternative reporting method. An authorization will state the period for which it is valid, which may be indefinite.



§195.58 Report submission requirements.

(d) *Alternate Reporting Method.* (continued)

An operator must contact PHMSA at 202-366-8075, or electronically to ["informationresourcesmanager@dot.gov"](mailto:informationresourcesmanager@dot.gov) to make arrangements for submitting a report that is due after a request for alternative reporting is submitted but before an authorization or denial is received.



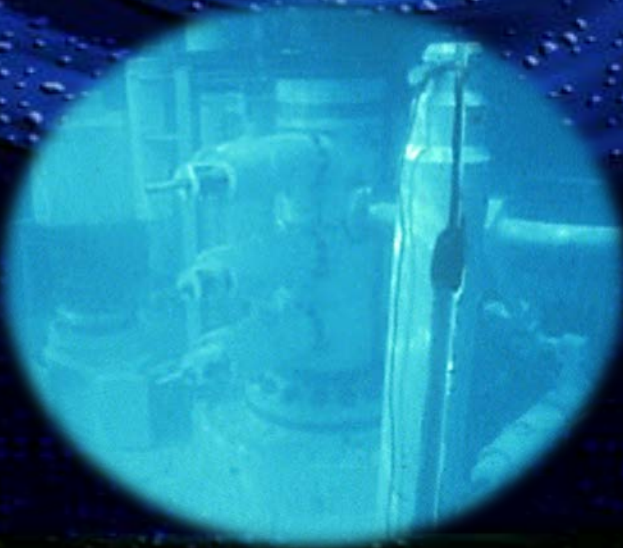
§195.58 Report submission requirements.

(e) National Pipeline Mapping System (NPMS). An operator must provide NPMS data to the address identified in the NPMS Operator Standards Manual available at www.npms.phmsa.dot.gov or by contacting the PHMSA Geographic Information Systems Manager at (202) 366-4595.



§195.59 Abandonment or deactivation of facilities.

Last operator of an abandoned offshore pipeline facility, or each abandoned onshore pipeline facility that crosses over, under, or through a commercially navigable waterway must file a report upon abandonment of that facility..





§195.59 Abandonment or deactivation of facilities.

After October 10, 2010, submitted to National Pipeline Mapping System (NPMS) in accordance with NPMS “Standards for Pipeline and Liquefied Natural Gas Operator Submissions”.

Include: location, size, date, method of abandonment, and certification of information and abandonment.





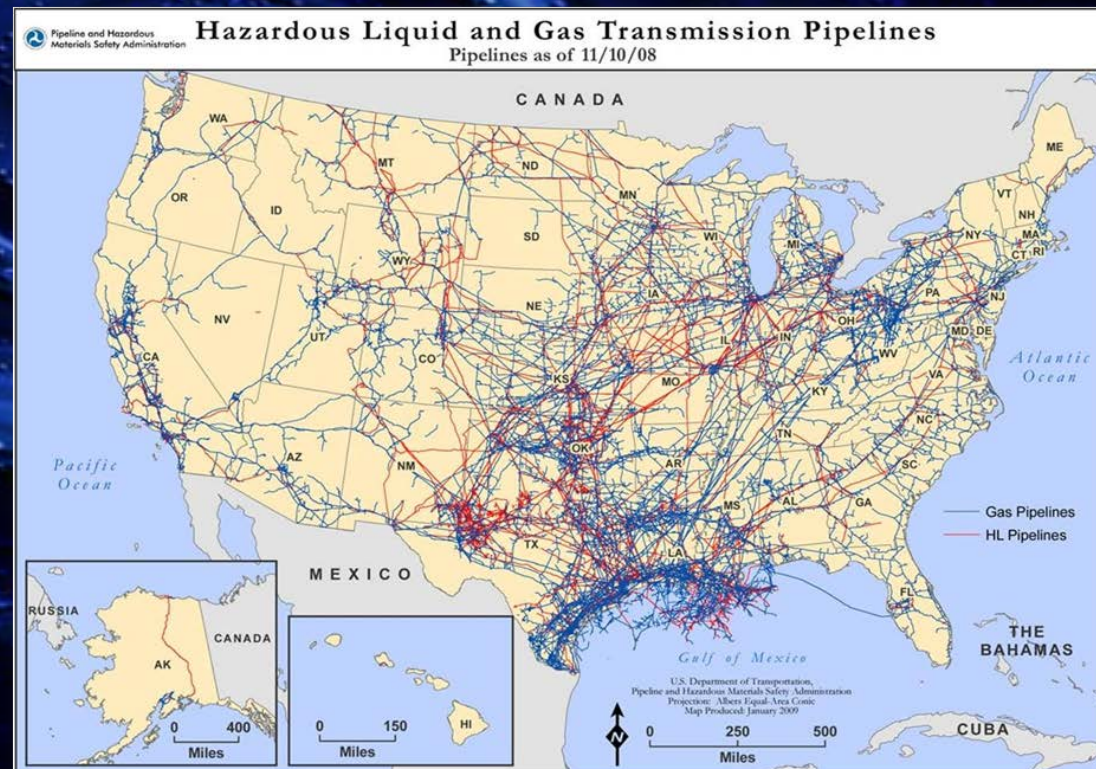
§195.61 – National Pipeline Mapping System

- Each operator of a hazardous liquid pipeline facility must provide the following geospatial data to PHMSA for that facility:
 - Geospatial data, attributes, metadata and transmittal letter appropriate for use in the National Pipeline Mapping System.
 - The name of and address for the operator.
 - The name and contact information of a pipeline company employee, to be displayed on a public Web site, who will serve as a contact for questions from the general public about the operator's NPMS data.



§195.61 – National Pipeline Mapping System

- This information must be submitted each year, on or before June 15, representing assets as of December 31 of the previous year.





§195.61 – National Pipeline Mapping System

- If no changes have occurred since the previous year's submission, the operator must refer to the information provided in the NPMS Operator Standards manual available at www.npms.phmsa.dot.gov or contact the PHMSA Geographic Information Systems Manager at (202) 366-4595.



§195.64 – National Registry of Operators

- Effective January 1, 2012, each operator of a hazardous liquid pipeline or pipeline facility, must obtain and Operator Identification Number (OPID).
- Operator who already has an OPID must, by January 1, 2011, validate the information associated with each OPID number , and correct the information as necessary, but no later than June 30, 2012.
- Operator must use assigned OPID for all reporting requirements under this subchapter and for submissions to the National Pipeline Mapping System.



§195.64 – National Registry of Operators

- Operator must electronically notify PHMSA if certain events;
- Notify not later than 60 days before the event occurs:
 - Construction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs \geq \$10 million. If 60-day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable.





§195.64 – National Registry of Operators

- Notify not later than 60 days before the event occurs:

(continued)

- Construction of 10 or more miles of a new or replacement hazardous liquid or carbon dioxide pipeline;
- Reversal of product flow direction when the reversal is expected to last more than 30 days. This notification is not required for pipeline systems already designed for bi-directional flow; or
- A pipeline converted for service under §195.5, or a change in commodity as reported on the annual report as required by §195.49.



§195.64 – National Registry of Operators

- Operator must notify PHMSA no later than 60 days after the following events:
 - Change of primary entity (OPID) for managing or administering a safety program required by this part covering pipeline facilities operated under multiple OPIDs
 - Change in name of operator
 - Change in entity responsible for existing pipeline, pipeline segment, pipeline facility;
 - Acquisition or divestiture of ≥ 50 miles of pipeline, pipeline system or existing pipeline facility subject to Part 195



§195.65 – Safety data sheets.

- Each owner or operator of a hazardous liquid pipeline facility, following an accident involving a pipeline facility that results in a hazardous liquid spill, must:



§195.65 – Safety data sheets.

- Provide safety data sheets (SDS) within 6 hours of a telephonic or electronic notice of the accident to the National Response Center on any spilled hazardous liquid to:
 - the designated Federal On-Scene Coordinator
 - and appropriate State and local emergency responders



Summary for Reporting Requirements of Part 195

- Operators should have:
 - Written procedures
 - Forms and information available
 - Review process and work
- Inspectors advised to check for:
 - Completeness and accuracy
 - Timely and appropriate reporting
 - Supplemental reports as required
 - Procedures for analyzing pipeline accidents to determine their causes (§195.402)



Information Websites

PHMSA Forms and Reporting Instructions

<http://www.phmsa.dot.gov/pipeline/library/forms>

PHMSA Pipeline Safety Regulations

<http://www.phmsa.dot.gov/pipeline/tq/regs>

PHMSA National Pipeline Mapping System

<https://www.npms.phmsa.dot.gov/>

PHMSA National Registry of Pipeline and LNG Operators

<https://portal.phmsa.dot.gov>