

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's)	
Review of the Gas Pipeline Safety)	Case No. 19-47-GA-ORD
Rules in Chapter 4901:1-16 of the)	
Ohio Administrative Code.)	

NORTHEAST OHIO NATURAL GAS CORP.'S INITIAL COMMENTS

I. INTRODUCTION

Northeast Ohio Natural Gas Corp. ("NEO") submits its Initial Comments pursuant to the August 14, 2019, Entry in the above-captioned proceeding, which concerns proposed modifications to Ohio Administrative Code Chapter 4901:1-16. Specifically, the Commission has opened this docket to review administrative rules regarding gas pipeline safety and has proposed significant changes that include four new requirements around abandonment of service lines.

NEO respectfully requests modification of the proposed rules in the manner and for the reasons set forth below.

II. COMMENTS

A. Ohio Admin. Code 4901:1-16-04 – Records, maps, inspections, and leak classifications.

The major overhaul to Ohio Admin. Code 4901:1-16-04 is the addition of a new section creating a new rule to require each operator to have a plan for abandoning inactive service lines, among other requirements for service line abandonment. The new section, found in paragraph (J), states:

(J) Each operator shall have a plan for abandoning inactive service lines in accordance with 49 C.F.R. 192.727 (relating to abandonment or inactivation¹ of

¹ 49 C.F.R. 192.727 references abandonment or *deactivation* of facilities. NEO therefore suggests that the reference to "inactivation" in the proposed amendment be changed to "deactivation."

facilities) and shall have a copy of its plan available for inspection. The plan shall require the following:

- (1) Service lines which have been inactive for twenty-four months and for which there is no prospect of reuse shall be scheduled for abandonment under 49 C.F.R. 192.727(d)(3)², as soon as practicable but no later than six months after it has been determined there is no prospect for reuse.
- (2) Service lines which have been inactive for twenty-four months and for which there is a reasonable prospect of future use shall be shut off under 49 C.F.R. 192.727(d)(1)³ or (d)(2)⁴. A review of the status of inactive service lines shall be made annually, at periods not exceeding fifteen months. Service lines which no longer qualify for retention shall be abandoned under paragraph (J)(1) of this rule.
- (3) Until a service line is abandoned under paragraph (J)(1) of this rule, it shall be treated as active for the purposes of applying the requirements of the pipeline safety code.
- (4) Unrecorded inactive service lines discovered in the course of leakage surveillance, construction, maintenance or inspection of facilities shall be abandoned as follows: If leaking, abandon immediately; if not leaking, abandon as soon as practicable but not more than ten days after discovery.

NEO does not support adoption of the proposed amendments in the current form for several reasons. First, NEO takes issue with the lack of any distinction between recorded and unrecorded service lines in paragraphs (J)(1) and (J)(2). NEO suggests that the word “recorded” be inserted at the beginning of paragraphs (J)(1) and (J)(2) to make clear that these provisions specifically apply to service lines that the utility is aware of. Second, with respect to paragraph (J)(4) addressing unrecorded inactive service lines, NEO states that the proposed time frames to abandon unrecorded inactive service lines are simply too short to make adherence feasible. NEO therefore suggests that when an unrecorded inactive service line is leaking, rather than abandoning

² 49 C.F.R. 192.727(d)(3) states, “The customer’s piping must be physically disconnected from the gas supply and the open pipe ends sealed.”

³ 49 C.F.R. 192.727(d)(1) states, “The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator.”

⁴ 49 C.F.R. 192.727(d)(2) states, “A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly.”

“immediately,” it be abandoned in accordance with the leak grade classification. Likewise, when an unrecorded inactive service line is not leaking, rather than requiring it be abandoned within ten days after discovery, it should be abandoned in accordance with paragraphs (J)(1) and (J)(2).

Therefore, taking the above proposals into account, NEO suggests paragraph (J) be amended to state as follows:

(J) Each operator shall have a plan for abandoning inactive service lines in accordance with 49 C.F.R. 192.727 (relating to abandonment or deactivation of facilities) and shall have a copy of its plan available for inspection. The plan shall require the following:

- (1) Recorded service lines which have been inactive for twenty-four months and for which there is no prospect of reuse shall be scheduled for abandonment under 49 C.F.R. 192.727(d)(3), as soon as practicable but no later than six months after it has been determined there is no prospect for reuse.
- (2) Recorded service lines which have been inactive for twenty-four months and for which there is a reasonable prospect of future use shall be shut off under 49 C.F.R. 192.727(d)(1) or (d)(2). A review of the status of inactive service lines shall be made annually, at periods not exceeding fifteen months. Service lines which no longer qualify for retention shall be abandoned under paragraph (J)(1) of this rule.
- (3) Until a service line is abandoned under paragraph (J)(1) of this rule, it shall be treated as active for the purposes of applying the requirements of the pipeline safety code.
- (4) Unrecorded inactive service lines discovered in the course of leakage surveillance, construction, maintenance or inspection of facilities shall be abandoned as follows: If leaking, abandon in accordance with the leak grade classification; if not leaking, abandon in accordance with paragraphs (J)(1) and (J)(2).

A second proposed amendment to Ohio Admin. Code 4901:1-16-04 is found in (I)(1), regarding requirements for the reevaluation of repaired or reclassified leaks. The proposed amendment to 4901:1-16-04(I)(1) makes the following change: “All below grade ~~one~~ hazardous leaks repaired or reclassified, other than by the replacement of the affected section of pipe, must be reevaluated after allowing the soil to vent and stabilize but not more than thirty calendar days

after such physical action.” This change apparently reflects Staff’s recommendation that the reevaluation requirements of repaired or reclassified leaks now apply to all below grade hazardous leaks rather than just grade one leaks, but if this is the intent of this proposed change, it is unclear.

First, it is unclear what constitutes “below grade hazardous” leaks since that term is not defined in the proposed amendments. The grade system is meant to define the hazardous level, and the definition of hazardous needs to be something operators understand. Also, because paragraph (I)(1) only addresses leaks classified as grade one, and the proposed amendment only changes one sentence in (I)(1) from “grade one” to “below grade hazardous” while leaving all remaining references to “grade one” leaks in paragraph (I)(1) unchanged, if the intent of this proposed amendment is for this reevaluation requirement to apply to all below grade hazardous leaks, this sentence should be moved to a new subsection (I)(4) to avoid confusion. As the proposed amendment currently reads, it appears to take away any requirement for reevaluation for grade one leaks, while leaving in place the reevaluation requirements for both grade two and grade three leaks.

III. CONCLUSION

For the foregoing reasons, NEO respectfully requests that the Commission modify the proposed rules as set forth in these Comments.

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Respectfully submitted,

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Summary: Comments Initial Comments of Northeast Ohio Natural Gas Corp. electronically filed by Ms. Kari D Hehmeyer on behalf of Northeast Ohio Natural Gas Corp.