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Public Utility Commission of Ohio
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CARRIE B. CRUMPTON

Manager – Regulatory Assistance & Training

Reference: Amendment of Chapter 4901:1-16, Ohio Administrative Code, Regarding Gas Pipeline Safety, to Implement Am. Sub. S.B. 315

Dear Sir or Madam:

CONSOL Energy Inc. (CONSOL), a leading diversified energy company headquartered in the Appalachian Basin, would like to submit the following comments for the proposed Amendment of Chapter 4901:1-16, Ohio Administrative Code, Regarding Gas Pipeline Safety, to Implement Am. Sub. S.B. 315. CONSOL Energy is a member of multiple industry trade organizations including Ohio Oil and Gas Association (OOGA). We respectfully request the Commission to consider them in final revisions.

General Comments:

1. The United States Department of Transportation (DOT) has indicated that it will be making a determination on which gathering pipelines will be regulated under the 49 Code of Federal Regulations Part 192 in the near future. CONSOL feels that PUCO's proposed pipeline rules are prematurely placing significantly more stringent requirements on pipelines that are currently being re-evaluated at a federal level.
2. CONSOL supports OOGA's suggestion that for clarity, OAC 4901:1-16-01(P)(5) should reference both subsection (E) and subsection (F) in order to expressly define "gas gathering" and "gas gathering/processing plant pipeline operations". This would clarify that managers of gas gathering and processing plant gas stub pipelines are not "operators" as the term is defined in OAC 4901:1-16-01(P)(5).
3. CONSOL agrees with OOGA and feels that having a 24-hour emergency contact, as required in OAC 4901:1-16-05(D)(1) and (2), would not be practical due to shift rotation as well as different people being responsible for specific areas or regions of a system. CONSOL agrees with OOGA and feels that supplying the Commission with an emergency number would be a more effective approach.
4. CONSOL supports OOGA's suggestion to clarify that gas gathering/processing plant pipeline operations do not have to file construction reports.
5. CONSOL agrees with OOGA and feels that in the first sentence of OAC 4904:1-16-12(F) where the phrase "pipeline safety code" appears in the rule, the words "an applicable provision of" should be inserted.
6. OAC 4901:1-16-15(B)(1) – Requiring gas gathering/processing plant pipeline to be designed in accordance with 49 C.F.R. 192, would no longer allow for the use of FlexSteel piping systems or PE2406 and PE3408 plastic piping systems with design pressures at more than 125 psi, per current federally regulated pipeline standards. These materials are safely designed to operate at pressures higher than regulated line requirements. CONSOL believes this is an unnecessary

restriction which potentially adds unnecessary cost to pipelines that are operating well within design limitations. CONSOL asks for a provision that allows for a waiver if pipeline integrity can be proven by testing and other engineering design best management practices.

7. OAC 4901:1-16-15(B)(3) – CONSOL requests that PUCO allow for flexibility in the implementation of the damage prevention program. CONSOL believes that a 1 year implementation timeline for this program is acceptable considering this program is not otherwise required by DOT for “unregulated gathering pipelines”.
8. OAC 4901:1-16-15(B)(4) – 49 C.F.R. 192.616 requires numerous Public Education programs. CONSOL requests that PUCO allow the industry to have flexibility in the implementation of these programs. CONSOL believes that a 1 year implementation timeline for these programs is acceptable considering these programs are not otherwise required by DOT for “unregulated gathering pipelines”.

We appreciate the Commission’s consideration of industry’s comments. If you have any questions, please do not hesitate to contact me.

Regards,



Carrie B. Crumpton
Manager – Regulatory Assistance & Training
CONSOL Energy Inc.

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Summary: Comments Comments for Amendment of Chapter 4901:1-16, Ohio Administrative Code, Regarding Gas Pipeline Safety, to Implement Am. Sub. S.B. 315 electronically filed by Mrs. Carrie B Crumpton on behalf of CONSOL Energy Inc.