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February 6, 2023

Alan Mayberry  
Deputy Associate Administrator for Policy and Programs  
Pipeline and Hazardous Material Safety Administration  
U.S. Department of Transportation

Comments on Special Permit Application  
Columbia Gas Transmission, LLC (TCO)  
Docket PHMSA-2022-0166

Dear Mr. Mayberry:

Please consider this letter in your deliberations on the special permit request of Columbia Gas Transmission, LLC (CGT) for exemption from certain pipeline safety regulations. The Pipeline Safety Trust is the only national non-profit organization that focuses on pipeline safety. We do this through education and advocacy, increasing access to information, and building partnerships with residents, safety advocates, government, and industry to promote safe communities and a healthy environment. We have reviewed the application and associated documentation in the Federal Register and have the following concerns.

In just the last ten years, PHMSA has initiated 15 Notice of Probable Violation cases, 11 Notice of Amendment cases, 15 Warning Letters, one Corrective Action Order, and two Notice of Proposed Safety Orders for CGT.<sup>1</sup> The high number of serious enforcement actions taken against CGT is extremely concerning given the fact that this request asks to waive critical safety regulations. We encourage PHMSA to carefully consider whether increased Integrity Management is really a reliable alternative to providing proven safety benefits of pressure reduction, hydrotesting, or pipe replacement in this circumstance.

We also have several concerns with the information presented in the Special Permit Conditions document, environmental assessment, and application.

First, Section IV (6) of the draft Special Permit document suggests that “PHMSA grants this special permit limited to a term of no more than 10 years from the date of issuance.” We have serious concerns about the length of time for which CGT would be allowed to operate under this special permit. Given the age of the *special permit segment*, the unknown segment integrity information within the 40 miles of

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<sup>1</sup> PHMSA, [https://primis.phmsa.dot.gov/comm/reports/enforce/Actions\\_opid\\_2616.html](https://primis.phmsa.dot.gov/comm/reports/enforce/Actions_opid_2616.html)

the *Special Permit Inspection Area*, as well as the fact that there are multiple HCAs within that area, we strongly urge PHMSA to reconsider this term limitation to no more than five years from the date of issuance.

Second, one of the claimed environmental and safety benefits from the granting of the permit is the elimination of the methane emissions that would occur from blowdowns in anticipation of hydrotesting and/or pipe replacement. While we are pleased that CGT is concerned with the effect of their methane emissions from all sources on the environment, the non-emergency blowdowns necessary before safety-related hydro-testing and pipeline replacement should never be considered a sufficient reason to avoid strength testing and replacing pipe segments where necessary to comply with safety regulations. Moreover, there are several mitigation measures that CGT could undertake to reduce any emissions from non-emergency blowdowns of this nature, including reducing the pressure in the segment ahead of time, moving some of the gas to an associated loop, where available, among others. While physical constraints of the CGT system may prevent complete elimination of blowdown emissions, those potential emissions should not be used as an excuse to avoid necessary safety activities. Indeed, CGT is under an independent obligation to minimize these emissions under section 114 of the 2021 PIPES Act, as confirmed by the PHMSA Advisory Bulletin to that effect issued in June of 2021.<sup>2</sup>

Third, in its 2022 and 2019 (PHMSA-2019-0202) special permit applications, CGT completely fails to provide a useful response to what is perhaps the most important requirement in the regulations governing the applications for a special permit: ***49 C.F.R. § 190.341(c)(4) requires an explanation of the unique circumstances that the applicant believes make the applicability of that regulation or standard (or portion thereof) unnecessary or inappropriate for its facility.*** In looking through all available documents, we were unable to find any indication that the operator attempted to fulfill this requirement. There is nothing unique about population increase in this area nor are there unique circumstances within this request that should permit the operation of thinner walled pipe in an area of population growth, increasing the risk to the growing population as a result.

Thank you for the opportunity to comment. If you have any questions or would like to discuss, please contact me at [amanda@pstrust.org](mailto:amanda@pstrust.org) or (360) 543-5686 x106.

Sincerely,



Amanda McKay  
Program Manager  
Pipeline Safety Trust

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<sup>2</sup> 86 Fed. Reg. 31002-31003 (June 10, 2021).