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April 20, 2023

Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, CO 80202

Re: Comment in Support of Proceeding No. 22R-0491GPS, Proposed Rules Regulating Pipeline Operators and Gas Pipeline Safety, 4 Code of Colorado Regulations 723-11

Dear Commission Members:

Thank you for the opportunity to comment in support of the proposed rulemaking to amend the Rules Regulating Pipeline Operators and Gas Pipeline Safety (Proceeding No. 22R-0491GPS). It is the Pipeline Safety Trust's (the Trust) position that these proposed rules are an important advancement in encouraging the use of advanced leak detection (ALD) technologies as well as ensuring that the public has access to important information related to pipeline infrastructure in their communities.

The Pipeline Safety Trust is the only national non-profit organization that focuses on pipeline safety. Our efforts focus on 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. As part of this work, the Trust monitors state dockets and submits comments where its technical expertise may be beneficial.

Colorado is a leader in gas pipeline safety, and as such, it is encouraging to see these rules being proposed by the Colorado Public Utilities Commission (the Commission). It is vitally important that as the federal regulations evolve, state regulations do so as well, and the Trust sees these proposed rules as just that.

Regarding the proposed definition of ALD technologies in Sec. 11001(a), the Trust would like to suggest that the Commission consider language similar to that of Section 113 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020 (PIPES Act of 2020). Section 113 directed the Pipeline and Hazardous Materials Safety Administration (PHMSA) to promulgate rules requiring the use of ALD technologies on all new and existing pipeline facilities, including all regulated gathering lines.¹ Based on Section 113 of the PIPES Act, the Trust respectfully suggests the following change to the definition of "Advanced Leak Detection Technology" in Sec. 11001(a) of the proposed rule:

- (a) "Advanced Leak Detection Technology" is technology that, through continuous monitoring on or along the pipeline, or through periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology; has the ability to identify, locate, and categorize all

¹ Consolidated Appropriations Act, 2021, H.R.133, 116th Cong. (2020), <https://www.congress.gov/bill/116th-congress/house-bill/133/text/pl> (Div. R, Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020).

leaks that are hazardous to human safety or the environment, or have the potential to become explosive or otherwise hazardous to human safety.

The Trust feels that this updated definition would clarify for both regulators and operators the reporting requirement update in Sec. 11100(d). If the Commission decides against incorporating the federal language, there are many other sources that provide examples of what ALD technology should include.^{2,3}

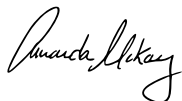
In regards to Sec. 11103(IV) which exempts operators of Type R gathering systems from annual reporting requirements, the Trust is concerned that this directly contradicts with updated federal rules and regulations^{4,5}. These updates require that all gathering line operators, including Type R, submit annual reports, beginning no later than March 15, 2023. PST urges the Commission to amend this language to include annual reporting requirements for all gathering line operators.

The Trust supports the other rule updates defining geographic information systems (GIS) as well as requiring that GIS data be disclosed to the Pipeline Safety Program (PSP) of Colorado. In addition, the Trust strongly supports making the information in Sec. 11100(c)(II) available to local government officials and the public. Requiring operators to provide GIS data on the gas pipeline infrastructure in Colorado will promote a more informed public and safer communities. The Trust has been advocating to make this information available to the public for many years and applauds the State of Colorado for taking a leadership role on the issue, demonstrating a commitment to public transparency. An educated and informed public can only improve safety and engagement.

Overall, these proposed rule changes stand to benefit Colorado communities. Advanced leak detection technologies will help ensure that natural gas leaks don't go unnoticed, more access to GIS data will allow the public and local authorities to be better informed, and more detailed reporting requirements ensure accountability among both operators and regulators.

Thank you again for the opportunity to comment on this important matter. If you would like to discuss this comment or have questions, feel free to contact me at (360) 543-5686 (x106) or amanda@pstrust.org.

Sincerely,



Amanda McKay
Program Manager
Pipeline Safety Trust

² See, e.g., Highwood Emissions Management, *Technical Report: Leak Detection Methods for Natural Gas Gathering, Transmission, and Distribution Pipelines* (Jan. 12, 2023) https://highwoodemissions.com/wp-content/uploads/2022/04/Highwood_Pipeline_Leak_Detection_2022.pdf.

³ See, e.g., Naga Venkata Korlapati et al., *Review and Analysis of Pipeline Leak Detection Methods*, 2 JOURNAL OF PIPELINE SCIENCE AND ENGINEERING, 100074 (Dec. 2022) <https://www.sciencedirect.com/science/article/pii/S2667143322000464?via%3Dihub>.

⁴ 86 Fed. Reg. 63276 (Nov. 15, 2021)

⁵ 49 C.F.R. § 192.8(c)(3).