Pipeline Safety TRUST

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August 7, 2024

Nikki Mason

Department of Interior

Bureau of Safety and Environmental Enforcement

45600 Woodland Rd., Sterling, VA 20166

Re: Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Pipelines and Pipeline Rights-of-Way; Docket ID BSEE-2023-0012; OMB Control Number 1014-0016.

Dear Ms. Mason:

Thank you for the opportunity to comment on this agency's information collection regarding pipelines and pipeline rights-of-way. The Pipeline Safety Trust (PST) 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. As part of this work, the PST monitors federal dockets and submits comments where its technical expertise may be beneficial. PST strongly supports this information collection because offshore pipelines and rights-of-way pose safety and environmental risks. As both the safety regulator and permit approver, it is critical the Bureau of Safety and Environmental Enforcement (BSEE) have a robust amount of information about the pipelines within its jurisdiction.

In addition to the information already collected under 30 C.F.R. § 250.1008, PST believes collecting more information would bring wider protection and transparency for activities on the outer continental shelf (OCS) and give the agency more data on which to make its decisions. Further, the information PST hopes to see collected is similar to that which is collected by the Pipeline and Hazardous Materials Safety Administration (PHMSA) for pipelines outside of the OCS. Thus, reporting the information to the equivalent safety regulator for pipelines on the OCS should not pose a significant burden to leaseholders.

1. Pipe Material Specifications

PST would like to see lease holders report basic information about pipe material, weld type, and other construction specifications. For simplicity, BSEE could collect information similar to that required by PHMSA under 49 C.F.R. parts 191[1] and 195[2], which includes commodity type being transported, length

[1] 49 C.F.R. §§ 191.11; 191.17.
[2] 49 C.F.R. § 195.49.

of pipeline, pipeline material by mile, corrosion prevention status by mile, and girth weld type by mile and decade.

2. Construction Specifications

One of the largest causes of pipeline failures for all pipelines is third-party damage. It is PST's view that pipeline operators have a responsibility to protect their property from damage. Operators may choose to bury a pipeline, maintain pipe depth of cover, or install other protection equipment to notify third parties when they encroach upon the right-of-way. Requiring reporting of information about burial, depth of cover, and protection measures will allow BSEE to make better informed permitting decisions and coordinate with parties to develop protection measures for pipelines located on the OCS.

3. Monitoring and Repair Procedures

Safe pipeline operations include regular surveys and the use of leak detection technology to monitor for issues on the pipeline system and plan for necessary repairs and maintenance. Collecting this information from leaseholders is critical to understand how often operators are monitoring BSEE jurisdictional pipelines, and understand actions taken to remediate identified problems, such as leaks, corrosion, ROW interference, and damage.

4. Damage Reporting

Requiring leaseholders to report known damage to BSEE could be the first step in centralizing information about how and where damage is occurring on pipelines. Collecting information about damage would also be in BSEE's interest as the safety regulator to ensure well informed permitting decisions are made. There have been several offshore pipeline incidents in recent years involving unreported damage to a leaseholder due to a lack of coordination between agencies and third parties. In particular, PST would like to point to the oil leak that occurred in 2021 in Huntington Beach, California, where an estimated 588 barrels of oil leaked into the San Pedro Bay. The investigation of the incident by the National Transportation Safety Board (NTSB) revealed the leak was caused by two unreported anchor strikes leading up to the pipeline failure, both of which were unreported to the leaseholder.[3] Additionally, the report concluded encroachment alarms or other protection on pipelines are critical to ensuring communication between all parties is accurate and efficient.[4] One solution to this issue would be for BSEE to require damage prevention programs for pipelines on the OCS to ensure operators are fulfilling their duty to protect their assets. BSEE could look to adopt applicable damage prevention requirements from PHMSA.[5] PST believes effective damage prevention programs may include encroachment alarms as suggested by the NTSB,[6] regular ILI runs with reports of damage to the regulator, and visual inspection using ROV submarines.

[3] National Transportation Safety Board, *Anchor Strike of Underwater Pipeline and Eventual Crude Oil Release*, *ix* https://www.ntsb.gov/investigations/AccidentReports/Reports/MIR2401.pdf.
[4] *Id.*
[5] E.g. 49 C.F.R. § 192.614; § 195.442.
[6] National Transportation Safety Board, *supra* note 3 at 93.

Thank you again for the opportunity to comment on this important matter. If you would like to discuss this comment or have questions, please contact Hailey Duncan, Policy Advisor, at hailey@pstrust.org or (360) 543-5686 ext. 108.

Sincerely,



Hailey Duncan
Policy Advisor