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November 14, 2024

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
TC Energy for Gas Transmission Northwest, LLC
Docket PHMSA-2024-0055

Dear Mr. Mayberry:

Please consider this letter in your deliberations on the special permit request of Gas Transmission Northwest, LLC (a subsidiary of TC Energy) request for exemption from 49 CFR 192.611 and 192.619 where segments have undergone class location changes from class 2 to class 3. 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.

First, we have concerns regarding the valve spacing of the special permit segment included in this request. In the special permit application, TC Energy asserts remote shut-off valves (RMVs) *"are or will be, located within the special permit inspection area"*[1] but gives no details on when and where the additional valves will be placed or when automated valves will be installed. Would valve placement be in accordance with the 4-mile interval for Class 3 locations outlined within the new valve rule?[2] This lack of information makes it difficult to accurately analyze impacts without knowing how much product could be released in the event of a failure.

Second, TC Energy did not provide detailed information about the pipeline segment with the reported anomaly. Similarly, this information is critical from a technical perspective to evaluate the potential risks to the public if the special permit is granted. PST encourages PHMSA to request more information about known anomalies before approving the special permit and make that information available to the public.

[1] TC Energy, Special Permit Application Gas Transmission Northwest Docket No. PHMSA-2024-0055 Boundary and Kootenai Counties, ID March 2024.
[2] Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards, 87 Fed. Reg. 20940 at 20963 (April. 4, 2022) (amending 49 C.F.R. § 192 and § 195).

Most critically, the application provides no further description of unique about the circumstances of seeking exemption from 49 CFR 192.611 and 192.619.

Here is the operator's response: *The additional integrity management activities provide a greater level of pipeline and public safety benefits for the approximately 143.5 miles of pipe within the special permit inspection area, than would otherwise be achieved through the replacement of the 2.075 miles of the special permit segments."*

As further explanation, the DEA prepared by PHMSA indicates that, *"GTN considered reducing the MAOP in accordance with 49 CFR § 192.611(a). However, this alternative is not feasible because a pressure reduction would prevent GTN from meeting its contractual obligations to deliver natural gas to its customers."* [3]

Given our concerns with valves and anomalies, PST has concerns that this explanation means economic conditions are taking precedence over potential safety actions. PST does not believe economic conditions should outweigh safety. There is nothing in TC Energy's application which explains unique circumstances making the application of the regulation inappropriate or unnecessary. Rather, TC Energy's response merely expresses its opinion about the prudence of PHMSA regulations and general optimism about the effectiveness of safety technology and Integrity Management (IM) in ensuring pipe integrity. Incidents still occur despite the proliferation of modern safety technology and the widespread adoption of IM programs.

Thank you for the opportunity to comment. If you have any questions or would like to discuss, please contact Hailey Duncan, Policy Advisor at hailey@pstrust.org or (360) 543-5686 x108.

Sincerely,



Hailey Duncan
Policy Advisor

[3] USDOT-PHMSA Draft Environmental Assessment, https://www.regulations.gov/document/PHMSA-2024-0055-0003