BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

IN THE MATTER OF A PERMANENT RULEMAKING OF THE OKLAHOMA CORPORATION COMMISSION AMENDING OAC 165:20, GAS & HAZARDOUS LIQUID PIPELINE SAFETY

CAUSE NO. RM 201900010

THE TRANSPORTATION DIVISION'S PROPOSED RULES AMENDING CHAPTER 20
(As of 1/22/2020)

TITLE 165. CORPORATION COMMISSION
CHAPTER 20. GAS & HAZARDOUS LIQUID PIPELINE SAFETY

SUBCHAPTER 1. GENERAL PROVISIONS

165:20-1-4. Forms and documentation
(a) The Commission is empowered to prescribe necessary and proper forms in order to effectuate the purpose of this Chapter. The Manager of Pipeline Safety shall prescribe the number of copies of an appropriate form which shall be necessary to comply with the filing requirements of this Chapter.
(b) Plans, specifications, maps, and other data relative to natural gas pipeline systems, underground natural gas storage facilities, and hazardous liquid pipeline systems shall be submitted to the Commission as prescribed by the Manager of Pipeline Safety in order to effectuate the purpose of this Chapter. This subsection is applicable to the operators of pipelines regulated pursuant to Subchapters 5, 6, and 7 of this Chapter.
(c) Plans and maps submitted to the Commission pursuant to subsection (b) shall be deemed confidential records or trade secrets of the operator under the Open Records Act as provided for by 51 O.S. § 24A.22 and shall be kept confidential by the Commission, unless such records are successfully challenged or become subject matter of an enforcement action at the Commission.

SUBCHAPTER 5. SAFETY REGULATIONS FOR GAS PIPELINES

PART 5. MINIMUM SAFETY STANDARDS FOR GAS

165:20-5-21. Adoption of federal safety regulations
The Commission adopts the provisions of 49 C.F.R. Part 192, as such exist on January 1, 2019, subject to the following:
(1) 49 C.F.R. § 192.1 is replaced by the following:
(A) This Part prescribes minimum safety requirements for intrastate pipeline facilities and the transportation of gas subject to the jurisdiction of the Commission.
(B) This Part shall not apply to:
   (i) Interstate transmission facilities; and
   (ii) Onshore gathering of gas through a pipeline that operates at less than 0 psig or
        through a pipeline that is not a regulated onshore gathering line as determined by 49
        C.F.R. § 192.8.

(2) The definition of "Administrator" and "State" are deleted and replaced as follows:
   (A) All references to the "Administrator" are replaced with the "Commission".
   (B) All references to the "State" refer to the State of Oklahoma.

PART 9. MANDATORY PARTICIPATION IN OKLAHOMA ONE CALL

165:20-5-41. Mandatory participation in Oklahoma One Call
   (a) The Commission adopts the provisions of the Oklahoma Underground Facilities Damage
       Prevention Act, Title 63 O.S. §§ 142.1 through 142.11 through 142.13 as such exist on January 1, 2019
       2020.
   (b) The Commission will enforce the provisions of Title 63 O.S. §§ 142.1 through 142.11 through 142.13
       as such exist on January 1, 2019-2020, against intrastate and interstate gas pipelines, as described
       in 49 C.F.R. Part 192.1.

SUBCHAPTER 6. SAFETY REGULATIONS FOR UNDERGROUND NATURAL GAS
   STORAGE FACILITIES

165:20-6-1. Adoption of federal safety regulations
   The Commission adopts all of the provisions of 49 C.F.R. Parts 191 and 192, as such
   exist on January 1, 2020, pertaining to Intrastate Underground Natural Gas Storage Facilities.

SUBCHAPTER 7. SAFETY REGULATIONS FOR HAZARDOUS LIQUIDS

165:20-7-1. Adoption of federal safety and reporting regulations
   The Commission adopts the provisions of 49 C.F.R. Part 195, as such exist on January 1, 2019
   2020, subject to the following:
   (1) 49 C.F.R. § 195.0 is replaced by the following: "This Part prescribes safety standards
       and accident reporting requirements for pipeline facilities used in the intrastate
       transportation of hazardous liquids subject to the jurisdiction of the Commission."
   (2) 49 C.F.R. § 195.1(a) is replaced by the following: "Except as provided in paragraph (b) of
       49 C.F.R. §195.1(b), this Part applies to pipeline facilities and the transportation of hazardous
       liquids associated with those facilities used in the intrastate transportation of hazardous liquids
       subject to the jurisdiction of the Commission."
   (3) The definition of "Administrator" shall be deleted and all references to the "Administrator"
       are replaced with the "Commission".
   (4) 49 C.F.R. § 195.52(b) is replaced by the following: "(b) Reports made under paragraph
       (a) of 49 C.F.R. § 195.52(a) are made by telephone to 405-521-2258 (Pipeline Safety
       Department in Oklahoma City, OK) or submitting a report online at the
http://www.occeweb.com/ and 800-424-8802 (in Washington, D.C. 202-462-2675), and must include the following information:

(A) Name and address of the operator.
(B) Name and telephone number of the reporter.
(C) The location of the failure.
(D) The time of the failure.
(E) The fatalities and personal injuries, if any.
(F) All other significant facts known by the operator that are relevant to the cause of the failure or extent of the damages."

(5) 49 C.F.R. § 195.54(a) is replaced by the following: "Each carrier that experiences an accident that is required to be reported under this subpart, as soon as practicable but not later than thirty (30) days after discovery of the accident, shall prepare and file an accident report on DOT Form 7000-1, or a facsimile, with the Pipeline Safety Department, Oklahoma Corporation Commission, in accordance with OAC 165:20-1-6 of this Chapter, and the Information Resources Manager, Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590."

(6) 49 C.F.R. § 195.54(b) is replaced by the following: "Whenever an operator receives any changes in the information reported or additions to the original report on DOT Form 7000-1, it shall submit a supplemental report within thirty (30) days with the Pipeline Safety Department, Oklahoma Corporation Commission, in accordance with OAC 165:20-1-6 of this Chapter, and the Information Resources Manager, Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590."

165:20-7-3. Mandatory participation in Oklahoma One Call
(a) The Commission adopts the provisions of the Oklahoma Underground Facilities Damage Prevention Act, Title O.S. 63 O.S. §§ 142.1 through 142.11–142.13 as such exist on January 1, 2019-2020.

(b) The Commission will enforce the provisions of Title 63 O.S. §§ 142.1 through 142.11–142.13, as such exist on January 1, 2019-2020, against intrastate and interstate hazardous liquid or carbon dioxide pipelines, as described in 49 C.F.R. Part 195.1.

SUBCHAPTER 11. DRUG TESTING

165:20-11-1. Control of drug use in pipeline operations
The Commission adopts the provisions of 49 C.F.R. Part 199, with all amendments and appendices thereto as such exist on January 1, 2019-2020.