

BEFORE THE CORPORATION COMMISSION OF OKLAHOMA

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

CAUSE RM NO. 201600021

PROPOSED RULES
December 29, 2016

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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, ~~2011~~2017, and all those amendments and appendices adopted thereafter, subject to the following amendments:

- (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.

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, ~~2011~~2017, and all those amendments and appendices adopted thereafter subject to the following amendments:

- (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) 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 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 file a supplemental report within 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."

SUBCHAPTER 13. ENFORCEMENT

PART 1. GENERAL

165:20-13-1. Scope and fines

This Subchapter prescribes the procedures utilized by the Oklahoma Corporation Commission in carrying out its responsibilities regarding pipeline safety under 52 O.S. 1981, Section 5 and 52 O.S. Supp. Sections 47.1 through 47.8, and is designed to utilize enforcement procedures already in place by hereby adopting the Commission's Rules of Practice, OAC 165:5, that are pertinent and necessary to carry out the enforcement of pipeline safety rules and regulations.

(1) For each violation of a Commission rule in Subchapters 5 and 10, the Commission may issue an order pursuant to 17 O.S. Section 1-et seq. fining an operator up to ~~ten thousand dollars (\$10,000.00) per day plus prosecution costs for each violation for each day the violation continues provided that the maximum fine shall not exceed five hundred thousand dollars (\$500,000.00) for any related series of violations~~ the maximum amount provided by 17 O.S. Section 6.1.

(2) For each violation of a Commission rule for hazardous liquid pipelines, the Commission may issue an order pursuant to 52 O.S. Section ~~47.6~~47.1 et seq. fining an operator up to ~~ten thousand dollars (\$10,000.00) per day plus prosecution costs for each day the violation continues provided that the maximum fine shall not exceed five hundred thousand dollars (\$500,000.00) for any related series of violations~~ the maximum amount provided by 52 O.S. Section 47.6.

**SUBCHAPTER 15. REGULATIONS FOR GRANTS TO
AID STATE PIPELINE SAFETY PROGRAMS**

165:20-15-1. Regulations for grants to aid state pipeline safety programs

The Commission adopts the provisions of 49 C.F.R. Part 198, with all amendments and appendices thereto as such exist January 1, ~~2009~~2017, and all amendments and appendices adopted thereafter.