

ALABAMA PUBLIC SERVICE COMMISSION
ADMINISTRATIVE CODECHAPTER 770-X-7
GAS PIPELINE SAFETY RULES

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770-X-7-.01 Applicability.

These rules and regulations shall govern public utilities and persons subject to Title 37, Chapter 4, Article 3 and Article 3A of the Code of Ala. 1975.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective May 1978. Amended June 2004. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.02 Operating And Maintenance Plans - Filings.

All public utilities and persons, as defined by Section 37-4-80(1) or Section 37-4-90(1), Code of Ala. 1975, shall file with this Commission on or before the effective date of these rules, an

operating and maintenance plan which meets the requirements of Title 49 C.F.R. Part 192.601 or 195.400, et seq.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective May 1978. Amended June 2004. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.03 Emergency Plans - Filings.

All public utilities and persons, as defined by Section 37-4-80(1) or Section 37-4-90(1), Code of Ala. 1975, shall file with this Commission on or before the effective date of these rules, an emergency plan which meets the requirements of Title 49 C.F.R. Part 192.615 or 195.402, et seq.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective May 1978. Amended June 2004. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.04 Updating Of Filings.

All public utilities and persons, as defined by Section 37-4-80(1) or Section 37-4-90(1), Code of Ala. 1975, shall keep current the filings required by Rules 2 and 3 by filing with this Commission, within 10 days of adoption, any amendments, revisions, substitutes or revisions of the filings required by Rules 2 and 3.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective May 1978. Amended June 2004. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.05 Drug Testing Of Employees By Pipeline Operators.

Operators of pipeline facilities subject to the jurisdiction of this Commission shall adopt an employee drug testing program that complies with the requirements of Title 49 C.F.R., Part 199, and any future amendments thereto.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective May 2001. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.06 Reporting Of Construction Work.

All construction work involving the addition and/or replacement of gas or hazardous liquids pipelines or mains greater than 1000 feet in length shall be reported to the Alabama Public Service Commission before construction begins.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective May 2001. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.07 Annual Reporting.

All public utilities and persons, as defined by Section 37-4-80(1) or Section 37-4-90(1), Code of Ala. 1975, shall file annually with this Commission on or before March 15, for the preceding calendar year, a copy of U.S. Department of Transportation Form RSPA F 7100.1-1 which meets the requirements of Title 49 C.F.R. Part 191.11 for Distribution systems; Form PHMSA F 7100.2.1 which meets the requirements of Title 49 Part 191.17(a) for Transmission and Gathering systems; Form PHMSA 7100.3-1 which meets the requirements of Title 49 Part 191.17(b) for Liquefied Natural Gas (LNG) systems; or on or before June 15, for the preceding calendar year, a copy of PHMSA F 7000-1.1 which meets the requirements of Title 49 Part 195.49 for Hazardous Liquids systems.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective January 2010. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to the Code of Ala. 1975, §41-22-7.

770-X-7-.08 Safety Related Condition Reports.

All public utilities and persons, as defined by Section 37-4-80(1) or Section 37-4-90(1), Code of Ala. 1975, shall file updates to

all *Safety Related Condition Reports* each 30 days until such "Condition" has been resolved to meet the requirements of "*Guidelines for States Participating in the Pipeline Safety Program, paragraph 6.3, pg. 28.*"

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Effective January 2010. Amended October 1988. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.09 Telephonic Reporting Of Accidents/Incidents.

(1) Definitions (as used in this Section):

(a) *Damage* means the dollar amount of loss to the operator including lost product, material costs, labor costs, equipment costs and site clean-up. Damage does not include costs related to third-party vehicles or equipment.

(b) *Hazardous Liquid Accident* means any of the following events:

1. An event involving the release of the hazardous liquid or carbon dioxide transported resulting in any of the following:

(i) Explosion or fire not intentionally set by the operator

(ii) Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:

(I) Not otherwise reportable under this section;

(II) Not one described in §195.52(a)(4);

(III) Confined to company property or pipeline right-of-way; and

(IV) Cleaned up promptly;

(iii) A death of any person or personal injury necessitating in-patient hospitalization;

(iv) Estimated property damage of \$10,000 or more in Damage;

(v) Involves a media inquiry to the operator regarding the incident;

2. An event that involves an outage affecting more than 75 customers.

3. An event that is significant in the judgment of the operator, even though it did not meet the criteria of paragraph 1. or 2. of this definition.

(c) *Gas Incident* means any of the following events:

1. An event that involves a release of gas from a pipeline, gas from an underground natural gas storage facility, liquefied natural gas, liquefied petroleum gas, refrigerant gas, or gas from an LNG facility, and that results in one or more of the following consequences.

(i) A death, or personal injury necessitating in-patient hospitalization;

(ii) Estimated property damage of \$10,000 or more in Damage;

(iii) Unintentional estimated gas loss of three million cubic feet or more;

(iv) Involves a media inquiry to the operator regarding the incident;

2. An event that results in an emergency shutdown of an LNG facility or an underground natural gas storage facility. Activation of an emergency shutdown system for reasons other than an actual emergency does not constitute an incident.

3. An event that involves an outage affecting more than 75 customers.

4. An event that is significant in the judgment of the operator, even though it did not meet the criteria of paragraph 1., 2. or 3. of this definition.

(2) Notification - All public utilities and persons, as defined by Section 37-4-80(1) or Section 37-4-90(1) Code of Ala. 1975 shall notify, be telephone, the Gas Pipeline Safety office of any *Gas Incident or Hazardous Liquid Accident* not more than one (1) hour after confirmed discovery by the operator of the *Gas Incident or Hazardous Liquid Accident*.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-83, 37-4-93.

History: Effective October 2012. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the

Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7. AMENDED: Effective Date: April 17, 2019. Filed with LRS April 24, 2019. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on April 24, 2019, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.10 Accident/Incident Reporting.

All public utilities and persons, as defined by Section 37-4-80(1) or Section 37-4-90(1), Code of Ala. 1975, shall file with this Commission, within thirty (30) days of a reportable accident/incident, a copy of the U.S. Department of Transportation Form PHMSA F 7100.1 for Distributions systems; Form PHMSA F 7100.2 for Transmission and Gathering Systems; Form PHMSA F 7000-1 for Hazardous Liquids systems; or Form PHMSA F 7100.3 for Liquefied Natural Gas (LNG) systems.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-83, 37-4-93.

History: Effective October 2010. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.11 Safety Compliance Proceedings.

(GPS Rule 11)

(a) Overview - Safety Compliance Proceedings (sometimes referred to as "SCPs") are intended to provide the APSC and its staff with the ability to be more proactive in addressing pipeline safety issues which pose a moderate to serious threat to public safety, property or the environment without having to rely exclusively on the more formal investigative procedures which are established by Alabama statute. SCPs may be recommended by the GPS Administrator and the UED Director, and instituted by the APSC Executive Director when there is a determination that a particular pipeline or gas facility has, or continues to have, a condition or conditions that pose a moderate to serious pipeline integrity risk which endangers public safety, property, or the environment. The factors that are to be considered in determining whether a pipeline integrity risk exists as well as the notification and due process procedures governing SCPs are addressed in more detail below in subsections d(3) and (h), respectively.

(b) Notice of the Institution of Safety Compliance Proceedings

1. The Secretary of the APSC will serve a written Safety Compliance Notice which signifies the institution of a Safety Compliance Proceeding on any affected pipeline facility operator, in person, by registered or certified mail, overnight courier, or electronic transmission by facsimile or other electronic means that includes reliable acknowledgement of actual receipt. The Safety Compliance Notice will set forth the alleged condition or conditions that pose a pipeline integrity risk to public safety, property, or the environment and state any other facts and circumstances that support the institution of the Safety Compliance Proceeding for the specified pipeline or portion thereof. The Safety Compliance Notice may also specify proposed testing, evaluations, integrity assessment, or other actions to be taken by the operator and may propose that the operator submit a work plan and schedule to address and correct the conditions identified in the Safety Compliance Notice. The Safety Compliance Notice will also provide the operator with response options including procedures for requesting informal consultation and/or a formal hearing as addressed in more detail in subsections (c) and (d) below.

An operator receiving a Safety Compliance Notice will have up to, but not exceeding 30 days, to respond in writing to the Safety Compliance Notice unless granted additional time by the APSC Executive Director. Such responses must be filed with the Secretary of the APSC in the manner required by Rule 4 of the APSC's Rules of Practice.

(c) Informal Consultation - Within 30 calendar days of the issuance of a Safety Compliance Notice, the APSC Executive Director may, at the written request of an operator in receipt of a Safety Compliance Notice, provide an opportunity for informal consultation concerning the condition or conditions which led to the institution of the Safety Compliance Proceeding. Such informal consultation shall commence within 30 calendar days from the issuance of the Safety Compliance Notice provided that the APSC Executive Director may extend the time for consultation upon request for good cause shown. Informal consultation is intended to provide an opportunity for the operator to explain the circumstances associated with the risk condition or conditions identified in the Safety Compliance Notice establishing the Safety Compliance Proceeding and, where appropriate, to present a proposal for corrective action. Such actions shall not prejudice the operator's position in any subsequent hearing.

If the operator and the APSC Executive Director (after consultation with each APSC Commissioner) agree on a plan for the operator to address each risk condition identified in the Safety Compliance Notice, a binding written consent agreement

incorporating the terms of the agreement may be entered. If a consent agreement is reached, no further hearing will be provided in the matter and any pending hearing request will be considered withdrawn.

If a consent agreement is not reached within 30 calendar days of the issuance of the Safety Compliance Notice establishing the Safety Compliance Proceeding, or any extended period for consultation authorized by the APSC Executive Director, the APSC Executive Director may proceed with the hearing and post hearing procedures set forth in subsection (d) below. In that event, offers of settlement made by the operator during the informal consultation period shall be excluded from the record in any subsequent hearing.

Nothing in this section precludes the APSC Executive Director from terminating the informal consultation process if there is reason to believe that an operator is not engaging in good faith discussions. The APSC Executive Director may also terminate the informal consultation process if it is determined that further consultation would be counterproductive or contrary to the public interest. In addition, if the APSC Executive Director, subsequently determines that an operator has failed to comply with the terms of a binding, written consent agreement, the APSC may, through the APSC Executive Director, pursue any and all administrative or judicial remedies available to the APSC under Title 37 of the Code of Ala. 1975, and the provisions of this Program Operations Plan.

(d) Guidelines for Hearings

1. Requests for Hearing - An operator receiving a Safety Compliance Notice may contest the issues addressed in the notice, or any portion thereof, by filing with the Secretary of the Commission a written request for a hearing within 30 calendar days following receipt of the notice or within ten (10) calendar days following the conclusion of any informal consultation that does not result in the entry of a binding, written consent agreement. In the absence of a timely request for hearing, however, the APSC Executive Director may recommend to the APSC the issuance of a Safety Compliance Order in accordance with the provisions of subsection (e) below.

2. The Hearing Process - In the event that a hearing goes forward in any Safety Compliance Proceeding established, the matter will be formally docketed as an investigation pursuant to Code of Ala. 1975, §37-1-83. An APSC Administrative Law Judge will serve as the presiding officer in such hearing which will be conducted in a manner consistent with the rules governing other hearings

before the APSC as set forth by Alabama statute and the APSC's Rules of Practice. The operator may submit any relevant information or materials, call witnesses and present arguments on the issues identified and in response to the question of whether a Safety Compliance Order should be issued to address the condition or conditions that are alleged to pose a pipeline integrity risk to public safety, property, or the environment.

3. Matters Considered In Determining That A Pipeline Facility Has A Condition That Poses An Integrity Risk - In determining whether a pipeline facility has a condition that poses a pipeline integrity risk to public safety, property, or the environment under paragraph (a) of this section, the APSC Executive Director shall consider: the facts and circumstances of each particular case absent a contrary demonstration by an operator. A key consideration in such determinations is whether the pipeline operator's facility or a component thereof has been constructed or operated with any equipment, material, or technique with a history of being susceptible to failure when used in pipeline service. Other factors to be considered include, but are not limited to:

(i) The characteristics of the pipe and other equipment used in the pipeline facility involved, including its age, manufacturer, physical properties (including its resistance to corrosion and deterioration), and the method of its manufacture, construction, or assembly;

(ii) The nature of the materials transported by such facility (including their corrosive and deteriorative qualities), the sequence in which such materials are transported, and the pressure required for such transportation;

(iii) The characteristics of the geographical areas where the pipeline facility is located, in particular the climatic and geologic conditions (including soil characteristics) associated with such areas;

(iv) For hazardous liquid pipelines, the proximity of the pipeline to an unusually sensitive or high consequence area;

(v) For natural gas pipelines, the proximity of the pipeline to a high consequence area;

(vi) The population density and growth patterns of the area in which the pipeline facility is located;

(vii) Any relevant recommendation of the National Transportation Safety Board issued in connection with any investigation conducted by the Board;

(viii) The likelihood that the condition will impair the serviceability of the pipeline;

(ix) The likelihood that the condition will worsen over time; and

(x) The likelihood that the condition is present or could develop on other segments of the pipeline.

4. Post Hearing Action - Following a hearing under this section, the APSC Executive Director, in consultation with the GPS Administrator and UED Director, will assess the evidentiary record compiled in a manner consistent with subsections (d)3 above. If the Executive Director finds that the operator's system indeed has a condition that poses a pipeline integrity risk to public safety, property, or the environment, the APSC Executive Director will recommend to the APSC the issuance of a Safety Compliance Order under this section. If the APSC Executive Director does not find that the operator has such a condition, or concludes that a Safety Compliance Order is otherwise unwarranted, the APSC Executive Director will recommend the termination of the Safety Compliance Proceeding to the APSC. An order rendering final disposition of the proceeding will be entered by the APSC. Nothing in this subsection shall preclude the APSC and the operator from entering into a binding, written consent agreement at any time before a Safety Compliance Order is issued.

(e) Information Included In Safety Compliance Orders Shall Contain The Following:

1. A finding that the pipeline facility has a condition that poses a pipeline integrity risk to public safety, property, or the environment;

2. The relevant facts which form the basis of that finding;

3. The legal basis for the order;

4. The nature and description of any particular corrective actions to be required of the pipeline operator; and

5. The date(s) by which the required corrective actions must be taken or completed and, where appropriate, the duration of the order.

(f) Termination or Rescission of a Safety Compliance Proceeding - Once all remedial actions set forth in a Safety Compliance Order and associated work plans are completed, as determined by the GPS Administrator, the UED Director and the Executive Director, the Executive Director will determine whether the pipeline operator has satisfactorily addressed the condition or conditions that pose a pipeline integrity risk to public safety, property, or the environment. If it is determined that there is no longer a pipeline integrity risk, the APSC Executive Director will notify the Respondent operator that the Safety Compliance Order has now been satisfied and the Safety Compliance Proceeding is terminated.

(g) Other Enforcement Actions - Nothing in this section precludes the Alabama Public Service Commission from issuing a Notice of Probable Violation under Paragraph S of this Plan or 49 CFR Part 192 §190.207 or taking other enforcement action, if noncompliance is identified at the facilities that are the subject of a Safety Compliance Proceeding.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-83, 37-4-93.

History: Adopted On May 18, 2015. Filed with LRS June 30, 2015. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on June 30, 2015, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.12 Applicable Safety Regulations.

(GPS Rule 12) - The standards established in 49 CFR Parts 190, 191, 192, 193, 194, 195, 198, and 199 and all applicable sections and amendments thereto are hereby adopted and shall be enforced by the Alabama Public Service Commission as the controlling standards for the construction and maintenance of safe and adequate intrastate natural gas and hazardous liquid pipeline facilities under the jurisdiction of the Alabama Public Service Commission.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-83, 37-4-93.

History: Adopted On November 10, 2016. Filed with LRS November 18, 2016. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on November 18, 2016, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-.13 Inactive Gas Service Lines.

(1) Definitions as used in this GPS Rule 13 - The following terms shall be defined as set forth below:

(a) Abandoned Service Lines - Those service lines permanently removed from service

(b) Existing or Probable Hazard Leak - A leak that represents an existing or probable hazard to persons or property and requires immediate repair or continuous action until the conditions are no longer hazardous.

(c) Inactive Service Lines - Those service lines that continue to have natural gas within them, but have no meter attached to the service riser such that a "no flow" situation exists.

(d) Service Line - A distribution line that transports gas from a common source of supply to an individual customer; to two adjacent or adjoining residential or small commercial customers; or to multiple residential or small commercial customers served through a meter header or manifold. A service line ends at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream; or at the connection to customer piping if there is no meter.

(2) Disconnection Requirements: Inactive Service Lines Determined to be an Existing or Probable Hazard.

(a) An operator shall take immediate action to protect persons and property if it is determined that an inactive service line for which the meter has been removed is an existing or probable hazard to persons or property. Except as noted in §4(b) of this GPS Rule 13, a service line that has been determined to be an existing or probable hazard shall be abandoned immediately. If, however, a determination is made that the situation no longer presents that hazard to persons or property, abandonment shall be completed within twelve months of such determination.

(b) Such lines shall be disconnected as close as possible to the main and be purged and capped. If the main the service line is attached to is located under a paved surface, the operator may choose to abandon the service line at the curb with accurate mapping and marking for future locating purposes.

(c) This §2 shall not be applicable to service lines for which customers are paying a provider/operator a regular charge to ensure the availability of such service lines as long as remediation of the hazard has been accomplished.

(3) Disconnection Requirements: Non Excess Flow Valve ("EFV") Equipped Inactive Service Lines Determined to Not be Potentially Hazardous.

(a) Within three years of the meter removal, all inactive service lines not equipped with an EFV which have been determined to not be hazardous shall be disconnected at, or as close as possible, to the main. Such service lines shall also be purged and capped.

(b) This §3 shall not be applicable to service lines for which customers are paying a provider/operator a regular charge to ensure the availability of the service lines.

(4) Disconnection Requirements: Inactive Service Lines Equipped with Excess Flow Valves ("EFVs") Determined to Not be Potentially Hazardous.

(a) General Disconnection Requirements. With the exception of Polyethylene ("PE") Services, all inactive service lines equipped with an EFV that have been determined to not be potentially hazardous shall within three years of the meter removal be disconnected.

(i) Disconnection shall be accomplished upstream of the EFV in order to reduce possible sizing issues of the EFV should the service be returned to active duty at a later date. Such lines should also be purged and capped.

(ii) This § 4(a) shall not be applicable to those service lines for which customers pay a provider/service operator a regular charge to ensure the availability of such service lines.

(b) Disconnection Requirements for Polyethylene Service Lines. All Inactive PE service lines with a verifiable Excess Flow Valve (EFV) that have been determined to not be potentially hazardous may be exempted from the requirement for disconnection, purging and capping within three years of meter removal set forth in §4(a) of this rule.

(i) Monitoring will be required on such lines, however, to ensure the absence of leaks.

(ii) Disconnection, purging and capping will be mandatory for such services after five years, but shall not include those service lines for which customers pay a provider/operator a regular charge to ensure the availability of such service lines.

(5) Documentation of Inactive Services.

(a) Records Requirements. Each operator shall keep a separate record of all inactive services which identifies the affected service lines by one or more of the following:

(i) Meter route sheets or meter readers while conducting monthly readings

(ii) Meter removal orders

(iii) Service leak repair orders

(iv) Atmospheric corrosion surveys

(v) Any other means deemed appropriate by the operator to gather the required data

(b) Records Review and Retention Requirements

(i) The record of inactive services required by Section 5(a) above shall be reviewed annually by the operator and shall be an inspection item for the GPS Division. Said record shall be the source for conducting retirements as mandated in Sections 1-3 of this rule.

(ii) All records required by this rule shall be retained for a minimum of ten years

(6) Additional Requirements

(a) The records required pursuant to this rule must include the size, material, and location of all remaining service line stubs. Said records, including the line stub locations, shall be readily available to personnel assigned to pipeline locating activities

(b) After one year on the inactive service record required by this rule, but prior to abandonment, the service riser for all service lines identified as inactive abandoned but not yet abandoned shall be marked in a manner indicating their still-inactive status. Acceptable methods of marking include painting the riser yellow, marking with a metallic tag, and/or installing a pipeline marker

(c) All inactive service lines included in the record required by this rule shall be leak surveyed from the main to the service riser on a bi-annual basis, not to exceed 30 months until such time as the service line is abandoned

(7) Distribution Integrity Management Plan (DIMP) Requirements: All inactive service lines shall be included in the operator's DIMP. Potential threats toward the inactive service lines shall also be included in the DIMP and risk ranking shall be completed for the inactive service lines pursuant to 49 C.F.R. Part 192 Subpart P. If the risk assessment identifies any inactive service lines as a high-risk items, such service lines shall be abandoned within three months after completion of the risk assessment.

(8) Effective Date: This rule shall not become effective until January 1, 2020. All remedial actions required under this rule shall be completed within 3 years of the January 1, 2020, effective date of this rule.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Adopted On June 26, 2017. Filed with LRS July 12, 2017. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on July 12, 2017, pursuant to Code of Ala. 1975, §41-22-7. **Amended:** Published March 31, 2025; effective January 1, 2020.

770-X-7-.14 Recommended Fines For Probable Violations.

(a) Procedures for the Recommendation of Fines: Subject to the consent of the Executive Director and the Commissioners of the Alabama Public Service Commission (the "APSC"), the Director of the Gas Pipeline Safety Division (the "GPS Director") may recommend the imposition of fines up to \$1,000 for GPS staff-identified probable violations of the Gas Pipeline Safety Rules and Regulations established at 49 CFR Parts 192 through 199. The GPS Director shall notify the APSC Executive Director and the APSC Commissioners, in writing, of any fines so recommended at least 10 days before proceeding with notification to the affected natural gas and/or hazardous liquid operators ("operators"). If no objections to the recommended fines are communicated by the Executive Director and/or the APSC Commissioners, the GPS Director may proceed with notifying the affected operator of the probable violation(s) and recommended fine(s) in question.

(b) Elections Procedures for Operators: Operators who receive written notice of recommended fines for probable violations shall, in writing, exercise their option to either accept or contest the recommended fines and the associated probable violations on the form provided by the GPS Director. In the event the operator elects to accept the recommended fines, the operator's election in that regard shall constitute a waiver of the operator's right to a due process hearing in settlement of the proposed violations cited in the written notice. In the event the operator elects to contest the recommended fines and the associated probable violation, the procedures necessary to establish a due process hearing may be commenced by the Commission. The election discussed herein shall be filed with the Secretary of the Commission no later than 20 days after the service date reflected in the notice issued by the GPS Director recommending the fines.

(c) Compliance Status of Operators who elect to pay Recommended fine(s): Operators who elect to pay fines recommended by the GPS Director in the manner prescribed herein will, upon receipt by the Commission of such fines along with the required form waiving the operator's right to a due process hearing, be considered in compliance subject to a follow-up inspection by GPS staff. The GPS Director will issue a written notice of compliance upon receiving notification from GPS staff of the operator's compliance following the further inspection. Any probable violation(s) that are not corrected in a manner which is satisfactory to GPS staff upon further investigation may or may not be addressed pursuant to the

provisions of this rule regardless of the fine(s) which may have been consented to and paid. Appropriate notice will be given by the GPS staff so as to clearly advise operators of the procedures which are applicable to their situation.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §§37-4-82, 37-4-83, 37-4-92, 37-4-93.

History: Adopted On June 26, 2017. Filed with LRS July 12, 2017. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on July 12, 2017, pursuant to Code of Ala. 1975, §41-22-7. **Amended:** Published March 31, 2025; effective January 1, 2020.

770-X-7-.15 Calibration Of Testing And Equipment (Gas Pipeline Safety Rules, Rule 15).

(1) To ensure the safety of natural gas and hazardous liquid facilities, it is incumbent on the operators to make sure all equipment used to verify regulatory compliance is properly calibrated on a timely basis. Proper calibration of equipment is essential to construction, operation, maintenance of pipelines and facilities used to gather correct readings/ measurements and determine safety levels.

(2) Exemption of this rule applies only to equipment and readings used/taken for a purpose other than regulatory compliance. This exemption does not cover:

(a) Gauges left in place that are relied upon to test safety equipment;

(b) Equipment used to make operational decisions that might impact safety;

(c) Used in the construction of a pipeline; or

(d) Used to document regulatory compliance.

(3) Calibration may be required for the following reasons: must be done in accordance with the manufacturer's recommended calibration instructions, and should be considered when:

(a) A new instrument;

(b) After an instrument has been repaired or modified;

(c) When moving from one operating environment to another significantly different operating environment;

(d) When a specified time period has elapsed;

- (e) When a specified usage (operating hours) has elapsed;
 - (f) Before and/or after a critical measurement;
 - (g) After an event, for example;
 - 1. after an instrument has been exposed to a shock, vibration, or physical damage, which might potentially have compromised the integrity of its calibration, or
 - 2. sudden changes in weather;
 - (h) Whenever observations appear questionable, or instrument indications do not match the output of surrogate instruments;
 - (i) On a regular schedule considering the type and usage of the instrument involved. Combustible Gas Indicator (CGI) instruments shall be checked for calibration at least once each month not to exceed 45 days;
 - (j) At any time, it is suspected that the instrument's calibration has changed;
 - (k) As specified by a requirement, e.g., customer specification, instrument manufacturer recommendation; or
 - (l) Another reason not currently listed.
- (4) Calibration should be accomplished using the following:
- (a) In accordance with the manufacturer's recommended calibration instructions;
 - (b) By manufactures approved facilities or with manufactures approved products; or
 - (c) By properly trained personnel.
- (5) The operator must include the calibration procedure(s)/ process(s) in the Operations and Maintenance (O&M) Plan. If it is determined that a calibration is required for a reason listed under section 3 then the reason for the calibration should be listed in the calibration records. Documentation is not required to support the decision to not calibrate for a reason listed under section 3. The verification of calibration or recalibration must be documented and maintained for a minimum of 10 years.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §37-4-83.

History: Effective May 2023. **New Rule:** Published with LRS June 30, 2023. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on May 26, 2023, pursuant to Code of Ala. 1975, §41-22-7.

770-X-7-A Appendix A.

Author:

Statutory Authority:

History: