

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF**

FROM: DON HOWELL

DATE: JULY 26, 2004

RKL-6-04-01

**SUBJECT: UPDATING THE COMMISSION'S GAS PIPELINE SAFETY RULE 201,
CASE NO. 31-1101-0401**

The Commission's Safety and Accident Reporting Rules currently adopt by reference several national safety codes. In particular, Rule 201 adopts the federal safety regulations applicable to natural gas utilities and pipelines. In December 2003, the U.S. Office of Pipeline Safety (OPS) amended its safety regulations concerning the operation of pipelines. The new regulations requires each pipeline operator to develop integrity management programs (IMPs) for locations where a pipeline leak or rupture could cause potential harm to the public. IMPs are required for those locations commonly referred to as "high consequence areas." The federal amendments include provisions for data collection, data analysis, and a timeline for performing the IMPs.

The Commission Staff recommends the Commission adopt these updated gas pipeline safety regulations by proposing to adopt the updated edition of the Code of Federal Regulations as of October 1, 2004. The proposed rule change is attached for your consideration.

COMMISSION DECISION:

Does the Commission wish to amend its Safety Rule 201 by adopting the updated version of the Code of Federal Regulations (49 C.F.R. § 192) to be issued October 1, 2004? Does the Commission wish to issue a Notice of Proposed Rule to be published in the Administrative Bulletin on October 6, 2004?



Don Howell

IDAPA 31 TITLE 11 CHAPTER 01

**31.11.01 - SAFETY AND ACCIDENT REPORTING RULES
FOR UTILITIES REGULATED
BY IDAHO PUBLIC UTILITIES COMMISSION**

**RULES 201 THROUGH 300 - TRANSPORTATION OF NATURAL GAS BY PIPELINES
-- LIQUEFIED NATURAL GAS FACILITIES -- TRANSPORTATION OF HAZARDOUS
LIQUIDS BY PIPELINE -- NATIONAL FUEL GAS CODE -- UNIFORM
MECHANICAL CODE 201.**

**201. FEDERAL REGULATIONS--49 C.F.R. PARTS 191, 192, 193, 195 AND 199 (RULE
201).**

The Commission adopts by reference Parts 191, 192, 193, 195, and 199, Title 49, the Code of Federal Regulations (October 1, 2002~~4~~), except that federal accident reporting requirements contained in the rules adopted by reference in Rule 201 are replaced for state reporting purposes by orders of the Commission or rules of the Commission. These regulations are found in the Code of Federal Regulations, available from the, U.S. Government Printing Office, Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954. The incorporated CFR Parts are also available in electronic format at www.access.gpo.gov/nara. All gas and pipeline corporations subject to the Commission's jurisdiction are required to abide by applicable provisions of these federal regulations adopted by reference. (5-3-03)(_____)