



Texas Gas Service

A Division of ONE Gas

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March 14, 2014

Mr. David Ferguson
Damage Prevention, Pipeline Safety Division
Railroad Commission of Texas
PO Box 12967
Austin, TX 78711-2967

RE: Informal Comments Regarding Proposed Amendments to 16 Texas Administrative Code, Part 1, Chapter 18: Underground Damage Prevention

Dear Mr. Ferguson:

Texas Gas Service, a division of ONE Gas, Inc. ("TGS") participated in stakeholder meetings and is aware that the Staff of the Railroad Commission of Texas ("Staff") has issued a discussion draft of proposed amendments to the rules contained in 16 TAC, Part 1, Chapter 18, Underground Damage Prevention.

After carefully reviewing the draft document, Texas Gas Service offers the following informal comments for review by Staff. All comments were prepared with a focus on maintaining principles of safety and accountability that we feel are the spirit of these proposed rule amendments. Texas Gas Service, hereafter known as TGS, appreciates the opportunity to respectfully provide these comments in the hope that, together, we can implement rules that will heighten the quality of damage prevention, reduce total damages to underground facilities across the state and ensure the safe and reliable delivery of natural gas service.

As will be discussed below in our provision-by-provision comments, several proposed amendments in §18.1(i) and (j) amount to new or duplicative requirements for pipeline operators that TGS feels are more appropriately addressed in 16 TAC, Part 1, Chapter 8, Pipeline Safety Regulations. Addressing the proposed requirements of these particular amendments in Chapter 8 would avoid confusion and/or discrepancies between Chapter 8 and Chapter 18 rules that would result in compliance difficulties. These, as well as comments regarding other sections are set forth below by rule.

- Rule 18.1 (i), page 2 – revisions to this rule would require pipeline operators to retain records of abandoned underground pipelines and state:

(i) Unless otherwise expressly stated in this chapter, each excavator and each operator shall retain required records for at least four years. At a minimum each operator and each excavator shall retain located tickets and positive response notifications. Retention at a

notification center is an acceptable method of retention for locate tickets. **Pipeline operators shall retain records of abandoned underground pipelines.**

TGS requests this amendment be removed from this section and instead included in Chapter 8 where other pipeline operator records retention requirements are addressed. TGS would also like clarification of the intended definition of “records”. To appropriately limit the burden of this requirement, TGS suggests that retaining the type, size and x-y coordinate location record should typically suffice for purposes of providing line locates. TGS suggests that further clarification is needed surrounding the intended definition of “records” in order to produce a requirement that is well focused toward the intended damage prevention benefit.

- Rule 18.1 (j) 2, page 3 – requires operators to prepare and follow procedures to implement public education and awareness programs and states:

(2) develop and implement a comprehensive, written continuing public education and awareness program that incorporates and complies with the requirements of this chapter, is structured to the specific needs of particular target audiences, identifies the unique characteristics of the operator’s operating area (e.g., geographic region or neighborhood), effectively conveys information essential to the prevention of damage to underground pipelines, and includes one or more methodologies reviewed at least every two years for gauging the success of the program;

TGS feels that this amendment should be removed from this section and instead addressed in Chapter 8 with existing requirements for public education and awareness programs. TGS feels that this requirement is largely duplicative as it is already addressed in API – RP 1162 requirements and included in 16 TAC Chapter 8- Pipeline Safety Regulations; which will create some confusion complying since the current review schedule required in Chapter 8 is every 3 years and the proposed amendment implements a two year review. TGS feels that the language regarding “unique characteristics” would be useful to convey to excavators if it was specific to geographical area but seeks clarification from Staff as to the definition of “unique characteristics”.

- Rule 18.1 (j) 3, page 3 – requires operators to prepare and follow procedures to implement a program to make all underground facilities locatable and to have a quality assurance program to monitor the locating and marking of underground pipeline facilities and states:

(3) prepare and follow written procedures that implement a program for making all underground pipeline facilities locatable. This program must address pipe systems or segments known to have non-locatable pipe; a continuing process for identifying new pipe system or segment locations that are non-locatable; and a requirement to take prompt remedial action when pipelines are exposed during excavation activities or when other inadequate or non-complaint conditions are found. Pipeline operators shall also have a written quality assurance program with procedures for monitoring the locating and marking of underground pipeline facilities. Each operator subject to the requirement of this chapter shall include and report non-locatable pipe system or segment locations as a part of their risk-based integrity program pursuant to §8.209 and §8.101 of this title, relating to Distribution Facilities Replacements, and Pipeline

Integrity Assessment and Management Plans for Natural Gas and Hazardous Liquids Pipelines, respectively;

TGS feels that this amendment should be removed from this section and instead addressed in Chapter 8 with existing pipeline maintenance requirements. Further, TGS would like clarification as to the definitions of “prompt” and “non-locatable pipe”. Various techniques can be used to accurately mark facilities that lack installed tracer wire including the use of accurate maps or other facility location records that include dimensional ties to curbs etc. TGS would also ask Staff to consider that if the operator has maintained accurate maps/records or developed them using alternative locating technologies (such as inserting a locatable metallic wire temporarily inside the pipeline), and they are capable of providing accurate locates, that this should suffice for remediation of “non-locatable” lines. Location using radar or other type technologies also seems to be ignored by the proposed language.

- Rule 18.1 (j) 4, page 3 – requires operators to implement a program specifying the installation of tracer wire on all plastic pipe and states:

(4) prepare and follow written procedures that implement a program specifying that all plastic pipe must have an electrically conducting wire or other means of locating the pipe while it is underground. Tracer wire may not be wrapped around the plastic pipeline. The operator shall attempt to install the tracer wire directly above the center-line of the plastic pipeline, but may not install the tracer wire more than six inches away from the actual outside edge of the plastic pipeline. The operator shall install the tracer wire so that electrical continuity is maintained throughout the pipeline system. Tracer wire or other metallic components installed for pipe locating purposes must be resistant to corrosion damage;

TGS feels that this amendment should be removed from this section and instead addressed in Chapter 8 with existing pipeline construction requirements. TGS feels that this language is overly prescriptive and does not seem to allow certain common practices for pipeline construction including insertion of facilities with the tracer wire taped at intervals to the outside of the pipe. For insertion, the requirement to maintain the wire above center-line of pipe would not be possible. TGS’s current practice is to lay caution tape above the pipe to assist the excavator in identifying proximity to TGS facilities as well. TGS feels that a requirement for new plastic facilities to be installed with the tracer wire “within 6 inches of the pipe” is reasonable, sufficient and allows for current installation practices and techniques to continue. Further, it is also sufficient to produce locates which together with the “excavation tolerance zone” should adequately protect facilities from damage. TGS also offers that the tracer wire should be installed so that electrical continuity is maintained “along the pipeline segments that the wire is intended to protect” but not “throughout the pipeline system” which is impossible. TGS also requests clarification of which “other means” are acceptable for locating pipe while it is underground.

- Rule 18.1 (j) 6, page 3-4 – requires operators to implement a program to minimize the risks associated with directional drilling and other trenchless technology and states:

(6) prepare and follow written procedures that implement a program to minimize the risks associated with directional drilling and other trenchless technology operations in

proximity to underground pipelines. The program procedures shall include actions taken to recognize the dangers associated with these activities and to ensure underground pipelines are adequately located and protected from inadvertent damage. Operators shall ensure that both company and contractor personnel are following safe practices;

TGS feels that this amendment should be removed from this section and instead addressed in Chapter 8 with existing pipeline safety regulations. TGS would like clarification to understand the expectation that “**operators shall ensure that both company and contractor personnel are following safe practices**”. TGS supports the development and adherence to prudent procedures, for both company and contractor personnel surrounding directional drilling, but TGS has limited oversight of contractor personnel and is unsure what the expectations are for compliance with this sentence of the rule.

- Rule 18.2.11, page 6 – Definition of Excavation Tolerance Zone which states:

(11) Excavation tolerance zone—the nominal diameter of the underground pipeline plus a minimum of 18 includes from both sides of the locate marking of the underground pipeline on a horizontal plane. Once an underground pipeline is partially exposed or visible in the area of excavation with the approximate route and depth known, then the excavation tolerance zone is a minimum of 18 inches from each outside edge of the actual pipeline.

TGS appreciates the inclusion of a definition for the “excavation tolerance zone” into the rules and especially appreciates that it specifies 18 inches. TGS feels this will enhance protection of underground facilities and ultimately reduce damages. The “excavation tolerance zone” is the cornerstone of damage prevention as it can simply be set by regulation after taking into account the known limitations of locate technologies and surrounding practices affecting the ultimate accuracy of pipeline locates. TGS would support inclusion of a table to illustrate and further explain the tolerance zone by pipe size.

- Rule 18.2.13, page 6 - Definition of Extraordinary Circumstance and states:

(13) Extraordinary circumstance-- A tornado, hurricane, ice storm, severe flood, earthquake, or other natural disaster.

TGS supports inclusion of the definition of extraordinary circumstances as suggested by the Texas Pipeline Safety Coalition.

- Rule 18.2.19, page 7 – Definition of the Movement of Earth and states:

(19) probing (other than in response to a line locate ticket, or by a pipeline operator to pinpoint the source of a leak on a underground pipeline), pulling-in, razing, rendering, ripping, scraping, sign post or survey device installation at a depth exceeding 12 inches, till of the earth at a depth exceeding 16 inches, trenching, tunneling, or wrecking.

TGS would like further clarification of the definition of “probing” to include “other than in response to a line locate ticket or by a pipeline operator” and delete the rest of the language – “to

pinpoint the source of a leak on an underground pipeline”. Procedures, other than pinpointing, such as probing to identify potential leakage are safety measures incorporated into routine pipeline operator work, such as Turn-On procedures performed by Customer Service personnel, and are part of TGS standards. The parenthetical clarification for “probing” would cause a significant number of locate tickets to be generated for routine work and TGS suggests that it be revised to delete the wording noted above.

- Rule 18.2 (25) (B), page 7 – Positive Response Notification revised to state:

(B) notification to an excavator by fax, phone email, ~~[pager,]~~ or written correspondence that allows an excavator to know prior to the beginning of excavation ~~[that underground pipelines have been located or marked or]~~ that there are no underground pipelines in the vicinity of the excavation **area**.

TGS suggests that this section be revised to read as follows: (B) notification to an excavator by fax, phone, or email that allows an excavator to know prior to the beginning of excavation that there are no underground pipelines in the vicinity of the excavation area. This revision is necessary because the volume of locate requests requires a level of automation and speed that is not provided by “written correspondence”.

- Rule 18.2.30, page 8 – Definition of Underground pipeline and states:

(30) Underground pipeline—A pipeline and all connected appurtenances, laterals, and service lines that are or were used to produce, store, convey, transport or distribute flammable, toxic, or corrosive gas, a hazardous liquid, or carbon dioxide that is located partially or totally underground.

TGS feels that the language defining “underground pipeline” as “a pipeline and all connected appurtenances, laterals, and service lines that are **or were** used to produce, store, convey, transport, or distribute...” is unclear as the words “or were” could refer to either abandoned or inactive pipelines. Because abandoned pipelines are defined elsewhere in this rule, this language would seem to imply that only active or inactive pipelines are intended to be included as “underground pipelines”. TGS requests clarification of this interpretation, which seems appropriate since abandoned pipelines should be defined and treated differently than active or inactive pipelines.

- Rule 18.3 (a) 1, page 8 – concerns the timing of the actual excavation event as described in 18.10.c (Page 17) and states:

(1) A person who intends to excavate shall notify a notification center not earlier than the 14th working day before the date the excavation is to begin or later than the 48th hour before the time the excavation is to begin, excluding Saturdays, Sundays, and legal holidays, except in an emergency as defined in §18.2 of this title, relating to Definitions.

TGS feels that adding the word “event” to the language “before the date the excavation **event** is to begin or” and “before the time the excavation **event** is to begin,” will in order to clarify the timing of the actual excavation taking place and align this provision with the definition of “excavation event” included in this chapter, TGS suggests that 18.3(a)1 be revised to read as

follows: A person who intends to excavate shall notify a notification center not earlier than the 14th working day before the date the excavation event is to begin or later than the 48th hour before the excavation event is to begin, excluding Saturdays, Sundays, and legal holidays, except in an emergency as defined in 18.2 of this title, relating to Definitions.

- Rule 18.3 (f), page 9 – adds the word “working” to the rule and states:

(f) An excavator and an operator may agree that the life of a line located ticket is more than 14 working days provided that:

(1) the agreement is in writing; and

(2) the agreement is signed and dated by both the excavator and the operator.

TGS suggests that 18.3(f)(1) be revised to read as follows: “the agreement is in writing and the excavator affirms that the markings are still visible or the excavator has timely requested new locate markings”.

- Rule 18.3 (h), page 9 – TGS appreciates and supports Staff’s proposal to limit the footage length per locate ticket to 2,640 feet per A, B, & C in the rule.

(h) The excavator shall request one or more line locate tickets as follows:

(1) A locate ticket is limited to an area within a single county that does not exceed:

(A) 2,640 continuous linear feet;

(B) an area 2,640 feet by 2,640 feet; or

(C) an area having a circumference of 2,640 feet.

(2) If the planned excavation is larger than the stated size limitations or crosses one or more county lines, then the excavator shall request additional separate locate tickets.

- Rule 18.3 (k), page 10 – concerning the response of emergency personnel.

(k) An excavator that requests the location of underground pipelines in an emergency as defined in §18.2 of this title through a notification center should attempt to provide notice at least two hours before beginning excavation, but shall provide notice before beginning excavation.

TGS suggests that “**shall be in route to or on the excavation site and**” language be inserted between the words “center” and “should” in the second line of 18.3(k). Often, other utilities call in emergency locates, but do not excavate at the locate site until days later. This creates a back log of locate tickets, requiring unnecessary allocation of locate resources. While TGS understands that Staff has chosen not to define what constitutes an “emergency” the addition of this language will assist in the reduction of “false” emergency locates.

Rule 18.4 (c), page 11 – TGS appreciates and supports the proposed language requiring that “the excavator’s on-site representative shall have immediate access to the locate ticket either in paper form or through an on-site electronic device”. Based on the Damage Prevention Staff presentation at the 811 Summit in San Marcos, TGS understands the implication of this amendment is that there would be no “piggy-backing” of locate requests by a general contractor and that each excavator and subcontractor must

have their own locate ticket. c) Prior to excavation, an excavator shall confirm that a copy of a valid locate ticket for the location is in possession of the excavator's designated representative and can be obtained from the representative or can be provided within one hour of a request from the operator or the Commission. **The excavator's on-site representative shall have immediate access to the locate ticket either in paper form or through an on-site electronic device for review prior to and during the excavation event pursuant to §18.10 of this title, relating to Excavation Tolerance Zone.**

- Rule 18.4 (e), page 11 – TGS appreciates adding the language “or continue” to the amendment as it clarifies the requirement for the second notification to the notification center for potentially unmarked facilities. TGS also appreciates adding the language in (5) “the positive response by on-site locate markings has been destroyed or has become illegible”. TGS feels this will also result in fewer damages to underground facilities.

(e) An excavator shall not begin **or continue** excavating until a second notice is given to the notification center for the area if:

(1) the excavator has knowledge of the existence of an underground pipeline and has received an “all clear” or a “no conflict” response from an operator;

(2) the excavator observes clear evidence (such as a line marker or an above-ground fixture) of the presence of an unmarked underground pipeline in the area of the proposed excavation **or becomes aware of an unmarked pipeline during excavation activities**, and has received an “all clear” or a “no conflict” response from an operator:

(3) there is no positive response for the excavation area; ~~{or}~~

(4) the positive response is unclear or obviously erroneous (for example, for a different location or for a different type of underground facility); **or**

(5) **The positive response by on-site locate marking has been destroyed or has become illegible.**

- Rule 18.4 (h), page 12 – TGS appreciates adding the language “by calling 811 and the pipeline operator directly if contact information is known”, as it provides clear direction as to the parties that are to be called when an excavator has damaged facilities. This requirement should result in more consistent reporting and tracking of damages.

- (h) Each excavator that damages an underground pipeline shall notify the operator of the damage through the notification center **by calling 811, and by calling the pipeline operator directly if contact information is known**, immediately but no later than two hours following the damage incident. **First party excavators may report damages directly to the operator and are not required to call 811.** An excavator that damages an underground pipeline shall not cover the exposed pipeline without approval of the operator. Rule 18.4 (i), page 12 – TGS supports the prohibition against excavator-

performed repairs without operator authorization. This prohibition should assist in reporting of damages to facilities. However, due to Operator Qualification requirements only second party excavators whom are already Operator Qualified could be allowed to make repairs.

(i) An excavator that damages an underground pipeline shall not perform repairs, unless the repairs are authorized by the pipeline operator and performed in accordance with applicable safety standards.

- Rule 18.5 (a) 2, page 12 – concerning the language “using the methods the excavator specified”.

(2) notifying the excavator that the operator has no underground pipelines in the vicinity of the proposed excavation area. The operator shall provide this “all clear” or “no conflict” notice using the method of methods that the excavator specified in accordance with §18.3 of this title, relating to Excavator Notice of Notification Center.

Although there was no proposed revision to this particular rule, TGS would like to note that the concern expressed in comment to Rule 18.2.25(b) regarding language “written correspondence” would apply to this section as well. Rule 18.5 (e), page 13 – TGS supports the Staff proposal requiring operators who receive an emergency locate request “attempt to respond within two hours, but shall respond within four hours” as stated below.

(e) An operator that receives a locate notice directly or through a notification center in an emergency as defined in §18.2 of this title, relating to Definitions, should attempt to respond within two hours, but shall respond within four hours.

- Rule 18.8 (b) 1&2, page 14 – TGS is concerned by the Staff proposal to reduce the marking accuracy requirement to 12 inches.

(b) Locators shall mark the approximate center line of an underground pipeline which shall be:

(1) within the body of the pipeline on a horizontal plane for pipelines greater than 12 inches in nominal diameter; or

(2) within 12 inches of the actual pipeline outside edge on a horizontal plane for pipelines 12 inches or less in nominal diameter.

TGS suggests that an 18 inch marking requirement for all sizes of pipe would be consistent with the Staff proposed definition of Excavation tolerance zone in 18.2(11). This will reduce 3rd party damages and require the excavator to perform hand-digging in a larger area around underground facilities as well as allow the locators to follow Common Ground Alliance recommendations for marking of facilities. Further, deeper lines create a less accurate read and the capabilities of modern locating equipment are such that meeting the requirements of identifying facilities within a 12 inch area will be difficult to consistently accomplish. TGS acts as both an excavator and operator under these rules. The purpose of amending these rules should not be to reduce work for excavators, but to enhance the safety of excavators, operator employees, and the public from the hazards associated with damaging pipelines.

- Rule 18.8 (c), page 14 – TGS is concerned by the Staff proposal regarding “reasonable effort to advise the excavator of the presence of customer-owned or abandoned underground pipeline.

(c) If, in the process of **locating and** marking an underground pipeline, a locator discovers, **becomes aware of, or has knowledge of** a customer-owned underground pipeline **supplied by the operator, or an abandoned underground pipeline that is currently or was previously owned or operated by the pipeline operator, or is in an easement or right-of-way owned by the pipeline operator,** locator shall make a reasonable effort to advise the exactor of the presence of the customer-owned **or abandoned** underground pipeline.

TGS would like clarification for the language “reasonable effort” and “process of locating”, as well as what Staff intends with the language “advise the excavator”. Such language is vague and may cause compliance and enforcement problems. TGS would also like clarification of any responsibilities for customer-owned lines. TGS feels that further development and clarification of these expectations is needed.

- Rule 18.8 (g), page 15 – TGS is concerned by the Staff proposed requirement that pipe types, as well as pipe size, must be marked, at every other mark.

(g) A locator shall include the size in inches at every other mark [Marking] of an underground pipeline [greater than six inches in nominal outside dimension shall include the size in inches at every other mark]. For pipelines with a nominal diameter that falls between a full-inch size delineation, then the next highest full-inch size number shall be used. In addition to indicating pipe size, the locator shall also include pipe material at every other mark using “STL” for steel and “PLA” for plastic. For other pipe materials, refer to the marking guidelines in the Common Ground Alliance, Best Practices, Appendix B for infrastructure materials.

TGS is concerned that the proposed requirement could cause the company to violate potential city ordinances against “excessive markings” and suggests that it is more reasonable to require the locator to include the pipe material and size in inches whenever there is a change in the pipe material or size. Rule 18.8 (j), page 15 – TGS suggests that the Staff proposal should not preclude a locator from using only a single method to locate and pipeline and requests clarification of the intent of this amendment. TGS would like for Staff to consider that using conductive locating on the tracer wire of a PE service line should typically be sufficient to locate the pipeline without having also to use a map or hand tool spot dig. An operator can provide the service line tap location to assist with the inductive locate, rather than need to utilize a map. It is unclear if use of the service line’s dimensional tap location as measured from curbs or property lines qualifies as a second method for determining the horizontal location of an underground pipeline. The amendment would seem, in the absence of a complete facility map, only to serve to force a dig on the service line even if no conflict exists with the excavation activity. This seems counter-productive to damage prevention.

- Rule 18.8 (l) 2, page 15 – TGS would like for Staff to consider that the end of the sentence “or other changes to the existing location or route of underground pipelines” seems problematic and should be removed. The notification center needs to be notified of an operator’s overall “foot print” where active service is taking place or any expansion of that “foot print”, not a particular route change on a particular pipeline. Only if the route change was to expand beyond the current “foot print” should the operator need to notify the one-call center.
- Rule 18.10 (c), page 17 – concerning language defining when an “excavation event” begins and ends.

(c) An excavation event begins on the date and at the time that the movement of earth first begins and continues until the date and time that the movement of earth is completed. The excavation event includes the final backfilling of the excavation area and returning structural or lateral support of all underground pipelines in the excavation area to their original condition prior to the commencement of the movement of earth.

TGS suggests that this section be stricken from 18.10 and added as a definition to 18.2.

- Rule 18.11 (a), page 17 – TGS is concerned over Staff proposal requiring operators to report first and second party damage.

(a) Each operator [~~of an underground pipeline~~] shall report to the Commission all damage to **the operator’s** [its] pipelines causing by an excavator **at all depths, including first party damage, second party damage, and third party damage. In addition, each operator shall report to the Commission the number of fatalities and all injuries resulting from excavation damage to the operator’s pipelines occurring at the excavation site and on the date of the excavation damage, including those injuries not requiring in-patient hospitalization.** Within **30 calendar** [10] days of the damage incident or of the operator’s actual knowledge of the damage incident, an operator shall submit the information to the Commission **using the** [though] TDRF, which may be accessed **through the online reporting** system link on the Commission’s website at <http://rrc.state.tx.us/onlinefiling/tdr.phd> [at [http://rrc.state.tx.us./formpr/index/html](http://rrc.state.tx.us/formpr/index/html)] using its assigned operator identification code.

While TGS appreciates Staff extending the reporting schedule to 30 calendar days, it requests that the requirements pertaining to 1st and 2nd party reporting that do not result in a fatality or injuries to be removed. In addition, TGS points out that operators will not typically have access to information regarding “injuries not requiring in-patient hospitalization.”

- Rule 18.11 (e), page 18 – TGS has concerns about compliance with the proposed timelines and requests that Staff clarify portions of the amendment.

(e) Each operator of an underground pipeline shall give written notice of the TDRF reporting requirements of this chapter to the excavator causing damage to its pipeline

within 10 calendar days of the damage incident or of the operator's actual knowledge of the damage incident.

- (1) the date and time of the incident;**
- (2) the physical street address or location of the incident;**
- (3) the city and county of the incident;**
- (4) the name of the pipeline operator;**
- (5) the name and the telephone number of the operator's contact person**
- (6) the name of the excavator**
- (7) the name, telephone number, and mailing address of the excavator's contact person**
- (8) the numbers of the original and dig-up locate tickets, if available;**
- (9) the GPS coordinates in decimal degrees NAD 83 format at the point of damage if available.**
- (10) instructions on filing electronically with the Commission through the TDRF;**
and
- (11) the Commission's pipeline damage prevention contact telephone number for further assistance and the Commission's internet website to locate the regulatory requirements of this chapter.**

TGS would like the Staff to clarify that the requirement to notify an excavator of its reporting responsibilities only applies if an operator actually knows the identity of such excavator. In addition, the Staff proposal should provide that an operator will be allowed to document to the Commission the required excavator notification via the TDRF. Further, TGS currently receives information from all areas within 7 days to send to Staff by 10 days. TGS would like to understand the time frame that will be allowed to comply with the written notice of requirements to the excavator in order to develop processes for complying.

- Rule 18.11 (g), page 19 – TGS is concerned over the notice requirements regarding extraordinary circumstances.

(g) Each operator of an underground pipeline that experiences an extraordinary circumstance, as that term is defined in §18.2 of this title, relating to Definitions, shall notify the Commission, each one-call notification center operating in Texas, and each excavator that has a pending locate request in the area where the extraordinary circumstance is being experienced. The notification shall include:

- (1) the fact that operator is experiencing an extraordinary circumstance;**
- (2) the nature and location of the extraordinary circumstance;**
- (3) the expected duration of the situation and the approximate time at which the operator will be able to resume excavation locate ticket processing;**
- (4) the name and telephone number of the individual that the notification system or excavator can contract if there is an emergency that requires the operator's immediate attention; and**
- (5) The approximate time at which the operator will locate and mark the excavator's pending locate tickets affected by the extraordinary circumstance.**

While TGS supports the intent of the Staff proposal, it believes that, given the high volume of locate requests, an automated system as part of the one-call notification process would be needed to notify each excavator with a pending locate request of the extraordinary circumstances.

- Rule 18.11 (h & i), page 20 – TGS is concerned that certain operators and excavators will need time to adopt processes to collect the required information.

(h) Each operator shall investigate excavation damages to an underground pipeline on-site after repairs are completed but before the damage site is backfilled and covered. Each operator shall collect and verify all investigation information relating to the pipeline excavation damage incident required to be submitted using the TDRF. Investigation information includes but is not limited to:

- (1) measurement of the pipeline damage depth;**
- (2) measurement of distance to visible locate marking from pipeline location and dated pictures or sketches with distance from locate marking to fixed objects to document actual placement of locate marking can also be used for supplemental documentation;**
- (3) the original and dig-up locate ticket numbers;**
- (4) an explanation of any difference between the actual physical damage location and address and the pipeline operator designated service location address of the damaged pipeline; and**
- (5) any other information related to the excavation damage incident that the Commission may request.**

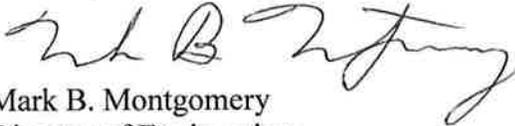
(i) Each excavator shall investigate excavation damages to an underground pipeline on-site after repairs are complete and the area has been made safe, either on the date of the excavation damage, or at the a minimum the next day after the excavation damage incident. Each excavator shall collect and verify all investigation information relating to the pipeline excavation damage incident required to be submitted using the TDRF. Investigation information includes but is not limited to:

- (1) measurement of pipeline damage depth;**
- (2) measurement of distance to visible locate marking from pipeline location and dated pictures or sketches with distance from locate markings to fixed objects to document actual placement of locate markings can also be used for supplemental documentation;**
- (3) the original and dig-up locate ticket numbers; and**
- (4) any other information related to the excavation damage incident that the Commission may request.**

While TGS supports the intent of this amendment, it recognizes that many operators and excavators will need adequate time to adopt processes to comply with its requirements.

Once again, Texas Gas Service appreciates the opportunity to provide its informal comments to the draft amendments to Chapter 18 by the Staff of the Railroad Commission of Texas. Texas Gas Service looks forward to continuing to work with Staff to develop these rules and the value to public safety and damage prevention they represent.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark B. Montgomery". The signature is fluid and cursive, with a large, stylized "M" and "B" at the beginning.

Mark B. Montgomery
Director of Engineering