

ORIGINAL

STATE OF INDIANA

Commissioner	Yes	No	Not Participating
Huston	✓		
Freeman	✓		
Krevda	✓		
Ober	✓		
Ziegner	✓		

INDIANA UTILITY REGULATORY COMMISSION

Notice of Proposed Rulemaking

IURC RM #20-03
LSA #21-213

The Indiana Utility Regulatory Commission (the “Commission”), pursuant to IC 8-1-1-3(g) and IC 8-1-22.4-4, hereby proposes to amend 170 IAC 5-3-0.5, 170 IAC 5-3-0.6, 170 IAC 5-3-1, 170 IAC 5-3-2, 170 IAC 5-3-3, 170 IAC 5-3-4, and 170 IAC 5-3-5 to make various updates, incorporate new federal regulations through July 1, 2021, add requirements applicable to flexible risers, require pressure relief on low pressure stations, and require filing of uprate plans with the Pipeline Safety Division. The proposed rulemaking adds as new sections 170 IAC 5-3-2.1, 170 IAC 5-3-2.2, and 170 IAC 5-3-2.3, 170 IAC 5-3-2.4, 170 IAC 5-3-2.5; 170 IAC 5-3-2.6, and 170 IAC 5-3-4.1 to require system maps, records for pre-tested pipe, records of instrument calibration, specify the establishment of MAOP on distribution systems, clarify this rule’s application to farm taps, to require specified information in construction packets, and to provide guidelines as to enforcement of violations. The Commission shall hear public comments on the attached proposed rule at a date and time to be determined, in Suite 220, of the PNC Center, 101 W. Washington Street, Indianapolis, Indiana.

The Secretary of the Commission is hereby directed to maintain five (5) copies of the proposed rule continuously on file in the Commission Offices for public inspection, and forward copies of the attached proposed rule to the Indiana Legislative Services Agency for publication in the Indiana Register.

IT IS SO ORDERED.

HUSTON, FREEMAN, KREVDA, OBER, AND ZIEGNER CONCUR:

APPROVED: AUG 11 2021

**I hereby certify that the above is a true
and correct copy of the Rule as approved.**

Dana Kosco
Secretary of the Commission

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

Proposed Rule

LSA Document #21-213

170 IAC 5-3

DIGEST

Amends 170 IAC 5-3-0.5, 170 IAC 5-3-0.6, 170 IAC 5-3-1, 170 IAC 5-3-2, 170 IAC 5-3-3, 170 IAC 5-3-4, and 170 IAC 5-3-5 to make various updates, incorporate new federal regulations through July 1, 2021, to add requirements applicable to flexible risers, to require pressure relief on low pressure stations, and to require filing of uprate plans with the Division.

Adds 170 IAC 5-3-2.1, 170 IAC 5-3-2.2, and 170 IAC 5-3-2.3, 170 IAC 5-3-2.4, 170 IAC 5-3-2.5; 170 IAC 5-3-2.6, and 170 IAC 5-3-4.1 to require system maps, records for pre-tested pipe, records of instrument calibration, specify the establishment of MAOP on distribution systems, clarify this rule's application to farm taps, to require specified information in construction packets, and to provide guidelines as to enforcement of violations.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

170 IAC 5-3-0.5; 170 IAC 5-3-0.6; 170 IAC 5-3-1; 170 IAC 5-3-2; 170 IAC 5-3-2.1; 170 IAC 5-3-2.2; 170 IAC 5-3-2.3; 170 IAC 5-3-2.4; 170 IAC 5-3-2.5; 170 IAC 5-3-2.6; 170 IAC 5-3-3; 170 IAC 5-3-4; 170 IAC 5-3-4.1; 170 IAC 5-3-5

SECTION 1. 170 IAC 5-3-0.5 IS AMENDED TO READ AS FOLLOWS:

Rule 3. Minimum Safety Standards for the Transportation of Gas, Hazardous Liquids, Carbon Dioxide Fluids, and Related Pipeline Facilities

170 IAC 5-3-0.5 Definitions

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 0.5. (a) Terms used in this rule, unless otherwise provided, have the meanings set forth in the following:

(1) 49 CFR Parts 191, 192, 193, and 195.

(2) IC 8-1-22.5.

(b) The following definitions apply throughout this rule:

(1) "Abnormal operation" means any of the following:

(A) An unintended closure of valves or shutdowns.

(B) An increase or decrease in pressure or flow rate outside normal operating limits.

(C) A loss of communications.

(D) The operation of a safety device.

(E) Another foreseeable malfunction of a component, deviation from normal

- operation, or personnel error that may result in a hazard to persons or property.
- (2) "Accident" means a failure in a hazardous liquids pipeline system **for which an accident report is required under** ~~that has at least one (1) of the results listed in 49 CFR 195.50. requiring an accident report.~~
- (3) "Commission" means the Indiana utility regulatory commission.
- (4) "Division" means the pipeline safety division of the commission.
- ~~(5) "Division engineer" means an engineer on the staff of the division.~~
- ~~(6)~~(5) "Incident" means an event that:
- (A) involves a release of gas from a pipeline or of liquefied natural gas or gas from an LNG facility and:
 - (i) a death, or personal injury necessitating inpatient hospitalization;
 - (ii) estimated property damage, ~~including~~**excluding** cost of gas lost, of the operator or others, or both, of fifty thousand dollars (\$50,000) or more; or
 - (iii) unintentional estimated gas loss of three million (3,000,000) cubic feet or more;
 - (B) results in an emergency shutdown of an LNG facility; or
 - (C) is significant, in the judgment of the operator, even though it did not meet the criteria of clause (A) or (B).
- ~~(7)~~(6) "Jurisdictional" means an operator owned facility that 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.
- ~~(8)~~(7) "Operator" means a person or entity that operates intrastate pipeline facilities in the state of Indiana in which at least one (1) of the following are transported **for sale, commercial use, or use by another person:**
- (A) Natural or other hazardous flammable gas.
 - (B) Hazardous liquids.
 - (C) Carbon dioxide fluids.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-0.5; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA0)

SECTION 2. 170 IAC 5-3-0.6 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-0.6 Incorporation of United States Department of Transportation pipeline safety regulations

Authority: IC 8-1-1-3; IC 8-1-22.5-4
 Affected: IC 8-1-2; IC 8-1-22.5

Sec. 0.6. The commission hereby **incorporates in this rule** ~~adopts~~ the gas pipeline safety regulations of the United States Department of Transportation contained in 49 CFR Parts 40, 191, 192, 193, 194, 195, 198, and 199, as of ~~June 1, 2017~~**July 1, 2021**, as ~~augmented~~**revised** by the Indiana-specific regulations found in section 2 of this rule. *(Indiana Utility Regulatory Commission; 170 IAC 5-3-0.6; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA; filed Sep 20, 2018, 3:04 p.m.: 20181017-IR-170170448FRA)*

SECTION 3. 170 IAC 5-3-1 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-1 Federal and other standards; compliance; general provisions

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 1. (a) ~~In accordance with IC 8-1-22.5,~~ An operator shall do the following:

(1) Comply with the gas pipeline safety regulations incorporated in section 0.6 of this rule, as ~~those regulations are~~ revised by this rule.

(2) Construct, operate, and maintain its facilities in accordance with federal safety standards applicable: the gas pipeline safety regulations incorporated in section 0.6 of this rule, as revised by this rule.

~~(A) to the transportation of:~~

~~(i) natural and other gas;~~

~~(ii) hazardous liquids; or~~

~~(iii) carbon dioxide fluids; and~~

~~(B) for pipeline facilities used in this transportation;~~

~~established and in effect, from time to time, pursuant to the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, with the supplements contained in this rule.~~

~~(2)(3)~~ **Comply with all other applicable:**

(A) codes;

(B) standards; or

(C) regulations;

Including those contained in this rule.

~~(3)(4)~~ **Be governed, after due notice, by all:**

(A) deletions;

(B) additions;

(C) revisions; or

(D) amendments;

thereof.

~~(b)(5)~~ **Records shall be made documenting Document all:**

~~(1)(A)~~ plan reviews and updates;

~~(2)(B)~~ surveys;

~~(3)(C)~~ inspections; and

~~(4)(D)~~ repairs made.

(b) All Records required to document compliance with this rule shall be preserved in accordance with federal law or a minimum of five (5) years, whichever is longer. ~~The~~ Records shall be ~~readily~~ **made** available within the state of Indiana, at the office or offices of the operator located in the territory served by the office ~~and~~ or shall be open for **remote** examination by the commission or its representatives upon request. The provisions of this subsection shall not be construed so as to lessen or increase the period of maintenance of records as specifically provided by law. (*Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 1; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 537; filed May 7, 1982, 2:00 p.m.: 5 IR 1175; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA*)

SECTION 4. 170 IAC 5-3-2 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-2 Federal regulations; revision

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2. (a) Indiana specific revisions to **certain** federal regulations ~~49 CFR, Part 192 and Part 195~~ are as follows: **incorporated in section 0.6 of this rule are as set forth in this section.**

(b) 49 CFR 192.201(c) (Required capacity of pressure relieving and limiting stations) is revised to read as follows:

“(c) Relief valves or automatic shutoff devices must be installed at or near each regulator station in a low-pressure distribution system, with a capacity to limit the maximum pressure in the main to a pressure that will not exceed the safe operating pressure for any connected and properly adjusted gas utilization equipment.”

(c) 49 CFR 192.201 is augmented to include an additional paragraph “(a)(2)(iv) to read as follows:

“(a)(2)(iv) At a minimum have a device installed that would notify the operator or the public of a malfunction.”

(b) (c) 49 CFR 192.605 and 49 CFR 195.402 (Procedural manual for operations, maintenance, and emergencies) (49 CFR 192.605 and 49 CFR 195.402) shall read as follows: (a) (1) is augmented to include an additional paragraph “(f)” as follows:

~~(A) Each operator shall do the following:~~

~~(1) Have a written plan covering the:~~

~~(A) emergency;~~

~~(B) operations; and~~

~~(C) maintenance;~~

~~procedures to be used by the operator to-~~

“(f) the written manual required by paragraph (a) of this section, referred to as the plan in this subsection, shall ensure the safe operation of its-the operator’s pipeline facilities. The plan shall include, by sections, the emergency, operations, and maintenance procedures for all the pipeline facilities and shall include procedures for handling abnormal operations. This plan, when filed, becomes a regulation for the particular operator who filed it. In addition, an operator shall:

~~(2)(1) file~~ **submit** a copy of the plan, ~~signed or submitted electronically by an official of the operator, with~~ **to** the division.

~~(3)(2)~~ **Keep** records necessary to administer the plan effectively.

~~(4)(3)~~ **Revise** the plan as:

(A) experience dictates; and

(B) exposure of the facilities and changes in operating conditions might warrant.

~~(5)(4) File with~~ **Submit to** the division all subsequent revisions of the plan not later than twenty (20) days after the effective date of the changes. Minor revisions may be made in a cover letter.”

~~(2)(d) 49 CFR 192.357 (Customer Meters and Regulators: Installation) (49 CFR 192.357).~~ In addition to the language contained in 49 CFR 192.553, paragraph (e) shall be adopted in Indiana and **is augmented to include an additional paragraph “(e)” as follows:**

“(e) An operator may not initiate or reinstate gas service without first ascertaining that:

(1) the meter and regulator are:

- (A) properly sized and installed for their intended use;
- (B) pressure tight at the operating pressure; and
- (C) protected from reasonably anticipated outside forces, including, but not limited to, reasonably anticipated:
 - (i) vehicular impact; and
 - (ii) natural forces, including, but not limited to:
 - (AA) ice;
 - (BB) water runoff; and
 - (CC) snow; and

(2) for residential customers, the piping from the meter to the customer's appliance valves is pressure tight at the operating pressure.”

~~(3)(e) 49 CFR 192.365(b) (Service Lines; Location of Valves) (49 CFR 192.365).~~ In addition to the language contained in 49 CFR 192.365 paragraphs (a) and (c), in Indiana, paragraph (b) shall **is revised to read as follows:**

“(b) Each service line must have a shutoff valve in a readily accessible location that is outside of the building. **The required shutoff valve may include, but is not limited to:**

- (1) outside meter valves; or**
- (2) curb valves.”**

~~(4)(f) 49 CFR 192.373(a) (Service Lines: Cast Iron and Ductile Iron) (49 CFR 192.373).~~ In addition to the language contained in 49 CFR 192.373 paragraphs (b) and (c), in Indiana, paragraph (a) shall **is revised to read as follows:**

(a) Cast or ductile iron pipe shall not be installed for service lines.

(g) 49 CFR 192.375(a) (Installation of Plastic Pipe) is revised to read as follows:

“(a) This provision takes effect after July 1, 2021. Each plastic service line outside a building must be installed below ground level, except that it may be installed in accordance with § 192.321(g). A flexible riser must be designed to withstand damage from outside or a casing must also be installed to protect the flexible riser from lawn mowers, weed eaters, hedge trimmers, and other possible sources of external damage.”

~~(5)(h) 49 CFR 192.503 (Test Requirements – General) (49 CFR 192.503).~~ In addition to the language contained in 49 CFR 192.503 paragraphs (b), (c), and (d), in Indiana, paragraphs (a) and (e) shall **are revised to read as follows:**

“(a) No person may operate a new segment of pipeline, or return to service a segment of pipeline that has been relocated, replaced, or has been abandoned previously, until:

- (1) it has been tested in accordance with this subpart and 49 CFR 192.619 to substantiate the maximum allowable operating

pressure; and

(2) each potentially hazardous leak has been located and eliminated.

...

(e) No testing, by a medium other than natural gas under this subpart, may be done against a valve on a jurisdictional part of the system that is connected by the valve to a source of gas, unless a positive suitable means has been provided to prevent the leakage or admission of the testing medium into a jurisdictional part of the system. **When performing a pressure test, the operator shall use a calibrated tool or chart."**

~~(6)(i) 49 CFR 192.509(b)~~ (Test Requirements for Pipelines to Operate at or below 100 psig) ~~(49 CFR 192.509)~~. In addition to the language contained in ~~49 CFR 192.509 paragraph (a), in Indiana, paragraph (b) shall~~ **is revised to** read as follows:

"(b) Each main that is to be operated at less than one (1) psig must be tested to at least ten (10) psig, and each main to be operated at or above one (1) psig must be tested to one hundred fifty percent (150%) of the maximum operating pressure or at least ninety (90) psig, whichever is greater.

(c) Distribution pipelines tested to comply with this rule must be tested to meet at least the durations specified in the Gas Piping Technology Committee guidelines under section 192.509 and 192.513, for the applicable pipeline material, size, and lengths.

~~(7)(j) 49 CFR 192.511~~ (Test Requirements for Service Lines) ~~(49 CFR 192.511)~~. In addition to the language contained in 49 CFR 192.511 paragraph (a), ~~in Indiana, paragraphs (b) and (c) shall~~ **are revised to** read as follows:

"(b) Each segment of a service line (other than plastic) stressed under twenty percent (20%) SMYS must be tested at one hundred fifty percent (150%) of the maximum operating pressure or at least to ninety (90) psig, whichever is greater. The test procedure used must ensure discovery of all potentially hazardous leaks in the segment being tested.

(c) Each segment of a service line (other than plastic) stressed to twenty percent (20%) or more of SMYS must be tested in accordance with Section 192.505 or 192.507, whichever is applicable, of this subpart."

(k) 49 CFR 192.553(c) (Subpart K - Upgrading; General Requirements) is revised to read as follows:

"(c) Written plan. Each operator who uprates a segment of pipeline shall establish a written procedure that will ensure that each applicable requirement of this subpart is complied with. An operator shall submit a copy of its written uprate plan to the division at least thirty (30) days before work commences under the plan, and submit to the division all subsequent revisions of the plan prior to performing work under those provisions. The operator shall submit to the Division a cover letter summarizing the revisions"

~~(8)(l) 49 CFR 192.553~~ (Subpart K - Upgrading; General Requirements) ~~(49 CFR 192.553)~~.

~~In addition to the language contained in 49 CFR 192.553, paragraph (e) shall be adopted in Indiana and shall read~~ **is augmented to include an additional paragraph “(e)”** as follows:

“(e) Service regulators supplying gas from transmission lines or distribution mains that are being uprated under this subpart shall meet the requirements of Section 192.197.”

(9)(m) 49 CFR 192.557(b)(5) and (c) (Upgrading: Steel Pipelines to a Pressure That Will Produce a Hoop Stress less than 30 Percent of SMYS; Plastic, Cast Iron and Ductile Iron Pipelines) ~~shall~~ **is are revised to** read as follows:

“(b)(5) Isolate by physical separation all mains between the segment of pipeline in which the pressure is to be increased from an adjacent segment that will continue to be operated at the lower pressure, except the mains that are required to supply through a pressure regulator (with approved overpressure protection designed in accordance with Section 192.195), the adjacent segment that will continue to be operated at the lower pressure; and”

(c) After complying with paragraph (b) of this section, the increase in maximum allowable operating pressure must be made in increments that are equal to 10 p.s.i. (69 kPa) gage or 25 percent of the total pressure increase, whichever produces the fewer number of increments. The highest pressure at which the pipeline is surveyed is the newly established MAOP. Whenever the requirements of paragraph (b)(6) of this section apply, there must be at least two approximately equal incremental increases.

~~(10) (Subpart L—Operations; General Provisions) (49 CFR 192.603, 49 CFR 195). In addition to the language contained in 49 CFR 192.603 paragraphs (a) and (b), in Indiana paragraph (c) shall read as follows:~~

~~“(c) Each operator shall maintain a system of records of its physical plant. These shall include records and maps of its active physical plant in use, and be in a form as to facilitate the operation and maintenance of the plant in a safe manner. The records shall be reviewed, with documentation, and updated, with documentation, when an addition, deletion, or change of the system occurs each calendar year at intervals not exceeding fifteen (15) months. Included on the maps shall be:~~

- ~~(1) main;~~
- ~~(2) sizes;~~
- ~~(3) materials;~~
- ~~(4) pressure ranges; and~~
- ~~(5) location of:~~
 - ~~(A) mains emergency valves;~~
 - ~~(B) regulator stations;~~
 - ~~(C) rectifiers; and~~
 - ~~(D) critical bonds.”~~

(11)(n) 49 CFR 192.615 (Emergency Plans) (49 CFR 192.615). ~~In addition to the language contained in 49 CFR 192.615, paragraph (d) shall be adopted in Indiana and shall read~~ **is augmented to include an additional paragraph “(d)” reading as follows:**

“(d) Each operator shall ~~early~~ **publish** a listing in the current telephone directory of each community that it serves or ~~within which it operates on~~ **a conspicuous location on its publicly available website** whereby a responsible employee or agent of the operator may be reached on a twenty-four (24) hour basis.”

~~(12)(o) 49 CFR 192.723 (Distribution Systems: Leakage Surveys and Procedures) (49-
CFR 192.723). In addition to the language contained in 49 CFR 192.723 paragraph (a), (1),
(b)(2), (b)(3), (c), (c)(1), (c)(2), and (d) shall be adopted and shall be revised to read as follows:~~

“(a) Each operator of a distribution system shall conduct periodic leakage surveys in accordance with this section.

~~(b)(1)~~ A leak survey using gas detection equipment shall be conducted in:

- (1) business districts;
- (2) areas of high occupancy buildings as identified in the operator's operations and maintenance procedures, including, but not limited to:
 - (A) schools;
 - (B) churches;
 - (C) hospitals;
 - (D) apartment buildings; ~~and~~
 - (E) commercial buildings **including commercial box style warehouse stores;**
 - (F) strip malls;
 - (G) day care centers;
 - (H) nursing homes;
 - (I) assisted living centers; and
 - (J) identified sites in the operator's plan
- (3) built-up residential areas where continuous pavement exists; and
- (4) other areas as the commission may direct; once each calendar year at intervals not exceeding fifteen (15) months. The surveys in business districts and areas of high occupancy buildings, listed in subdivisions (1) and (2), shall be made at least to the meter outlet. Tests shall include tests of the atmosphere in utility manholes, at cracks in the pavement and sidewalks and other locations providing an opportunity for finding gas leakage.

~~(b)(2)~~(c) Leakage surveys of the distribution system outside of the areas as listed in (b)(1) must be made as frequently as necessary but at least once every five (5) years at intervals not to exceed sixty-three (63) months. A vegetation type survey shall not be used as a single means of leakage control.

~~(b)(3)~~(d) Each operator shall establish and execute a plan by which it will periodically survey each customer-owned service line for leakage once every five (5) calendar years at intervals not to exceed sixty-three (63) months. For purposes of this section, the term "customer-owned

service" shall mean buried metallic gas carrying piping that is between the outlet of the meter and the entry of the building wall of a residential dwelling. The term does not include the following:

- (1) Farm taps.
- (2) Services directly off mains that have an operating pressure of greater than sixty (60) psig.
- (3) Diversions to structures other than the residential dwelling located on the premises.
- (4) Services with meter settings adjacent to the structure being served.

~~(e)~~(e) All leaks reported, regardless of the origin of the reports, shall be recorded on suitable report forms. These report forms must provide space for all pertinent information. Each leak reported shall be accounted for, and actions taken in response to leaks shall be documented and filed in a systematic manner.

~~(e)~~(1) All leaks reported shall be investigated promptly and classified in accordance with procedures outlined in the operator's operations and maintenance plan. The procedures shall include acceptable response times and shall ensure that gas leakage that is hazardous to life or property shall receive immediate attention for repairs.

~~(e)~~(2) Leak indications where repairs are not completed shall be rechecked on subsequent surveys, depending on the operator's classification and in accordance with the operator's procedures.

~~(d)~~(f) ~~An operator shall Records shall be made covering these~~ document surveys, inspections, and repairs made. These records, along with all other routine or unusual inspections and repairs, shall be kept in the file of the operating company."

(p) 49 CFR 192.740(a) (Pressure regulating, limiting, and overpressure protection- Individual service lines directly connected to production, gathering, or transmission pipelines) is revised to read as follows:

"(a) This section applies, except as provided in paragraph (c) of this section, to any service line directly connected to a production, gathering, or transmission pipeline that serves three (3) or more customers."

(q) 49 CFR 192.1003 (What do the regulations in this subpart cover?) is revised to read as follows:

"(a) General. Unless exempted in paragraph (b) of this section this subpart prescribes minimum requirements for an IM program for any gas distribution pipeline covered under this part, including liquefied petroleum gas systems. A gas distribution operator, other than a master meter operator or a small LPG operator, must follow the requirements in §§ 192.1005 through 192.1013 of this subpart. A master meter operator or small LPG operator of a gas distribution pipeline must follow the requirements in § 192.1015 of this subpart.

(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 2; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 537; filed May 7, 1982, 2:00 p.m.: 5 IR 1176; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)

SECTION 5. 170 IAC 5-3-2.1 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.1 Maps and Records

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.1(a) An operator shall maintain a system of records of its physical plant. These shall include records and maps of its active physical plant in use, and be in a form as to facilitate the operation and maintenance of the plant in a safe manner. Included on the maps and records shall be the information and location, if applicable, regarding:

- (1) mains;**
- (2) services;**
- (3) sizes;**
- (4) materials;**
- (5) pressure ranges; and**
- (6) mains emergency valves;**
- (7) regulator stations;**
- (8) rectifiers;**
- (9) farm taps; and**
- (10) critical bonds.**

(b) At a minimum, an operator shall review its maps and records once each calendar year at intervals not exceeding fifteen (15) months. Documentation shall be made available for review by the division.

(c) Physical changes to the operators' systems shall be reflected in the maps on an on-going basis. An operator shall maintain documentation of electronic updates that occur within their Geographic Information System (GIS).

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.1)

SECTION 6. 170 IAC 5-3-2.2 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.2 Calibration of instruments

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.2. (a) An instrument or tool, the use of which is necessary to comply with this rule, shall be calibrated according to the manufacturer's specifications and at intervals recommended by the manufacturer.

(b) Records of instrument calibration shall include the instrument serial number or unique identifier, date of calibration, the name and signature of the individual or third

party vendor performing the calibration, the process and calibration standard used for the calibration, as-found and as-left data, and the due date for the next calibration.
(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.2)

SECTION 7. 170 IAC 5-3-2.3 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.3 Pre-tested Pipe

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.3. When an operator installs a pipeline that was previously pressure tested, a written record of the previous pressure test for each pipe section must be available or the operator must pressure test the pipeline after installation prior to being energized according to 49 CFR 192 subpart J by another method allowed by this rule.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.3)

SECTION 8. 170 IAC 5-3-2.4 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.4 Farm Taps

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.4. (a) For purposes of this section, “farm tap” means a service line directly connected to a production, gathering, or interstate transmission pipeline.

(b) An operator shall operate a farm tap as with any other part of the operator’s distribution system. By way of example, farm taps shall be:

- (1) odorized in compliance with this rule;**
- (2) subject to MAOP requirements in this rule;**
- (3) located by the operator when a request to the one-call program in Indiana;**
- (4) included in the operator’s maps and records;**
- (5) required to have cathodic protection and protected from vehicular traffic in compliance with this rule; and**
- (6) included in an operator’s distribution integrity management plan.**

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.4)

SECTION 9. 170 IAC 5-3-2.5 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.5 Construction Packets

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.5. At a construction site, (as defined in IAC 5-3-4(E)(4)) the operator shall maintain on site or have access to the following documentation and provide it to the

Division upon request:

- (1) Maps or drawing of the project, including both existing and proposed facility information;
 - (2) Information regarding: ~~A description of the~~ type, size, and length of pipe and appurtenances to be used for the installation;
 - (3) Information sufficient to establish that the operator or its contractor appropriately notified Indiana 811 of the construction;
 - (4) As built drawings of the construction project for any section of facilities placed in service or facilities installed;
 - (5) Installation location of valves and pertinent information to include but not be limited to:
 - (A) drawings with measurements;;
 - (B) types of valves;
 - (C) manufacturer of valves;
 - (6) Construction scope of work, which may include:
 - (A) a project overview, with a brief statement describing the purpose of the project;
 - (B) a project timeline, with the anticipated duration of the project, and proposed start date, if known;
 - ~~Work orders relevant to the construction, if any;~~
 - (7) Requirements and records for proposed and actual pressure tests, including MAOP requirements;
 - (8) Evidence that corrosion control impacts have been reviewed;
 - (9) Evidence that the operator is complying with its DIMP plan in accordance with gaining information over time through normal activities conducted on a pipeline (49 C.F.R. 192.1007(a)(3))
- (Indiana Utility Regulatory Commission; 170 IAC 5-3-2.5)

SECTION 10. 170 IAC 5-3-2.6 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.6 Establishment of MAOP on Distribution System

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.6. (a) An operator complies with 49 CFR 192.619(a)(4) for existing pipelines less than 100 psi if the operator establishes the MAOP on a section of distribution system pipeline in compliance with Method 5 for establishing MAOP in 49 CFR 192.624(c)(5). For purposes of this section, the following table replaces Table 1 to § 192.624(c)(5)(ii):

Required Patrols	Leakage surveys
After the final leak survey to establish the MAOP under this section, at least 1 additional patrol within the following 3 months, and an additional 3 patrols in the subsequent 9	After the final leak survey to establish the MAOP under this section, at least 1 additional leak survey within the following 3 months, and an additional 3

Required Patrols	Leakage surveys
months, for a total of 4 within the first year after establishing the new MAOP.	leak surveys in the subsequent 9 months, for a total of 4 within the first year after establishing the new MAOP.

(b) Pipelines with an MAOP established under this section shall thereafter be patrolled and surveyed in accordance with 49 CFR 192.721 and 49 CFR 192.723.
(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.6)

SECTION 11. 170 IAC 5-3-3 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-3 Acquisition of pipe or components to determine cause of failure

Authority: IC 8-1-1-3; IC 8-1-22.5

Affected: IC 8-1-22.5

Sec. 3. (a) ~~Under IC 8-1-22.5, The division, acting through the commission,~~ may acquire from an operator or person sections of pipe or pipeline components that have failed in operation or test, or of pipeline components similar to the failed component, for the purpose of examination in an effort to determine the cause of the failure.

(b) Prior to the acquisition of the pipe or pipeline components, the specimens shall be positively identified as to:

- (1) the item acquired;
- (2) the date of the incident;
- (3) the date of acquisition;
- (4) the position of the component part in the pipeline system; and
- (5) other pertinent data.

At the time of acquisition, the division shall provide a receipt to the operator or person from whom the pipe or pipeline components are acquired. ~~shall be given a receipt for the same by the division engineer receiving the parts.~~

(c) Upon the acquisition of the pipe or pipeline components, the division shall pursue its examination and tests without delay. Upon the completion of the examinations and tests, the division shall return the components acquired to the operator or person from whom acquired, obtaining a receipt for the same.

(d) As a result of the tests or other investigation, the commission may restrict or limit the use of similar pipeline components until the time that they have been proved to be safe for the specified service. *(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 3; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 541; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)*

SECTION 12. 170 IAC 5-3-4 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-4 Reports to the division

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2-114

Sec. 4. (a) ~~Each~~ **An operator shall file the reports listed in this section with the** ~~notify the~~ **division by telephone at the division's emergency contact number posted on the** ~~commission's website as soon as practicable but not to exceed one hour following discovery~~ **of the following:**

- ~~(1) division; and~~
- ~~(2) addressee listed in 49 CFR 191.7.~~
- ~~(1b) All accidents as defined in this rule;~~
- ~~(2) and incidents as: (1) defined in this rule; or and~~
- ~~(23) deemed other significant by the operator events, including, but not limited to,~~ **situations involving:**
 - (A) media attention;**
 - (B) high profile locations;**
 - (C) large evacuations: or**
 - (i) of 10 or more people;**
 - (ii) ordered by public safety personnel;**
 - (iii) requested by an operator; or**
 - (iv) of a school, hospital or health care facility;**
 - (D) rerouting of traffic or closing a roadway by public safety personnel;**
 - (E) an over-pressure event that exceeds the MAOP;**
 - ~~(D)(F) the possibility of recurrence~~ **(F) the possibility of recurrence the same event will reoccur in a short**
 - period of time, such as repeated gas odor calls;**
 - (G) a service interruption described in subdivision (d)(1);**
 - (H) an unintentional release of gas that could result in a safety hazard; or**
 - (I) an event reported to PHMSA.**

~~shall be reported to the division by telephone or electronic submission at the earliest practicable moment following discovery.~~

(b) ~~This~~ **The notification in subsection (a)** shall be followed by a written report upon request by the division.

(c) The written report as required in subsection (b) shall be provided within twenty (20) days of the request and shall include, but not be limited to, the following:

- (1) The name of the operator.
- (2) The date and time of the incident.
- (3) A definite location: street address or, if rural, locate definitely (not R.R.), 911 address.
- (4) The number of employees injured requiring inpatient hospitalization or fatalities, or both (name, sex, age, and address).
- (5) The number of nonemployees injured requiring inpatient hospitalization or fatalities, or both (name, sex, age, and address).
- (6) The estimated value of total property damage and a description of the damaged property.
- (7) A description of the accident.

(8) The location and a description of the operator's plant, including sketches or maps, if necessary, for clarification.

(9) The condition of the operator's plant as found on inspection.

(10) The extent of the investigation and findings.

(11) Unless submitted electronically, the signature of a responsible representative of the operator.

(d) The following are the requirements for interruption of service reports:

(1) Each operator shall keep a record of interruptions of service affecting:

(A) its entire system;

(B) a major division of its system;

(C) one hundred (100) or more customers at once; or

(D) when the operator deems the ~~event~~ **interruption of service** to be significant.

(2) The record required in subdivision (1) shall include a statement of the:

(A) time;

(B) duration;

(C) extent; and

(D) cause;

of the interruption.

(3) Whenever the service is intentionally interrupted for any purpose, the interruptions shall, except in emergencies, be at a time that will cause the least inconvenience to customers. Those customers who will be most seriously affected by the interruption shall, so far as possible, be notified in advance.

~~(4) Whenever the service is interrupted other than intentionally in a major division or community, the operator shall:~~

~~(A) notify the division by telephone or electronic submission at the earliest practicable moment following discovery and provide the information required in subdivision (2);~~

~~(B) confirm the information, upon request of the division, by a written report within twenty (20) days of the notification; and~~

~~(C) provide additional reports requested by the division.~~

(e) ~~The following are the reporting requirements~~ An operator shall submit the following reports to the division:

(1) Annual reports, as required by 49 CFR 191.11 and 191.17, shall be ~~filed with~~ **submitted to** the division not later than March 15 of each year.

(2) Annual reports as required by 49 CFR 195.49 shall be ~~filed with~~ **submitted to** the division no later than June 15 of each year.

(3) Each operator of a master meter, as defined in 49 CFR 191.3, shall ~~file with~~ **submit to** the division, not later than March 15 of each year, a report that shall include the following:

(A) The dates of completion for previous year of the:

(i) leak survey;

(ii) ~~ep~~**cathodic protection** survey; and

(iii) valve inspection.

(B) The name of the person who completed the inspections on behalf of the operator of a master meter.

(C) The number of unrepaired leak reports on January 1 of the preceding year.

- (D) The number of leak reports received during the preceding year.
- (E) The number of leaks repaired during the preceding year.
- (F) The number of unrepaired leak reports at the end of the preceding year.
- (G) Current information for the individual responsible for the gas system including the following:
 - (i) Name.
 - (ii) Title.
 - (iii) Address.
 - (iv) Phone number.
 - (v) E-mail address.

The information required in this subdivision shall be provided to the division on a form available on the division's website at <http://www.in.gov/iurc/2335.htm>.

These reports shall include all known leak reports regardless of classification, on the respective systems, up to and including the meter outlet.

(4) Each operator shall ~~file with~~ **submit to** the division notification of construction that is significant to the operator, in a manner that facilitates unannounced inspections.

Examples may include:

- (A) new construction, replacement, or relocation of a jurisdictional:
 - (i) gas pipeline facility that is considered transmission by definition under 49 CFR 192.3;
 - (ii) gas distribution main of a significant footage for a single project, including a cast iron or bare steel replacement project of any length;
 - (iii) gas purchase point, regardless of number of customers served;
 - (iv) gas distribution center station that is designed to serve at least one thousand (1,000) customers immediately or in the future; or
 - (v) hazardous liquid or carbon dioxide facility; or
 - (B) significant gas service replacement project that encompasses at least twelve (12) city blocks or two hundred fifty (250) services for a single project.
- (5) The notification required under subdivision (4) shall include the following:
- (A) A description and location of work.
 - (B) The type of facility.
 - (C) The estimated start date.
 - (D) The name and address of the reporting company.
 - (E) The name, address, and telephone number of person to be contacted concerning the project.
 - (F) All other significant information concerning the project.
- (6) ~~Each~~ **An** operator shall ~~file with~~ **submit to** the division other reports as may be required by the division that are relevant to the safe operation of the operator's system, including the following:
- (A) Safety related condition reports as required by 49 CFR 191.25.
 - (B) Safety related condition reports as required by 49 CFR 195.56.
- (7) An operator shall submit to the division a report of damage to its facilities as defined in IC 8-1-26, and as further described in 170 IAC 5-5-2.**
- (A) It is a violation of this rule for an operator to knowingly submit inaccurate or falsified information to the Division in the initial submission of a damage or follow-up information related to the specific damage.**

(B) The operator shall provide the information required by this sub-section on the form provided by Commission.

(f) The reports as listed and required in this section shall not imply or be considered an admission of liability or responsibility of the operator in connection with the accident or incident so mentioned.

(g) An operator submitting a document to the commission under this rule shall submit the document in accordance with instructions on the commission's website.

(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 4; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 542; filed Aug 12, 1988, 4:00 p.m.: 12 IR 6; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)

SECTION 13. 170 IAC 5-3-4.1 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-4.1 Enforcement of Violations

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2

Sec. 4.5. (a) If the Division identifies a possible violation of this rule, the division shall provide a written notice of probable violation to the operator and allow the operator an opportunity to respond.

(b) An operator that receives a written notice of probable violation from the division shall respond within the time specified in the written notice. The failure of the operator to respond to the written notice is an additional violation of this rule.

(c) Violations of this rule may be enforced by the division under IC 8-1-22.5 by referring the violations to the commission for investigation and possible civil penalty under IC 8-1-22.5-7 or by filing a petition with the commission requesting a commission determination of the violation and penalty.

(d) When the Division and an operator agree in writing to a set of compliance actions, a violation of the agreement is in and of itself a violation of this rule.

(e) An operator shall not prohibit its employees or contractors from providing information to the Division related to the safe operation of the operator's system.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-4.1)

SECTION 14. 170 IAC 5-3-5 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-5 Waiver of compliance; application; investigation

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2

Sec. 5. (a) An operator may ~~apply to the commission~~ file a petition with the commission, following the procedures in 170 IAC 1-1.1, for authorization to:

- (1) construct, install, or use material and equipment that have not been approved; or
- (2) waive in whole or in part compliance with a code, standard, or regulation established under this rule.

(b) The commission shall investigate an application made under subsection (a), and, if it determines that the application of waiver of compliance with the code, standard, or regulation is not inconsistent with gas pipeline safety, the commission may grant the waiver after due compliance with the requirements of state statute and the provisions of the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 with regard to the waiver. Authorization will not be granted to install or use materials or equipment that are specifically prohibited by the federal or state regulations. *(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 5; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 545; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; errata filed Jul 21, 2009, 1:33 p.m.: 20090819-IR-170090571ACA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)*