



P.O BOX 156, ALAMO, CALIFORNIA 94507

September 30, 2016

Lara DeLaney
Senior Deputy County Administrator
651 Pine Street, 10th floor
Martinez, CA 94553
(925) 335-1097 (ph); (925) 335-1098 (fax)

**RE: 2017 State and Federal Legislative Platforms: INPUT REQUESTED
Pipeline Safety**

Dear Lara:

Please review the following information for consideration to be included in the Contra Costa County's Legislative Platform.

SUMMARY OF PROPOSAL:

The issue of Pipeline Safety is ongoing and continues to be in need of focus and development. There continues to be both "accidents" and "incidents" of gas leakage and petroleum spillage, some resulting in multiple deaths, always resulting in destruction of real property or waterways. We will continue to experience these types of problems as our pipeline infrastructure ages and becomes more susceptible to environmental factors. Locally, AIA has secured a \$50,000 grant from PHMSA to provide both education on petroleum pipeline issues which also included Pipeline Safety Trust's report on safety items that can be considered by the County, State and Federal Governments.

ACTION REQUIRED:

The current County Legislative Platform does not include a category for Pipeline Safety. This a formal request that one be added.

Recently enacted California State Legislation will improve the existing Pipeline Safety situation, however it does not go far enough.

For example:

SB 295 – State Fire Marshal Annual Inspections of all Intrastate Petroleum Pipelines does not contain the specific mitigations or solutions for installation of Automatic Shutoff Valves for both High Consequence Areas (HCA) and for those that traverse Active Seismic Earthquake Faults that are mandated for Gas Pipelines under AB 2856. Note: CCCounty has several petroleum pipelines that should be classified under these categories and present the same explosive nature as gas pipelines do.

Recommendation:

SUPPORT State legislation that contains specific mitigations or solutions for installation of Automatic Shutoff Valves for both High Consequence Areas (HCA) and for those that transverse Active Seismic Earthquake Faults for all intrastate petroleum pipelines.



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AB 864 – State Fire Marshal Testing of all California Coastal Petroleum Pipelines does not include Petroleum Pipelines that impact other waterways which are just as important. The Pipeline Safety Trust’s report notes that within just the 10 miles of petroleum pipeline between Alamo and Danville there are above ground pipeline crossings of 2 seasonal creeks that travel directly into Alamo Creek and to the Straits, Note: Within every 10-mile section the amount of petroleum product (diesel, kerosene, high octane jet fuel) totals 110,000 gallons of fuel. There are many seasonal and all year creeks throughout our County and throughout our State that should be included in this requirements for the very same reasons Coastal Waterways are included.

Recommendation

SUPPORT State Legislation that contains specific language for protection of all seasonal and all year creeks and all State Waterways where petroleum pipelines are present. New and replacement pipelines near environmentally and ecologically sensitive areas should use the best available technology including, but not limited to, the installation of leak detection technology, automatic shutoff systems or remote controlled sectionalized block valves, or any combination of these technologies to reduce the amount of oil released in an oil spill to protect state waters and wildlife.

AB 1420 Division of Oil, Gas and Geothermal Resources requires a local health officer, if notified of a leak in an active gas pipeline within a sensitive area to make certain determinations and to take certain actions related to the leak, working collaboratively with the division and the owner or operator of that pipeline, requiring the local health officer to direct the responsible party to notify residents affected by the leak if the health officer determines that the leak poses a serious threat to public health and safety. The bill goes on to impose a state mandated local program. However, to be effective, this bill needs improvement. It needs to be more specific in wording and show or reference guidelines to public health and safety and to also provide examples to the health officer. In addition, it needs to establish a suggested structure for the state mandated local program.

Recommendation

SUPPORT State Legislation that contains specific language and specific examples to guide health officers in making certain determinations, in taking certain actions related to an active gas pipeline leak and in the structure and installation of state mandated local programs for this purpose.

AB 2856 references existing law for installation of Automatic Shutoff Valves or Remote Controlled Sectionalized Block Valves on intrastate gas pipelines located within High Consequence Areas or that traverse Active Seismic Earthquake Faults. However, PG&E did not do so on their gas line through San Bruno or perhaps in other areas not yet identified in CCCounty. NOTE: As a new requirement, it goes on to require owner or operators to (now) provide the PUC of the location of existing valves and the proposed location of new valves so the PUC can (now) interact with the process, to (now) establish action timelines, to (now) adopt standards for how to prioritize installation, insure that these valves are (now) installed as quickly as is reasonably possible and to (now) establish ongoing procedures for monitoring progress in achieving the requirements of this section. It goes on to say that the PUC shall (now) adopt and enforce compatible safety standards for commission-regulated (intrastate) gas pipeline facilities as the commission determines should be adopted to implement the requirements of this section. The State of California should consider adopting similar wording for a bill that would provide the State Fire Marshal’s office with the same authority over Petroleum Pipelines.



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Recommendation

SUPPORT State Legislation that contains specific language that requires the same standards for installation of Automatic Shutoff Valves or Remote Controlled Sectionalized Block Valves of owners and operators of intrastate petroleum pipelines located in High Consequence Areas or that traverse Active Seismic Earthquake Faults. To provide the location of existing valves and the proposed location of new valves to the State Fire Marshal's Office allowing their interaction with the process, to establish action timelines, to adopt standards for how to prioritize installation, to ensure that valves are installed as quickly as reasonably possible and to establish ongoing procedures for monitoring progress in achieving requirements.

Thank you for the opportunity to present this issue and information for consideration to be included within the Contra Costa County's Legislative Platform.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Roger Smith', is written over a light blue grid background.

Roger Smith
President

Cc: Michael Kent