

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 534

In the Matter of a Rulemaking to Adopt
Federal Pipeline Safety Regulation
Amendments.

ORDER

DISPOSITION: RULES AMENDED

On March 6, 2009, the Public Utility Commission of Oregon (Commission) filed a Notice of Rulemaking and Statement of Need and Fiscal Impact with the Secretary of State. Notice was provided to certain legislators specified in ORS 183.335(1)(d) and to all interested persons on the service lists maintained pursuant to OAR 860-011-0001 on March 6, 2009. Notice of the rulemaking was published in the April 2009 *Oregon Bulletin*. Interested persons were given until April 23, 2009, to file written comments or request a hearing. No comments were filed, and no hearing was requested.

Per ORS 757.039(3), the Commission has agreements with the US Department of Transportation (USDOT) to enforce federal pipeline safety regulations pertaining to pipeline facilities in Oregon. As a condition of those agreements, the Commission must annually certify to USDOT that the Commission adopted or is in the process of adopting all current federal pipeline safety regulations applicable to intrastate gas pipelines and liquefied natural gas facilities.

The federal amendments being adopted in this rulemaking include those from Code of Federal Regulations (CFR) Title 49, Part 192 (six amendments), Part 193 (one amendment), and Part 199 (one amendment). Adoption of these amendments is necessary to update the Commission's gas safety rules to be current with the federal gas pipeline safety regulations and to comply with USDOT certification requirements.

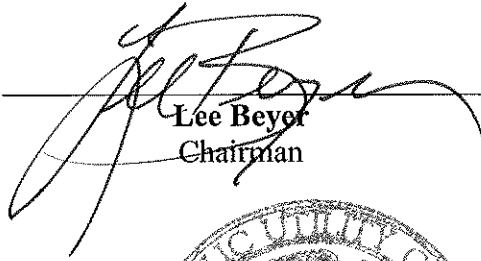
ORDER

IT IS ORDERED that:

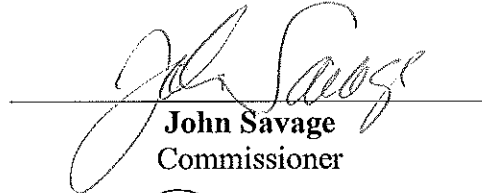
1. The modifications to Oregon Administrative Rules 860-024-0020 and 860-024-0021 as set forth in Appendix A, are adopted.

2. The amended rules become effective upon filing with the Secretary of State.

Made, entered, and effective MAY 04 2009.



Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
Commissioner



A person may petition the Commission for the amendment or repeal of a rule pursuant to ORS 183.390. A person may petition the Court of Appeals to determine the validity of a rule pursuant to ORS 183.400.

Gas

860-024-0020

Gas Pipeline Safety

Every gas operator shall construct, operate, and maintain natural gas and other gas facilities in compliance with the standards prescribed by:

- (1) 49 CFR, Part 191, and amendments through No. 14 -- Transportation of Natural and Other Gas by Pipeline; Annual Reports and Incident Reports in effect on July 13, 1998.
- (2) 49 CFR, Part 192, and amendments through No. ~~103~~ 108 -- Transportation of Natural and Other Gas by Pipeline; Minimum Safety Standards in effect on ~~July 10, 2006~~ December 24, 2008.
- (3) 49 CFR, Part 199, and amendments through No. ~~23~~ 24 -- Control of Drug and Alcohol Use in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations in effect on ~~March 8, 2005~~ March 28, 2008.

[Publications: Publications referenced are available for review from the Commission.]

Stat. Auth.: ORS Ch. 183, 756 & 757

Stat. Implemented: ORS 757.039

860-024-0021

Liquefied Natural Gas Safety

Every gas operator shall construct, operate, and maintain liquefied natural gas facilities in compliance with the standards prescribed by:

- (1) 49 CFR, Part 191, and amendments through No. 14 -- Transportation of Natural and Other Gas by Pipeline; Annual Reports and Incident Reports in effect on July 13, 1998.
- (2) 49 CFR, Part 193, and amendments through No. ~~19~~ 20 -- Liquefied Natural Gas Facilities; Minimum Safety Standards in effect on ~~July 10, 2006~~ March 28, 2008.
- (3) 49 CFR, Part 199, and amendments through No. ~~23~~ 24 -- Control of Drug and Alcohol Use in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations in effect on ~~March 8, 2005~~ March 28, 2008.

[Publications: Publications referenced are available for review from the Commission.]

Stat. Auth.: ORS Ch. 183, 756 & 757

Stat. Implemented: ORS 757.039