

INVESTIGATION

A hand with light-colored nail polish is holding a blue marker and drawing a horizontal line under the word 'INVESTIGATION'. The hand is positioned on the right side of the image, with the marker tip pointing towards the left.

What's your role as an Operator?

What is an Incident?

- 191.3 Definitions

- Incident means any of the following events:

- (1) An event that involves a release of gas from a pipeline, gas from an underground natural gas storage facility (UNGSF), liquefied natural gas, liquefied petroleum gas, refrigerant gas, or gas from an LNG facility, and that results in one or more of the following consequences:
 - (i) A death, or personal injury necessitating in-patient hospitalization;
 - (ii) Estimated property damage of \$129,300 or more, including loss to the operator and others, or both, but excluding the cost of gas lost.
 - (iii) Unintentional estimated gas loss of three million cubic feet or more.
 - (2) An event that results in an emergency shutdown of an LNG facility or a UNGSF. Activation of an emergency shutdown system for reasons other than an actual emergency within the facility does not constitute an incident.
 - (3) An event that is significant in the judgment of the operator, even though it did not meet the criteria of paragraph (1) or (2) of this definition.

Gas related?



When to report an incident?

- 191.5 Immediate notice of certain incidents
 - At the earliest practicable moment following discovery, but no later than one hour after confirmed discovery, each operator must give notice in accordance with paragraph (b) of this section of each incident as defined in §191.3.
 - (b) Each notice required by paragraph (a) of this section must be made to the National Response Center either by telephone to 800-424-8802 (in Washington, DC, 202 267-2675) or electronically at <http://www.nrc.uscg.mil> and must include the following information:
 - (1) Names of operator and person making report and their telephone numbers.
 - (2) The location of the incident.
 - (3) The time of the incident.
 - (4) The number of fatalities and personal injuries, if any.
 - (5) All other significant facts that are known by the operator that are relevant to the cause of the incident or extent of the damages.

When to report an incident?

- 191.5 Immediate notice of certain incidents (cont.)
 - (c) Within 48 hours after the confirmed discovery of an incident, to the extent practicable, an operator must revise or confirm its initial telephonic notice required in paragraph (b) of this section with an estimate of the amount of product released, an estimate of the number of fatalities and injuries, and all other significant facts that are known by the operator that are relevant to the cause of the incident or extent of the damages. If there are no changes or revisions to the initial report, the operator must confirm the estimates in its initial report.

When to report an incident?

- 807 KAR 5:027. Gas pipeline safety; reports of leaks; drug testing.
 - Section 3. Reports. Each operator who files an incident notice or report, a safety-related condition report, or an annual report with the United States Department of Transportation ("USDOT") pursuant to 49 C.F.R. Part 191 shall concurrently file this report with the Commission by electronic mail to Pipeline.Safety@ky.gov.

192.617 Investigation of failures

- Each operator **shall** establish procedures for analyzing accidents and failures, including the selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of a recurrence.



“Shall”

- In a legal sense, shall is an imperative command, usually indicating that certain actions are mandatory, and not permissive.
- This contrasts with the word “may,” which is generally used to indicate a permissive provision, ordinarily implying some degree of discretion.

Why do we investigate?

- The prime objective of an incident investigation is to prevent future incidents.
 - Ensure compliance with state and federal minimum pipeline safety regulations.
 - Ensure that company policies and procedures are being followed.
- The incident investigation helps us to gather the factual information of:
 - WHO
 - WHAT
 - WHERE
 - WHEN
 - WHY

Where do we start?



Initial Response to an Incident

- Hazard(s)
- Extent
- Life
- Property

“Make Safe” Actions

- Implement company emergency plan
- Evacuate buildings
- Block-off area
- Reroute traffic
- Eliminate sources of ignition
- Ventilate
- Stop the flow of gas
- Notify police and fire departments

Operator Response to an Incident

- Deploy supervisory personnel and customer service/maintenance crews
- Implement/continue make-safe operation
- Establish gas or product migration area
- Control gas/product flow
- Initial Observation of conditions
- Initiate drug/alcohol testing
- **Establish liaison with public and regulatory officials**

A close-up photograph of a metal plate, likely part of a piece of machinery or equipment. The plate is light-colored and shows signs of wear, including small holes and debris. A larger hole is visible on the left side. The background is dark and out of focus. The text "Be familiar with your procedures! Read your OM&E..." is overlaid in yellow.

Be familiar with your procedures! Read your OM&E...

OPERATIONS, MAINTENANCE AND EMERGENCY MANUAL

- E. INCIDENT AND POST EMERGENCY INVESTIGATION (192.617)
- An incident investigation **shall** occur after any incident or emergency. Emergency procedures used should be reviewed following any reportable incident to determine whether any gas utility personnel and/or procedures may have contributed to or failed to prevent the incident. Any failure and failed equipment shall be examined for its role in the incident. The following steps constitute suggested guidance for proceeding with an incident investigation:
 1. Contact your insurer as soon as possible. They may want to assist you with the investigation. This assistance is normally provided at no charge.
 2. Take pictures of the scene. Pictures can be your attorney's primary tool to show the jury significant aspects of the incident scene. Prepare an index describing each photo.

OPERATIONS, MAINTENANCE AND EMERGENCY MANUAL

3. Prepare a diagram of the structure, showing the location of all appliances, as well as all gas piping systems, regulators, and tanks. The diagram should show the areas of most intense burning. It should also point out the location shown in each photo. Get samples of equipment that failed and send them in for laboratory analysis. In this way the cause of failure can be determined and prevented.
4. Get details on all gas appliances. This includes make, model number, serial number, and date code. If there are separately manufactured controls, get details on them.
5. Check the gas for odor. Use an instrument to obtain readily detectible % gas in air readings at location(s) near the incident. Try to get a third party such as fire or other emergency officials to verify the presence of readily detectible odor as well. Make a record, and have all who confirm proper odor in the gas sign it. If there are serious injuries involved, you should consider taking a sample of the gas to possibly be tested for the presence of odorant.

OPERATIONS, MAINTENANCE AND EMERGENCY MANUAL

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OPERATIONS, MAINTENANCE AND EMERGENCY MANUAL

6. Consider pressure testing of the remaining gas lines as well as the pressure regulator. Only test lines to the OPERATING PRESSURE at the time of the explosion, not higher.
7. Look for evidence of an explosion. Generally, window glass blown some distance from the site will be a good indicator.
8. Preserve all company records which may be needed at trial. This includes the entire customer file, showing deliveries of gas and service work. It also includes all records showing proper odorization of gas. All other records including leak complaint calls, leak surveys, cp tests etc. for the area for the past 2 years should be located and copied to a file.

OPERATIONS, MAINTENANCE AND EMERGENCY MANUAL

9. Get the names of any witnesses to the incident. Interviews should be conducted, and statements should be taken only with the advice of your attorney or insurance carrier.

10. Make certain that all important physical evidence from the incident scene has been preserved and tagged. If the failure of the pipeline or a pipeline facility may have contributed to the incident then samples of the failed pipe or facility shall be preserved for further study and, if appropriate, laboratory analysis to determine the cause of the failure and to minimize the possibility of a recurrence.

11. Look for appliance safety controls or other gas equipment that has been subject to a Consumer Product Safety Commission recall program. If such items are defective, they could easily be the source of leaking gas.

12. Maintain good relations with the local fire officials. Always get their permission to enter the fire scene, and to take evidence from the scene. Make sure they have all the facts before they write their report.

Investigation Team

- Operations/ Field Personnel
 - Leak survey
 - Pressure/measurement/odorization
 - Corrosion
- Public affairs
- Customer service
- Risk management/claims
- Legal
- Technical services/ Outside experts

Regulatory Preparedness

- Reporting
 - PHMSA
 - Initial
 - 48 hr update
 - 30 day
 - Supplemental
 - KY PSC
- Records
 - Up to 5 years
- Training
 - OQ records

QUESTIONS?

CALL MELISSA HOLBROOK!