

Executive Division

San Francisco, California
Date: August 27, 2020
Resolution M-4844

R E S O L U T I O N

RESOLUTION M-4844: RATIFIES THE EXECUTIVE DIRECTOR'S LETTER TO PACIFIC GAS & ELECTRIC COMPANY GRANTING EXTENSION TO COMPLETE GAS TRANSMISSION PIPELINE INSPECTION DUE TO GOLDEN EAGLE NESTING IN AND AROUND LOS VAQUEROS RESERVOIR IN CONTRA COSTA COUNTY.

SUMMARY

This Resolution is issued to ratify the Executive Director's action by letter dated June 30, 2020 granting interim approval to Pacific Gas & Electric Company (PG&E) for an approximately two-month extension (from June 2020 to August 21, 2020) to complete 49 CFR 192.465(a) Leak Surveys and Atmospheric Corrosion natural gas transmission line inspections where a "Can't Get In" (CGI) situation exists.

The CGI situation is in the Los Vaqueros Reservoir and Watershed area in Contra Costa County, California and is due to golden eagle nesting. Appendix A to this Resolution is the CPUC Executive Director's June 30, 2020 interim approval letter and PG&E's June 2, 2020 request, which identifies the pipeline facilities at issue. The Commission's Safety and Enforcement Division (SED) does not oppose the waiver request.

BACKGROUND

PG&E's June 2, 2020 letter explains that on March 4, 2020, a PG&E Corrosion Technician traveled to the Los Vaqueros Watershed area in order to collect cathodic protection pipe-to-soil data on natural gas transmission lines in the area in accordance with 49 CFR 192.465, External Corrosion Control: Monitoring. The technician found the location to be closed by the Contra Costa County Water District due to the nesting of golden eagles in the area. PG&E's letter states that the area is scheduled to reopen in "late June" of 2020, asserting that "Since we are dealing with wildlife and their annual habits can be unpredictable, we are respectfully requesting a waiver to extend the due date of this task to August 21, 2020." PG&E states that the cathodic protection pipe-to-soil data was last collected at this location in March 2019, so that the new maintenance deadline was June 2020. PG&E's letter identifies each affected facility.

The Executive Director issued a letter providing PG&E the ability to delay this work, subject to ratification consistent with CPUC Policy CL-1.

DISCUSSION

General Order (GO) 112-F is the “State of California Rules Governing Design, Construction, Testing, Operation, and Maintenance of Gas Gathering, Transmission, and Distribution Piping Systems.”¹ The rules build upon the Federal Pipeline Safety Regulations, specifically, 49 CFR Parts 191, 192, 193, and 199.² Section 101.3 of GO 112-F allows for a utility, in special circumstances, to submit an application to waive compliance with specific rules in accordance with Section 3(e) of the Natural Gas Pipeline Safety Act of 1968. Pursuant to section 101.3 of GO 112-F, PG&E submitted a waiver request for Leak Surveys and Atmospheric Corrosion Inspections where a CGI situation exists. The waiver request cites 49 CFR 192.465(a).

Staff of SED reviewed PG&E’s waiver request and supports it given its short duration and the presence of golden eagle nesting in the affected area.

PG&E shall resume inspection activities these activities in the Los Vaqueros Reservoir Area on August 21, 2020. Typical layers of protection remain in place to address potential safety concerns from leakage, including pipeline design elements, equipment testing and maintenance, and warning features (e.g., public awareness, gas odorant). Based on those considerations, the waiver is warranted.

COMMENTS

Public Utilities Code section 311(g)(1) provides that this Resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. No comments were received.

FINDINGS

1. PG&E was informed by Contra Costa Water District that golden eagles are nesting in the Los Vaqueros Reservoir area until late June 2020.
2. Waiver of the 49 CFR 192.465(a) requirement until August 21, 2020 is appropriate to ensure the golden eagles are gone before PG&E resumes inspections in the area.
3. Waiver is appropriate pursuant to GO 112-F, which provides:

It is the Commission’s policy that:

¹ GO 112-F, Section 101.1.

² GO 112-F, Section 101.2.

The Executive Director shall have the authority to act expeditiously and in coordination with other agencies of the State of California in emergencies endangering the public health, safety, and the environment....

THEREFORE, IT IS ORDERED that:

1. The Commission ratifies the actions of the Executive Director granting Pacific Gas & Electric Company (PG&E) an extension of time until August 21, 2020 to conduct 49 CFR 192.465(a) inspections in and around Los Vaqueros Reservoir in Contra Costa County, California, with the affected facilities set forth in Appendix A.
2. PG&E shall provide the Safety and Enforcement Division of the California Public Utilities Commission (SED) an update confirming its inspection of the affected locations by September 30, 2020. If PG&E requires another extension, it shall notify SED.

This Resolution is effective today.

I certify that the foregoing Resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on August 27, 2020, the following Commissioners voting favorably thereon:

/s/ ALICE STEBBINS

ALICE STEBBINS
Executive Director

MARYBEL BATJER
President

LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
GENEVIEVE SHIROMA
Commissioners