
From: robert.s.elvert@exxonmobil.com
Sent: Thursday, December 16, 2010 2:28 PM
To: Johansen, Dale
Cc: rowdenr@api.org; moraima.e.grinnell@exxonmobil.com; leon.loya@exxonmobil.com
Subject: ExxonMobil Pipeline Co. comments to proposed revisions Chapter 319, RSMo

Attachments: EMPCo MO Comments 121410.doc



EMPCo MO
Comments 121410.doc

Dear Mr. Johansen:

ExxonMobil Pipeline Company (EMPCo) appreciates the opportunity to provide comments on this very important safety and environmental issue, the proposed revisions to Missouri's Underground Facility, Safety, and Damage Prevention Act Chapter 319 RSMo).

We have reviewed the proposed language through a copy sent by Ryan Rowden of the Missouri Petroleum Council. While we agree with vast majority of the extensive proposed revisions to date, we have identified several concerns based upon our experience that EMPCo feels are vital to ensuring that Missouri's Underground Facility Safety and Damage Prevention Act identify all possible areas of concern and operates efficiently as possible.

Attached are our comments.

(See attached file: EMPCo MO Comments 121410.doc)

Should you have any questions, please don't hesitate to contact me via email or by phone listed below.

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ExxonMobil Pipeline Company Comments

Missouri Public Service Commission

Underground Facility Safety and Damage Prevention Act

Chapter 319 Proposed Revisions (RSMO)

(11/26/10 version)

Section 319.015 - Definitions

Page 2 (11/26/10 version)

(5) Excavation

Line 7 - Do not omit hydro excavation from the definition. Based upon our experiences it can cause damage to coating and non-steel lines. As both a preventive and operating procedure, it is in the best interest of all interested parties such as EMPCo to know when and where hydro-excavation is taking place near their lines.

Line 11-16 - We do not support exemptions for railroad excavating, or any exemptions. While the exemptions are based upon the fact that the owner (railroad, municipality, agricultural) is / could be aware of everything in their own Right of Way, it has been our experience that much of this excavation work is done by contractors who may not know of everything about the Right of Way. as a result, a "One Call" no notification of not only our lines, but anyone who has underground facilities in that area.

Page 4 (11/26/10 version)

(22) Underground Facility

Lines 11-14 same excavation exemption concerns as listed under "Excavation" definition of this proposal.

Section 319.025 - Excavator must give notice and obtain information, when how--notice to notification center --clarification of makings, response-- project plans, when-- permit for highways excavation required.

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Lines 4-11 - We understand what is trying to be described, but could be stated simply by "...prior to excavating, one must give notice to the appropriate "One Call" notification center and receive notification of those participants who need to be notified..."

Section 319.026 - Notice of intent to excavate, form of--written record maintained-- incorrect location of facility, duty of excavator-- visible and usable makings necessary to continue to work.

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(10) Lines 42-46 (this is confusing)...Wouldn't this be handled by the "ticket" life? If the ticket has to be refreshed every 10 days, then all facility owners would know whether or not if the excavation is complete on a 10 day interval.

Section 319.050 - Exemptions from requirement to obtain information

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Lines 2-10 - Two hour response to an emergency is quite quick, especially due to the fact that many locations could be rural and far from base offices, so drive time alone could exhaust most of this 2 hour response time. This should be increased to 4 hours.