



September 3, 2024

VIA ELECTRONIC FILING

Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission
of the District of Columbia
1325 G Street, NW, Suite 800
Washington, DC 20005

Re: Formal Case No. 1178, *In the Matter of the Petition for Investigation into Washington Gas Light Company's Leak Detection Practices*

Dear Brinda Westbrook-Sedgwick:

Sierra Club respectfully submits this letter in response to the Commission's August 2, 2024 Public Notice^{1, 2} soliciting comments on the "categorization of leak grades" on Washington Gas Light Company's ("WGL") distribution system.

In regard to the "categorization of leaks," Sierra Club points the Commission to its July 31, 2024 letter, which attached comments submitted to the U.S. Pipeline and Hazardous Materials Safety Administration ("PHMSA") by the Environmental Defense Fund, Natural Resources Defense Council, Sierra Club, and Earthjustice ("Joint Environmental Commenters") on August 16, 2023.³ In that letter, Sierra Club highlighted the need for this investigation to examine:

Redefining leak grade definitions and remediation requirements in the District⁴ by adopting PHMSA's proposed incorporation of both safety and environmental considerations into leak grading frameworks. As noted in the Joint PHMSA Comments, "[s]afety and environmental protection are mutually reinforcing objectives in the context of leak management, but when leaks are only defined in the context of near-term safety risks, leaks that have significant environmental impacts can be overlooked."⁵

Sierra Club respectfully requests that the Commission implement PHMSA's incorporation of environmental risk when developing a leak grading framework for WGL's

¹ *Formal Case No. 1178, In the Matter of the Petition for Investigation into Washington Gas Light Company's Leak Detection Practices* ("*Formal Case No. 1178*"), Public Notice, ¶ 4, rel. August 2, 2024.

² The August 2, 2024 Public Notice called for submissions by August 31, 2024, which was a Saturday. Accordingly, this letter is timely submitted pursuant to the Commission's Computation of Time Rule 117.1.

³ *Formal Case No. 1178, Sierra Club, Letter filed July 31, 2024* (Exhibit A, "Joint PHMSA Comments").

⁴ Joint PHMSA Comments at 78-82.

⁵ *Id.* at 80.

distribution system, and adopt the recommendations set forth by the Joint Environmental Commenters. The incorporation of this guidance—ahead of a final PHMSA ruling, and pursuant to the Commission’s existing authority⁶—will result in emissions reduction benefits for the District and bring WGL in line with existing industry standards, as referenced in the Joint PHMSA comments. Fundamentally, valuing leaks based on near-term safety risks alone may result in overlooking leaks that have significant emissions impacts.⁷ For large-volume leaks, i.e. “super emitters,” accurately valuing those large-volume emissions’ impacts for grading purposes would result in more timely remediation and carry substantial environmental and emissions reduction benefits. The benefits of assessing environmental impacts is equally true for smaller leaks on a distribution system—as the PHMSA proposal states: “Any leak of methane from a gas pipeline system necessarily entails environmental harm proportional to the total release volume by contributing to climate change,” and “even a small leak can result in significant emissions and harm to the environment and public safety if it is allowed to release indefinitely without repair.”⁸ As such, incorporating leak flow rate thresholds for leaks would “would ensure prioritized repair of such environmentally damaging leaks even if other grade 1 or grade 2 criteria are not met.”⁹ As recommended by the Joint PHMSA Comments regarding PHMSA’s proposal, inclusion of leak flows as a criterion in leak grading would be impactful for identifying and remediating environmental risk. Indeed, utilizing leak flow rates to categorize leaks goes hand-in-hand with effective and regular advanced leak detection, a topic the Commission is considering in the first technical conference.

The Commission should also incorporate the PHMSA-proposed leak repair thresholds and time frames for repair regarding each grade of leaks. PHMSA has proposed a tiered timeline for leak repairs, which is outlined in the Joint PHMSA Comments.¹⁰ Sierra Club asks the Commission to examine WGL’s existing thresholds and repair timelines and, to the extent they do not reflect the PHMSA recommendations, consider more timelines for repairing leaks that can address environmental risk more quickly and result in cost-effective environmental and safety risk abatement in lieu of replacement.

Along those lines, the Joint Environmental Comments pointed to several jurisdictions that, with advanced leak detection, have incorporated leak flow rates into leak grading¹¹ and are operating with leak grading and repair requirements that are more stringent than existing federal

⁶ *Formal Case No. 1167, In the Matter of the Implementation of Electric and Natural Gas Climate Change Proposals*, at ¶ 1 (with reference to WGL, holding that the Commission has “existing authority to reduce greenhouse gas (“GHG”) emissions from the Company’s operations.”); *see also id.* at 9 (stating that the “Commission plans to use its full statutory authority to reduce GHG emissions from WGL’s operations.”).

⁷ Joint PHMSA Comments at 80.

⁸ *Id.* (citing Proposed Rule at 31940).

⁹ Proposed Rule at 31941.

¹⁰ Joint PHMSA Comments, 79 “Proposed Leak Grades” table; *see also id.* 82 – 83.

¹¹ *Id.* at 81 – 82.

standards.¹² Sierra Club submits these examples would be instructive for the Commission and stakeholders in this proceeding.

In conclusion, Sierra Club requests that the Commission assess the extent that WGL currently does or does not incorporate the standards in the PHMSA Proposed Rule, the industry standards discussed in the Joint PHMSA Comments, and the additional recommendations for leak grade clarification in the Joint PHMSA Comments. Sierra Club looks forward to participating in the stakeholder process as these issues proceed before the Commission. Thank you for your time and consideration in this matter.

Sincerely,



Timothy R. Oberleiton
Senior Attorney
Earthjustice
1001 G St. NW, Ste. 1000
Washington, D.C. 20001
(202) 667-4500
toberleiton@earthjustice.org
DC Bar No. 1617107

On behalf of Sierra Club

¹² *Id.* at 85 – 88.