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People's Counsel

September 3, 2024

Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission
of the District of Columbia
1325 G Street, N.W., Suite 800
Washington, D.C. 20005

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

Dear Ms. Westbrook-Sedgwick:

Enclosed for filing in the above-referenced proceeding please find the *Office of the People's Counsel for the District of Columbia's Initial Comments Regarding Washington Gas Light Company's Protocols on Identification and Categorization of Grades 1, 2 and 3 Leaks.*

If there are any questions regarding this matter, please contact me at 202.727.3071.

Sincerely,

/s/ Aleksandra George Ruiz

Aleksandra George Ruiz
Assistant People's Counsel

Enclosure

cc: Parties of record

BEFORE THE
PUBLIC SERVICE COMMISSION
OF THE DISTRICT OF COLUMBIA

In the Matter of	§	
the Petition for Investigation into	§	**Formal Case No. 1178**
Washington Gas Light Company's	§	
System Leak Reduction Practices	§	

THE OFFICE OF THE PEOPLE'S COUNSEL FOR THE DISTRICT OF COLUMBIA'S INITIAL COMMENTS REGARDING WASHINGTON GAS LIGHT COMPANY'S PROTOCOLS ON IDENTIFICATION AND CATEGORIZATION OF GRADES 1, 2, AND 3 LEAKS

I. INTRODUCTION

Pursuant to a Public Notice issued by the Public Service Commission of the District of Columbia ("Commission") on August 2, 2024, the Office of the People's Counsel for the District of Columbia ("OPC"), the statutory representative of District of Columbia ratepayers with respect to utility matters, respectfully submits the following recommendations, comments, and questions to Washington Gas Light Company ("WGL") in advance of the second technical conference to be held in Formal Case No. 1178.[1]

II. BACKGROUND

On June 12, 2024, the Commission issued Order No. 22004 ("Order"), which granted in part and denied in part OPC's petition for an investigation into WGL's gas system leak reduction practices.[2] In its Order, the Commission determined that a "transparent investigation into [WGL's

[1] *Formal Case No. 1178*, Order No. 22004, In the Matter of the Petition for Investigation into Washington Gas Light Company's System Leak Reduction Practices ("F.C. 1178"), Public Notice, ¶ 1, rel. Aug. 2, 2024.
[2] F.C. 1178, Order No. 22004.

practices for] leak detection, management, and reporting would be useful for both the Commission and parties to fully examine and understand WGL's methodologies."[3] The Commission initiated the current investigation into WGL's gas leak practices, described a series of topics that will be addressed by WGL in technical conferences, and directed interested parties to provide written comments as part of the investigation. As described in the Order, the second prong of the investigation concerns WGL's "existing protocols for identifying and classifying Grades 1, 2, and 3 leaks in the District."[4] The Order directs WGL to "prepare materials for a technical conference" ("Second Technical Conference") that discusses "how PHMSA's proposed updates will allow for consistent treatment on WGL's categorization" within 15 days after the first technical conference.[5]

This Order states that the Commission will issue "a notice soliciting comments from interested parties to itemize relevant questions, concerns, and recommendations for best practices to be addressed" at the Second Technical Conference.[6] On August 2024, the Commission issued its Public Notice "invit[ing] interested persons to comment on the topic of 'Washington Gas Light Company's Protocols on Identification and Categorization of Grades 1, 2, and 3 Leaks' as part of *Formal Case No. 1178*" [on or before] August 31, 2024.

The Order references the Pipeline and Hazardous Materials Safety Administration's May 2023 proposed rulemaking, *Pipeline Safety: Gas Pipeline Leak Detection and Repair* ("PHMSA Proposed Rule"),[7] that implements congressional mandates found in the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020. PHMSA's proposed 49 C.F.R. §

[3] Order No. 22004, ¶ 14.
[4] Order No. 22004, ¶ 19.
[5] *Id*. ¶ 19.
[6] *Id*.
[7] Pipeline and Hazardous Materials Safety Administration, Notice of Proposed Rulemaking: *Pipeline Safety: Gas Pipeline Leak Detection and Repair*, 88 Fed. Reg. 31890 (May 18, 2023) ("PHMSA Proposed Rule").

192.760(a) would require operators of gas distribution pipelines, amongst other kinds of pipelines, "to have and follow written procedures" for grading "leaks on all portions of a gas pipeline" and repairing leaks that meet or exceed the [PHMSA] requirements." [8] Additionally, operators are subject to baseline training requirements and must investigate leaks "immediately and continuously until a leak grade determination has been made" and "prioritize leak [repairs] by the hazard [the leak poses] to public safety and the environment." [9] The PHMSA Proposed Rule would include the grade definitions and repair schedules listed in the table below: [10]

PHMSA Leak Grade	**LEAK GRADE DEFINITION**	**LEAK REPAIR SCHEDULE**	
49 C.F.R. §192.760(b). **Grade 1 Leaks.**	"**any leak that constitutes an existing or probable hazard to persons or property or a grave hazard to the environment**[,]" including leaks with any of these characteristics: • any amount of escaping gas has ignited; • gas migrated into a building, under a building, or into a tunnel; • there's a reading of gas at the outside wall of a building; • a Lower Explosion Limit ("LEL") reading of 80% or greater in a confined space; • an LEL reading of 80% or greater in a substructure (including gas substructures) that could migrate to the outside of a building; • any leak that can be seen, heard, or felt; or • any leak defined as an "incident" under §191.3 (includes gas releases that result in death, hospitalization, property damage of at least $122,000 and estimated gas loss of at least three million cubic ft).	Operators "**must promptly repair a grade 1 leak and eliminate the hazardous conditions by taking immediate and continuous action**" Continuous = "must maintain on-site remediation efforts until the leak repair has been completed."	
49 C.F.R. §192.760(c). **Grade 2 Leaks.**	A leak that "**constitutes a probable future hazard to persons or property or a significant hazard to the environment**[,]" excluding grade 1 leaks and including leaks with any of these characteristics: • an LEL reading of 40% or greater under a sidewalk in a wall-to-wall paved area; • an LEL reading at or above 100% under a street in a wall-to-wall paved area with gas migration; • an LEL reading between 20% and 80% in a confined space; • an LEL reading of less than 80% in a substructure (not associated with gas) from which gas could migrate;	Grade 2 leaks, generally	Within 6 months of detection

[8] PHMSA, *Pipeline Safety: Gas Pipeline Leak Detection and Repair*, 88 Fed. Reg. at 31975.
[9] PHMSA Proposed Rule at 31960, 31975.
[10] PHMSA Proposed Rule at 31960-31961, 31975- 31977.

	• an LEL reading of 80% or greater in a gas associated substructure from which gas could not migrate; • any gas reading that occurs on a transmission pipeline, a Type A or Type C regulated gas gathering line; • a leakage rate of 10 cubic feet per hour or more; • an LPG or hydrogen gas leak; or • any leak that operating personnel at the scene believe is of a sufficient magnitude to justify repairs within six months or less.	Leaks detected before/on date final rule is published	Within 1 year of final rule publication date
49 C.F.R. §192.760(d). **Grade 3 Leaks.**	"any leak that does not meet the criteria of grade 1 or grade 2 leak[s,]" including but not limited to a leak with: • less than 80% of the LEL in gas associated substructures from gas is unlikely to migrate; • any reading of gas under pavement outside of a wall-to-wall paved area where gas is unlikely to migrate to the outside wall of a building; or • a reading of less than 20% of the LEL in a confined space.	Generally, for grade 3 leaks	Within 24 months of detection
		Before/on date of final rule publication	Within 3 years of final rule publication date
		Repair may be postposed if the segment containing the leak is scheduled for replacement, and is replaced, within five years of detection.	

PHMSA's Proposed Rule builds off of the tiered framework found in the Gas Piping Technology Committee's ("GPTC") "Guide for Gas Transmission and Distribution Piping Systems" leak grading and repair criteria.[11]

When a WGL customer calls in a gas leak, WGL is required to categorize the call as a Code 1 Order, Code 2 Order, or a Code 3 Order. The table below includes the definitions for Codes 1, 2, and 3 Orders, and the response schedules required by 15 D.C.M.R. §§ 3702.2, 3799:

DCMR CODE	§ 3799 DEFINITION	§ 3799 RESPONSE SCHEDULE
Code 1 Order	"Gas leak or customer reported odor complaint calls involving a strong gas leak, carbon monoxide, illness, broken services main or gaslit, fire in progress, explosion, uncontrolled appliance heat, steam or noise, gas blowing or hissing, second call, or pressure alarm."	Within 30 minutes after dispatch has been informed during business or non-business hours.
Code 2 Order	"Gas leak or customer reported odor complaint calls involving 'medium' gas leak, or noise."	Within 60 minutes after dispatch has been informed during business or non-business hours.

[11] PHMSA Proposed Rule at 31892 (citing Gas Piping Technology Committee Z380, ANSI GPTC Z380.1-2022, "The Guide for Gas Transmission, Distribution, and Gathering Piping Systems" including addenda 1 and 2 (2022).

Code 3 Order	"Gas leak or customer reported odor complaint calls involving a "slight" gas leak."	Within 90 minutes after dispatch has been informed during business or non-business hours.

The Leak Identification, Detection, and Repair, and Order Complaints Report ("LIDAROC") database should include WGL's gas leak data for every gas leak and odor complaint called into WGL and categorized as a Code 1, 2, or 3 Order. 15 D.C.M.R. §§ 3702.12-14 requires WGL to include the following data in LIDAROC within five days of receipt of the gas-related complaint and update LIDAROC once the gas leak has been repaired:

> the origination date; the work completion date; **the grade of the leak**; the type of leak; **the location**; **the ward**; the number of customers whose service was disrupted because of the leak, the cause of the leak; the response time; the actions taken; the leak ID number; the work request Order number; the work request type code; the code number; and **the actual repair time in days and minutes**.

WGL is then required to determine whether further repair is needed. 15 D.C.M.R. § 3702.2(e) requires WGL to categorize the code order as Grade 1, Grade 2, or Grade 3 if WGL determines that "the gas leak is in need of repair[.]" The table below includes the definitions for Grade 1, 2, and 3 Leaks, and the time schedules required by 15 D.C.M.R. § 3702.4(a)-(c):

DCMR LEAK GRADE	LEAK GRADE DEFINITION	LEAK REPAIR SCHEDULE
15 D.C.M.R. § 3702.4(a). **Grade 1 [Leaks]**.	"A leak that presents an immediate or probable hazard to person(s) or property, and requires immediate repair or continuous action until the conditions are no longer hazardous[.]"	"All Grade 1 leaks shall be **promptly repaired**" and "continuously observed[.]" If not repaired immediately because of a downgrading from Grade 1 to Grade 2, then must recheck the location within 48 hrs.
15 D.C.M.R. § 3702.4(b). **Grade 2[Leaks]**.	"A leak that is recognized as being non-hazardous at the time of detection, but requires scheduled repair based on probable future hazard[.]"	non-hazardous Grade 2 leaks shall be scheduled for repairs within [30] days. Other Grade 2 leaks shall be repaired within one calendar year. Grade 2 leaks shall be monitored and reevaluated at least once every six months until cleared with no further signs of leak. If the Grade 2 leak indicated a probable hazard, it must be reclassified as a Grade 1 leak and repaired immediately.
15 D.C.M.R. §	"[a] leak that is non-	Within 15 months of the date reported or shall be monitored

3702.4(c). **Grade 3 [Leaks]**.	hazardous at the time of detection and can be reasonably expected to remain non-hazardous."	and reevaluated during the next scheduled leak survey, whichever occurs first, until the leak is repaired with no further signs of leak.

Failure to comply with 15 D.C.M.R. §§ 3702.12-14 could result in WGL incurring penalties set forth in D.C. Official Code § 34-706(a) for failure to comply with Commission rules and regulations.

In addition to the Natural Gas Quality of Service Standards, WGL is currently required to report hazardous leaks and the total amount of leaks to PHMSA under 49 C.F.R. § 191.11(a):

> "[E]ach operator of a distribution pipeline system must submit an annual report for that system on DOT Form PHMSA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year."

DOT Form PHMSA F 7100.1-1 ("DOT Form") also requires that WGL disclose the cause of leak (corrosion failure; natural force damage; excavation damage; other outside force damage; pipe, wield, or joint failure; equipment failure; incorrect operation; or other cause) in addition to whether the leak was hazardous or not. Part C of the DOT Form requests the "number of known leaks …scheduled for repair" at the end of the calendar year.

III. Initial Recommendations and Topics for Discussion at the Second Technical Conference.

OPC commends the Commission for initiating an investigation into WGL's practices for detecting, managing, and reporting gas leaks. This investigation is a needed opportunity for WGL to provide the Commission with complete data about its gas leak data and repair schedules. A second technical conference and series of comments and/or joint report that focuses on how WGL can achieve consistency between the grading system in PHMSA's Proposed Rule and WGL's current categorization system is necessary. This portion of the investigation needs to provide

insight and clarity on the protocols, standard procedures, and/or metrics that WGL uses to determine whether a leak requires immediate attention, what constitutes a hazardous versus a non-hazardous leak, and the schedule every single leak that is categorized as Grade 1, 2, or 3 is placed on for repair. OPC includes a list of questions below in Section IV that seek that level of insight and clarity.

OPC focuses on three recommendations in these initial comments: (1) that WGL provide the Commission and interested parties copies of (and a presentation to help explain) any protocols, procedures, and/or metrics, used systematically or on a case-by-case basis to identify and categorize Grade 1, 2, and 3 Leaks, whether they are hazardous or non-hazardous, and their repair schedules during this technological conference, (2) that WGL replace any existing protocols, procedures, and/or metrics that are inconsistent with PHMSA's Proposed Rule with abundantly clear and standardized protocols for identifying and categorizing gas leaks that rely on the same language and definitions as PHMSA's Proposed Rule; and (3) that WGL continuously update its gas leak protocols in a manner that focuses on environmental injustice and energy inequity concerns.

1. *OPC Recommends that WGL Provide Presentations on and Provide Copies of any Protocols, Procedures, and/or Metrics, WGL uses Systematically or on a Case-by-Case Basis to Identify and Categorize Grade 1, 2, and 3 Gas Leaks during this Technological Conference*

OPC remains deeply concerned about how WGL measures the safety risk a gas leak poses and how WGL records and categorize leaks in LIDAROC. The number of Grade 1 leaks is increasing and Grade 1 leaks continue to pose a substantial safety concern to District residents and the District's workforce, in addition to being a significant source of methane emissions and an impediment to advancing the District's climate goals. Grade 1 leaks need to be eliminated as

efficiently and expeditiously as possible to mitigate severe incidents, such as an explosion that leads to a significant loss of property, permanent damage to the environment, or loss of life. Knowing how exactly WGL assesses the safety risk a Grade 1 event poses and how WGL measures the hazard level any gas leak poses to human health and the environment is the only way the Commission and OPC can meet their mandates under D.C. Law §§ 34-808.02 and 34-804(e), respectively: to "consider the public safety, the economy of the District of Columbia, the conservation of natural resources, and the preservation of environmental quality, including effects on global climate change and the District's public climate commitments." It is not possible for either the Commission or OPC to comply with this mandate without clear, forthcoming, and continuous transparent gas leak data from WGL that shows how exactly they are meeting the LIDAROC requirements set forth in 15 D.C.M.R. § 3702.

When WGL categorizes a leak as either a Grade 1, 2, or 3 gas leak in LIDAROC, WGL is required to include the actual repair time *for all gas-related complaints* in days and minutes under 15 D.C.M.R. §§ 3702.12-13. The data should be complete and updated with completed repair times in LIDAROC. However, WGL's previous explanations for how it maintains and reports its gas leaks and repair schedule data have been far from clear or complete. OPC has explained in previous comments how WGL's reported quantitative data, specifically the total number of Grade 1, 2, and 3 leaks reported as hazardous or non-hazardous and repaired as hazardous or non-hazardous has been obfuscating, inconsistent, and incomplete.[12] For example in LIDAROC, WGL recorded a total of 1810 for calendar year 2022 and a total of 2092 leaks for calendar year 2023. That is a difference of 282 (~ 16% increase) gas leaks that were recorded in LIDAROC and presumably

[12] *Formal Case No. 1142*, The Office of People's Counsel Comments to Washington Gas Light Company's Notice of Compliance in Merger Commitment No. 73, filed June 6, 2023.

graded either Grade 1, Grade 2, or Grade 3. However, the total number of gas leaks that were reported to PHMSA (repaired leaks) during both calendar years was roughly the same. Specifically, the total amount of leaks reported to PHMSA (repaired) in 2022 was 1,260 leaks and in 2023, 1258 leaks. Additionally, the total amount of known leaks reported to PHMSA (the total amount of known leaks scheduled for repair at the end of the current calendar year but not yet repaired) for 2022 is 125 leaks and for 2023 is 147 leaks. This points to a potential rollover of leaks repaired from one year to another, without any historical explanation from WGL that accounts for the repair data missing in LIDAROC and whether WGL is meeting the repair time minimums for each gas leak that's rolled over to the following calendar year. This makes compliance monitoring of merger commitments, such as Merger Commitment Term No. 73, which focuses on tracking Grade 2 leak repairs, unnecessarily challenging. This is in addition to making it impossible for both the Commission and OPC to comply with their mandates to consider public safety and environmental impacts unrepaired Grade 2 and 3 leaks pose, under D.C. Law §§ 34-808.02 and 34-804(e).

Another illustrative example is how WGL has historically explained their total number of Grade 2 and 3 leaks. In WGL's Notice of Compliance, WGL offered the following explanation for how it calculated its CY2022 Grade 2 leaks:

> "[T]he total number of Grade 2 leaks annually is calculated by adding the total of three amounts: 1) the total number of hazardous leaks repaired; 2) the total amount of [n]on-hazardous leaks repaired due to excavation damages; and 3) the total number of non-hazardous leaks scheduled for repair at the end of the prior year. The total of the three amounts is then subtracted from the total number of leaks repaired on mains and services in Part C of the Company's DOT Annual Report. The resulting number is then added to the total number of known leaks scheduled for repair at the end of the year (also from Part C of the DOT Annual Report) to arrive at the total number of Grade 2 Leak occurrences during the calendar year."[13]

[13] *Formal Case No. 1142,* Notice of Compliance, ¶ 2.

WGL did not explain the sources for the data being included in their calculation formula for Grade 2 leaks (both the amount of Grade 2 leaks and their repair schedule). Additionally, the WGL's PHMSA report has not historically identified Grade 2 leaks. WGL's explanation has been obfuscating and shows that WGL is relying on an unverified and complex complicated calculation formula to compile its Grade 2 leaks data instead of updating a hand-full of columns in its LIDAROC spreadsheets with the grade assigned to the gas leak and their exact repair time, as required by 15 D.C.M.R. §§ 3702.12-13.

Understanding any standardized procedure or case-by-case analysis WLG relies on to categorize leaks as Grade 1, and whether a leak that poses significant risks to public safety, or harm to health or the environment, is being scheduled for repair as a Grade 1 leak, is essential for ensuring a swift and appropriate response to life-threatening and environmentally harmful leaks. Specifically, it is essential for WGL to include an explanation of WGL's current procedure and practices for identifying leaks and their repair schedules, current procedures and practices for grading leaks (Grade 1, 2, and 3) and categorizing them as hazardous versus non-hazardous, and current protocols for changing the grade of a leak (e.g., from a Grade 1 to a Grade 2), in their presentation and presentation materials during this technological conference. A more comprehensive list of questions about WGL's current protocols and the data captured using these protocols is included in Section IV below.

2. *OPC Recommends that WGL Replace any Existing Protocols that are Not Consistent with PHMSA's Proposed Rule with Abundantly Clear and Standardized Protocols for Identifying and Categorizing Gas Leaks that Rely on the Same language and Definitions as PHMSA's Proposed Rule*

   OPC strongly recommends that WGL rely on standardized protocols for identifying and

categorizing gas leaks that incorporate PHSMA's definitions and language for defining Grade 1, 2, and 3 leaks and their repair schedules. WGL should clarify what constitutes an existing or probable hazard to consumers in the District and the environment and, at the very least, create a written protocol that grades leaks with any of the following characteristics as Grade 1, to be consistent with the PHMSA Proposed Rule:

- any amount of escaping gas has ignited;
- gas migrated into a building, under a building, or into a tunnel;
- there's a reading of gas at the outside wall of a building;
- an LEL reading of 80% or greater in a confined space;
- an LEL reading of 80% or greater in a substructure (including gas substructures) that could migrate to the outside of a building;
- any leak that can be seen, heard, or felt; or
- any leak defined as an "incident" under §191.3 (includes gas releases that result in death, hospitalization, property damage of at least $122,000 and estimated gas loss of at least three million cubic ft).

WGL needs to clarify the measures WGL takes to "immediately" and "consistently" repair a Grade 1 leak in addition to what constitutes an "eliminated" hazardous gas leak condition. This knowledge would allow OPC the opportunity to oversee threats to public safety and the environment caused by gas leaks in WGL's distribution system and generally comply with its D.C. Law §§ 34-808.02 mandate to consider public safety and harms to the environment in its advocacy. A more comprehensive list of questions about the meaning behind terms used in WGL's current protocols is included in Section IV below.

OPC recommends that WGL also stop downgrading gas leaks. Downgrading a Grade 1 leak before its hazardous condition is eliminated would be a violation of the proposed PHMSA requirements. Downgrading leaks also makes it unnecessarily difficult to compare LIDAROC data from one calendar year to the next, including the LIDAROC data captured in the PHMSA reporting. It's very challenging, for example, for OPC or the Commission to track the total amount

of Grade 1 leaks in a calendar year if a portion of what was originally categorized as a Grade 1 leak has been recategorized to a Grade 2 or 3 leak. It's also challenging to identify trends across calendar years for the total amount of hazardous (presumably Grade 1 leaks) that have been repaired if a portion of Grade 1 leaks that were downgraded and not repaired, are no longer being recorded as Grade 1 leaks. This could lead to leaks that initially presented an immediate and probable hazard to people and the environment (presumably Grade 1 leaks) having repair times extended to over a year. It also leads to significant data gaps around how often each category of leaks is being downgraded, how many, and whether any are in a perpetual cycle of reclassification in LIDAROC.

Currently, many states do not allow leak grade classification downgrades. According to the National Association of Pipeline Safety Representatives, at least 22 states have requirements for leak grading and for prioritizing leak repairs that supplement and/or exceed PHMSA requirements.[14] Maine, for example, does not allow operators to downgrade a leak unless the leak has been repaired.[15] New Hampshire only allows six leaks or five percent of leaks in a class (whichever is less) to be downgraded from Class II to Class III leaks.[16] New York and California both offer two of the most protective and rapid repair schedules for Grade 1, 2, and 3 leaks. In 2022, New York's Consolidated Edison NY repaired Tyle 1 leaks in an average of 4 days, Type

[14] *See* NAT'L ASS'N OF PIPELINE SAFETY REPS., *Compendium of State Pipeline Safety Requirements & Initiatives Providing Increased Public Safety Levels compared to Code of Federal Regulations* (3rd ed. 2022), http://nebula.wsimg.com/77f8f2a14d467fbe1e56cbafaf9e8a8b?AccessKeyId=8C483A6DA79FB79FC7FA&disposition=0&alloworigin=1/ . (States with more stringent leak response and timing requirements that PHMSA requirements include Arkansas, California, Connecticut, Delaware, Georgia, Indiana, Iowa, Kansas, Maine, Michigan, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Texas, and Washington).

[15] C.M.R. 65-407-420 § 6(E)(8).

[16] N.H. Admin. Rules, Puc 508.04(q).

2A leaks in an average of 17 days, and Type 3 leaks in an average of 35 days.[17] OPC highly encourages WGL to research the practices present in New York and California, amongst other states that afford the public and the environment the most protective and responsive leak grading and repair schedule protocols.

OPC also recommends that WGL track the total amount of methane being released due to gas leaks and consider the contribution from gas leaks to greenhouse gases in its leak grade classification and repair schedule. Recording how any cubic feet of gas was released per hour would be consistent with the changes in the PHMSA Proposed Rule. For example, the PHMSA Proposed Rule includes a leak criteria of 10 cubic feet per hour in its definition for Grade 2 leaks. It would also allow WGL to track whether leaks that don't pose a hazard are nonetheless contributing to a larger volume of total methane emissions when placed on a lengthier repair schedule. WGL should consider prioritizing the repair time for leaks that have a significant volume even when those leaks are not posing a safety hazard. Currently, there is no clarity on whether WGL tracks methane releases for each recorded leak and whether that total volume is considered in WGL's repair schedule determinations.

3. *OPC Recommends that WGL continuously update its gas leak protocols in a manner that focuses on environmental injustice and energy inequity concerns.*

Lastly and most importantly, OPC urges WGL continuously update its protocols, procedures, and/or metrics for gas leaks in a manner that's clear and consistent with PHMSA's approach to environmental and climate justice. The U.S. Department of Transportation, in an

[17] CON EDISON, INC., *Managing Our Emissions*, available at https://lite.conedison.com/ehs/2023-sustainability-report/environment/managing-our-emissions/ (last visited Aug. 26, 2024).

effort to implement Executive Order 13985 and 14008,[18] made pipeline safety incidents and data available to the public as part of their goal to ensure that maintenance and safety measures do not leave underserved communities behind.[19] Specifically, PHMSA created a publicly available pilot for an interactive mapping tool that allows users to view the location of incidents that includes an overlay with underserved communities. PHMSA also expanded public outreach, education on pipeline awareness and safety, and its community-based damage prevention initiatives.

OPC recommends that WGL prioritize initiatives that clearly share gas leak data with ratepayers using an interactive map with a geographic overlay of the District's underserved communities, similar to PHMSA's approach. OPC also recommends that WGL both identify the human health and environmental effects gas leak data gaps, downgrading, and repair rollovers have on historically underserved communities in the District and redress these impacts. The District's 2045 Carbon Free DC Strategy offers guiding questions that WGL can use to identify the relationship between environmental and energy injustice and gas leak data entry, recording, management issues. Identifying a ratepayer's needs around affordability, health and safety, accessibility, economic opportunity, and climate resilience, would be just an initial step in redressing injustices present.

OPC has incorporated the guiding questions from the District's 2045 Carbon Free DC

[18] Exec. Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 86 Fed. Reg. 7009 (Jan. 25, 2021), https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government#:~:text=Advancing%20Racial%20Equity%20and%20Support%20for; Exec. Order 14008, *Tackling the Climate Crisis at Home and Abroad*, 86 Fed. Reg. 7619 (Feb. 1, 2021), https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad#:~:text=(print%20page%207619)%20Executive%20Order%2014008.

[19] U.S. Dept. of Transportation PHMSA, Pipeline Safety: Reviewing Implementation of the PIPES Act of 2020 and Examining Future Safety Needs, available at https://www.transportation.gov/pipeline-safety-reviewing-implementation-pipes-act-2020-and-examining-future-safety-needs (accessed Aug. 28, 2024).

Strategy in Section IV below.

IV. Questions for WGL Regarding the Company's Protocols on Identification and Categorization of Grades 1, 2, and 3 Leaks.

WGL's Current Data, Protocols, Procedures, and/or Metrics Used to Identify and Categorize Grade 1, 2, and 3 Leaks & Consistency with PHMSA Rules

1. How does WGL determine whether a gas leak **poses an immediate hazard to persons or property**? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to measure the immediacy of a hazard created by a leak?
2. How does WGL determine whether a gas leak **poses a probable hazard to persons or property**? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to measure the probability of a hazard created by a leak?
3. How does WGL evaluate whether a gas leak **requires immediate repair** until conditions are no longer hazardous? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to determine whether a leak requires immediate repair?
4. How does WGL evaluate whether a gas leak **requires continuous action** until conditions are no longer hazardous? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to determine whether a leak requires continuous action?
5. How does WGL evaluate whether a leak has been **promptly** repaired? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to determine whether a leak has been promptly repaired?
6. How does WGL measure whether a gas leak **non- hazardous** to persons or property? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to measure whether a leak is non-hazardous?
7. How does WGL determine whether a gas leak poses **a probable future harm** to persons or property? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to measure a leak's probable future harm?
8. How does WGL evaluate whether a gas leak can **be reasonably expected to remain non-**hazardous to persons or property? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to determine whether a leak can be reasonably expected to remain non-hazardous?
9. How does WGL ensure that Grade 2 and Grade 3 leaks have been scheduled for repair? Are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to oversee the Grade 2 and Grade 3 repair schedules?
10. For calendar year 2022, has WGL updated LIDAROC to include the ward for each leak and odor complaint entered?

11. For calendar year 2023, has WGL updated LIDAROC to include the ward for each leak and odor complaint entered?
12. In calendar year 2022, what were the total amount of gas-related leaks/odor complaints called in?
13. In calendar year 2023, what were the total amount of gas-related leaks/odor complaints called in?
14. In calendar year 2022, what were the total amount of gas leaks that needed repair?
15. In calendar year 2023, what were the total amount of gas leaks that needed repair?
16. In calendar year 2022, what were the total number of graded leaks (Grade 1, Grade 2, and Grade 3 leaks) that were designated as hazardous during any point of the leak grading process?
17. In calendar year 2023, what were the total number of graded leaks (Grade 1, Grade 2, and Grade 3 leaks) that were designated as hazardous during any point of the leak grading process?
18. In calendar year 2022, what were the total number of graded leaks (Grade 1, Grade 2, and Grade 3 leaks) that were designated as non-hazardous during any point of the leak grading process?
19. In calendar year 2023, what were the total number of graded leaks (Grade 1, Grade 2, and Grade 3 leaks) that were designated as non-hazardous during any point of the leak grading process?
20. In calendar year 2022, how many leaks were downgraded from Grade 1, to a Grade 2 or Grade 3?
21. In calendar year 2022, how many leaks were downgraded from a Grade 2 to a Grade 3?
22. In calendar year 2023, how many leaks were downgraded from Grade 1, to a Grade 2 or Grade 3?
23. In calendar year 2023, how many leaks were downgraded from a Grade 2 to a Grade 3?
24. Have the total number of Grade 1 leaks *recorded* in LIDAROC increased between calendar year 2022 and calendar year 2023?
25. Have the total number of Grade 1 leaks *reported* to PHMSA increased between calendar year 2022 and calendar year 2023?
26. Does WGL **eliminate** the hazardous conditions for all grade 1 leaks when repairing grade 1 leaks? If WGL does, are there any protocols, procedures, and/or metrics WGL relies on systematically or on a case-by-case basis to determine that a grade 1 leak's hazardous condition has been eliminated? If WGL does not, why not?

WGL's Gas Leak Environmental Justice and Energy Equity Considerations

27. How will transparency and clarity in LIDAROC data and consistency with the PHMSA Proposed Rule increase housing security for historically underserved ratepayers in the District?
28. Will addressing data gaps in LIDAROC and minimizing repair rollovers lower housing cost burdens? If so, how?

29. Do WGL's protocols for gas leak categorization lower utility burden? If not, how could they?
30. Do WGL's protocols for gas leak categorization address displacement and pressures of gentrification in the District? If not, how could they?
31. Will WGL's protocols for gas leaks improve air quality and reduce incidences of respiratory and cardiac problems for ratepayers immediately impacted by gas leaks? For ratepayers living elsewhere in the District and still impacted by the greenhouse gas emitted by the gas leak?
32. Will addressing data gaps in LIDAROC and minimizing repair rollovers improve a ratepayers' feeling of safety in their neighborhood?
33. How will WGL's protocols for gas leak categorization increase resident resilience, especially during a climate change event like a hurricane or a flood?
34. Has WGL addressed the resilience and reliability needs neighborhoods most vulnerable to climate change have in its protocols for gas leak categorization?

V. CONCLUSION

OPC appreciates the opportunity to submit these comments and questions on WGL's protocols on identification and categorization of Grades 1, 2, and 3 leaks. OPC looks forward to the opportunity to participate in the technical conference and any subsequent comment periods in this proceeding.

Respectfully submitted,

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Dated: September 3, 2024

CERTIFICATE OF SERVICE

Formal Case No. 1178, In the Matte of the Petition for Investigation into Washington Gas Light Company's System Leak Reduction Practices

I certify that on September 3, 2024, a copy of the *Office of the People's Counsel for the District of Columbia's Initial Comments Regarding Washington Gas Light Company's Protocols on Identification and Categorization of Grades 1, 2 and 3 Leaks* was served on the following parties of record by hand delivery, first class mail, postage prepaid or electronic mail:

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