

June 30, 2020

VIA ELECTRONIC FILING

Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission
of the District of Columbia
1325 "G" Street, N.W., 8th Floor
Washington, D.C. 20005

**Re: Washington Gas Light Company's
[Request for Stay of Enforcement During COVID-19]**

Dear Ms. Westbrook-Sedgwick:

Washington Gas Light Company hereby submits two Request for Stay of Enforcements.

Please feel free to contact me if you have questions regarding this matter.

Sincerely,

Robert C. Cain, II
Robert C. Cain, II
Associate General Counsel

cc: Per Certificate of Service



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Office of Compliance and Enforcement

Request for Stay of Enforcement Form

Scope:

This form is only applicable during the COVID-19 National Emergency. A stay of enforcement applies to situations where regulatory compliance or scheduled inspection dates are not feasible under the circumstances and the Gas Pipeline Operator (“Operator”) has requested a stay of enforcement in advance. Please be advised that activities related to unapproved requests may be considered non-compliant and subject to enforcement.

Instructions:

If an Operator cannot meet the federal or state safety compliance regulations and codes or scheduled inspection dates due to COVID-19, the Operator must document the specific details using this form to request a stay of enforcement. This form must be submitted in Microsoft Word format and **shall be emailed** by an authorized representative to uogbue@psc.dc.gov; abagayoko@psc.dc.gov; and djackson@psc.dc.gov. A copy of the emailed form and associated documents, if any, **shall also be filed** with the Commission. All communication shall be directed to:

Udeozo Ogbue, P.Eng., DBM
Chief, Office of Compliance and Enforcement
Program Manager, Pipeline Safety and Damage Prevention

The operator must submit each request(s) at least 48 hours prior to the start date of the intended non-compliant activity. For operator qualifications matters, the operator must notify the Office of Compliance and Enforcement as soon as possible but no later than five business days prior to the date of the intended non-compliant activity. Commission staff may require additional information related to the Operator’s request.

Information Below To Be Provided By The Operator

Operator Name:	Washington Gas
Date:	June 30, 2020
Requester’s name and title:	Shannon Maloney, Manager of DOT Pipeline Safety Compliance and Quality
Requester’s phone number:	(703) 750-5558
Requested start and end dates of enforcement stay:	Effective upon approval, ending on December 31, 2020
Email addresses of operator representatives copied on decision:	sprice@washgas.com, kristopherkelley@washgas.com, smaloney@washgas.com
49 C.F.R. 190 - 199 Regulation No. & Description (N/A, If Not Applicable):	§199.105 (c) (7) Random Drug Testing: The Company will conduct a number of random tests each calendar year that meets or exceeds the current minimum annual percentage random testing rate. These tests shall be unannounced and reasonably spread throughout the calendar year.
15 DCMR Regulation or Commission Order (N/A, If Not Applicable):	N/A
What specific regulatory requirements or engineering inspection dates cannot be met?	The random testing rate of 50% of safety-sensitive positions will likely not be achieved, and the even distribution of testing



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	<p>throughout the year, typically considered at the quarterly level, may not be achieved at the level that Washington Gas has performed historically.</p>
<p>How is the request related to COVID-19?</p>	<p>Due to the COVID-19 pandemic and national emergency, federal, state, and local governments in the Washington Gas service territory have mandated certain pre-cautions. These pre-cautions include social distancing and limitations on the number of people that may gather in a single indoor space.</p> <p>Because of the social distancing and gathering size restrictions, Washington Gas is not able to convene the typical number of individuals for testing. This reduction in testing capacity will result in a reduced testing rate overall for calendar year 2020.</p> <p>Therefore, Washington Gas' request is for flexibility on the following two elements of §199.105:</p> <ul style="list-style-type: none"> • The requirement for even distribution of testing throughout the year, and • The requirement for a testing rate of 50% of safety-sensitive positions. <p>Washington Gas anticipates that it will not be able to meet these two requirements because of the COVID-19 emergency. However, as these conditions and restrictions are eased and eliminated, Washington Gas intends to begin returning to a testing rate at or approaching the required rate of 50%. At present, Washington Gas expects a full return to the required testing rate and testing distribution by January 1, 2021 is achievable.</p>
<p>List the risks the non-compliant actions are introducing to the Operator's natural gas pipeline system?</p>	<p>No significant risk to the system is introduced by virtue of this temporary adaptation to the Drug and Alcohol Testing Program.</p>
<p>What alternative measures are being taken to ensure safety and mitigate the risks listed above? (N/A, If Not Applicable)</p>	<p>Supervisors have received training to recognize signs and symptoms of intoxication and drug and alcohol abuse. Additionally, testing continues for all Pre-Employment-new hires, Reasonable Suspicion/Cause, and Post Accident Testing.</p> <p>As part of this Stay, Washington Gas requests that we set the overall random testing rate for 2020 to 25%, equal to the annual rate required prior to 2018.</p>
<p>How will the request be abated after cessation of the national emergency?</p>	<p>Washington Gas will continue to monitor the evolving COVID-19 situation, and its impact on random testing quotas. Upon the full reopening of communities within the Washington Gas service territory, the Company will continue to aim for the highest testing</p>



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	rate up to 50% that is achievable in the circumstances of COVID-19, and as those circumstances evolve.
List of attachments with further details accompanying this request. If the attachments contain confidential information, please provide a public and confidential version. (N/A, If Not Applicable):	No attachments are included.
Information Below To Be Provided By The State Program Manager	
Request Tracking Number:	
Date Received:	
Date of Decision:	
Additional Information Needed:	
Decision:	
Person deciding the matter:	
Comments:	



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Office of Compliance and Enforcement

Request for Stay of Enforcement Form

Scope:

This form is only applicable during the COVID-19 National Emergency. A stay of enforcement applies to situations where regulatory compliance or scheduled inspection dates are not feasible under the circumstances and the Gas Pipeline Operator (“Operator”) has requested a stay of enforcement in advance. Please be advised that activities related to unapproved requests may be considered non-compliant and subject to enforcement.

Instructions:

If an Operator cannot meet the federal or state safety compliance regulations and codes or scheduled inspection dates due to COVID-19, the Operator must document the specific details using this form to request a stay of enforcement. This form must be submitted in Microsoft Word format and **shall be emailed** by an authorized representative to uogbue@psc.dc.gov; abagayoko@psc.dc.gov; and djackson@psc.dc.gov. A copy of the emailed form and associated documents, if any, **shall also be filed** with the Commission. All communication shall be directed to:

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Chief, Office of Compliance and Enforcement
Program Manager, Pipeline Safety and Damage Prevention

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Information Below To Be Provided By The Operator

Operator Name:	Washington Gas
Date:	June 30, 2020
Requester’s name and title:	Shannon Maloney – Manager, DOT Pipeline Safety & Compliance
Requester’s phone number:	(703) 750-5558
Requested start and end dates of enforcement stay:	Start: July 1, 2020 End: December 31, 2020
Email addresses of operator representatives copied on decision:	sprice@washgas.com, kristopherkelley@washgas.com, smaloney@washgas.com
49 C.F.R. 190 - 199 Regulation No. & Description (N/A, If Not Applicable):	For the code sections listed below, Washington Gas intends to comply with the code requirements by July 1, 2020; however, the Company is requesting flexibility on the deadline of finalizing the corresponding written procedures by July 1, 2020. 192.3: Definitions. [Engineering critical assessment (ECA) and Moderate consequence area]



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192.5: Class locations. New requirement for records demonstrating class locations and how they were determined.

192.7: Documents incorporated by reference.

192.9: N/A (gathering lines)

192.18: PHMSA Notifications. New notification requirement for certain events to InformationResourcesManager@dot.gov

192.67: Records: Material properties. New documentation requirements for records of the physical characteristics of the pipeline.

192.127: Records: Pipe design. New requirement for records documenting the pipe's ability to withstand external pressures and loads.

192.150: Passage of internal inspection devices. New and replaced transmission lines must accommodate ILI devices.

192.205: Records: Pipeline components. New requirement for records documenting manufacturing standard, pressure rating, and relevant test data.

192.493: In-line inspection of pipelines. New requirement to comply with specific listed standards.

192.506: Transmission lines: Spike hydrostatic pressure test. New spike test duration and pressure level limit requirements.

192.517: Records: Tests. New transmission and high-pressure pipeline test record retention requirement.

192.607: Verification of Pipeline material Properties and Attributes: Onshore steel transmission pipelines. New documentation and verification record requirements for material properties and attributes that form a traceable, verifiable, and complete record.

192.619: Maximum allowable operating pressure: Steel or plastic pipelines. Pressure test factor change for Class 1 pipelines from 1.1 to 1.25.

192.710: Transmission lines: Assessment outside of high consequence areas. Introduction of assessment requirements and intervals for pipelines operating above 30% SMYS and in a Class 3 or 4 location or moderate consequence area.

192.712: Analysis of predicted failure pressure. New requirements for response to the discovery of corrosion, cracks, or crack-like defects on transmission pipelines.



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	<p>192.805: Qualification Program. Directive to inform PHMSA and state agencies using contact information listed in 192.18.</p> <p>192.909: Changes to integrity programs. New reference to 192.18 made for communicating changes to the integrity plan.</p>
15 DCMR Regulation or Commission Order (N/A, If Not Applicable):	N/A
What specific regulatory requirements or engineering inspection dates cannot be met?	<p>Washington Gas does not expect to meet the requirement in 192.605 to incorporate material from the above listed sections into its Operations and Maintenance Manual by July 1, 2020. Similarly, Washington Gas is also requesting additional time to incorporate new elements from DOT 192 Subpart O into its Transmission Integrity Management Plan. For both the TIMP Plan and the O&M, Washington Gas requests until December 31, 2020 to complete updates related to the above-listed code sections.</p>
How is the request related to COVID-19?	<p>The need for additional time to complete written procedures in support of the Transmission Rule requirements is related to the impact of COVID-19 on collaboration and gatherings. Based on the requirements, Washington Gas needs to consult with various internal and external entities for feedback, support, and expertise. These gatherings have proceeded, when possible, using technology; however, certain entities lack access to digital teleconferencing platforms or are otherwise unable to provide the information remotely. Additionally, certain information is retained only on paper, and COVID-19 protocols limit the Company's ability to review or use it in a collaborative setting. Several relevant examples of COVID-19 impacts are described below:</p> <p>- Training:</p> <ul style="list-style-type: none"> Field personnel need to receive training to make certain notifications when they observe transmission pipelines that do not have traceable, verifiable, and complete records. This training cannot proceed at the originally expected pace because of restrictions on gatherings. Washington Gas also needs to train the Engineering department on new design requirements related to API 1102 and new elements of 192.127. The need to adapt

	<p>training to a remote learning approach has delayed its completion.</p> <ul style="list-style-type: none"> • The promulgation of procedures updated to reflect the Transmission Rule requirements will require additional time and planning due to the need to conduct a greater number of training sessions in multiple formats (virtual and in-person). Where possible, training will be conducted remotely; however, many field-based employees lack access to teleconferencing software and will need to participate in-person. <p>- Collaboration: Per the code sections referenced above the TIMP department is required complete a system map depicting non-HCA Class 3 and 4 pipelines whose MAOPs produce hoop stress greater than 30% SMYS, along with pipelines located within an MCA. These pipelines will require new integrity assessments. The TIMP department is working remotely due to COVID-19 and does not have consistent access to certain records needed for this effort. The TIMP department's ability to develop this map is also constrained by the inability to collaborate using these paper records.</p> <p>- Contracted support: The generation of a complete system map for MCAs will require coordination with multiple contractors. Washington Gas has engaged the contractors that are needed but is not able to complete work at the expected pace because of personnel resource constraints and social distancing requirements.</p>
List the risks the non-compliant actions are introducing to the Operator's natural gas pipeline system?	Washington Gas is not introducing additional system risk by completing updates to procedures by December 31, 2020. The Company will continue to respond to abnormal operating conditions, safety-related conditions, or defects on the transmission system according to existing procedures. The Company also intends to comply with all operational requirements within the above-mentioned code sections; only the procedures will be delayed in their implementation.
What alternative measures are being taken to ensure safety and mitigate the risks listed above? (N/A, If Not Applicable)	Washington Gas will finalize updates to the above-mentioned procedures and plans by December 31, 2020. Nonetheless,



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	work continues on these updates in order that they will be completed as soon as possible after July 1, 2020.
How will the request be abated after cessation of the national emergency?	The Operations & Maintenance Manual and the TIMP Plan will be updated with the required material by December 31, 2020.
List of attachments with further details accompanying this request. If the attachments contain confidential information, please provide a public and confidential version. (N/A, If Not Applicable):	No attachments are included. However, Washington Gas has already incorporated the Safety Related Condition reporting requirement for transmission system MAOP exceedances (ref. 191.23). Refer to Company O&M Manual (Revision 76) Section 5354, "Reporting Safety Related Conditions".
Information Below To Be Provided By The State Program Manager	
Request Tracking Number:	
Date Received:	
Date of Decision:	
Additional Information Needed:	
Decision:	
Person deciding the matter:	
Comments:	

CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that on this 30th day of June 2020, I caused copies of the foregoing to be hand-delivered, mailed, postage-prepaid, or electronically delivered to the following:

Christopher Lipscombe, Esq.
Milena Yordanova, Esq.
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Donald Jackson
Ahmadou Bagayoko
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ROBERT C. CAIN, II