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**Date:** October 27, 2016  
**Appraiser:** Jim Cassedy, ACRA  
**Agency:** Pipeline and Hazardous Materials Safety Administration  
**Subject:** DAA-0571-2015-0010

## INTRODUCTION

### Schedule Overview

The Office of Pipeline Safety (PHP-5), Emergency Support & Security Files, Facility Response Plans.

### Additional Background Information

PHMSA is responsible for implementing the Oil Pollution Act of 1990 as it applies to onshore oil pipelines to decrease the likelihood of pipeline spills, diminish the environmental consequences of spills, and ensure that the responses to spills are swift and well planned. The program has several elements, all of which are intended to ensure that pipeline operators are able to protect the environment from major oil spills.

The United States contains about 183,602 miles of hazardous liquid pipelines. PHMSA's regulations cover design, construction, operation, maintenance, and emergency response efforts of these pipelines to ensure safe hazardous liquid transportation. PHMSA's pipeline safety program aims to protect people and the environment through a comprehensive program featuring effective risk management, regulatory compliance, and a strong, balanced Federal-State partnership.

### Facility Response Plans

Under 49 CFR 194.119, operators of any onshore oil pipeline(s) that, because of its location, could reasonably be expected to cause substantial harm, or significant and substantial harm to the environment by discharging oil into or on any United States waters or adjoining shorelines must submit two copies of a response plan to the Office of Pipeline Safety (OPS), PHMSA.

A response plan is a pipeline operator's core plan and the response zone appendices for responding, to the maximum extent practicable, to a worst case discharge of oil, or the substantial threat of such a discharge.

If PHMSA determines that a response plan requiring approval does not meet all the requirements of this part, PHMSA will notify the operator of any alleged deficiencies, and to provide the

operator an opportunity to respond, including the opportunity for an informal conference, on any proposed plan revisions and an opportunity to correct any deficiencies.

Under 49 CFR 194.121, each operator shall update its response plan to address new or different operating conditions or information. In addition, each operator shall review its response plan in full at least every 5 years from the date of the last submission or the last approval as follows:

(1) For substantial harm plans, an operator shall resubmit its response plan to OPS every 5 years from the last submission date.

(2) For significant and substantial harm plans, an operator shall resubmit every 5 years from the last approval date.

(b) If a new or different operating condition or information would substantially affect the implementation of a response plan, the operator must immediately modify its response plan to address such a change and, within 30 days of making such a change, submit the change to PHMSA.

**Overall Recommendation**

I recommend approval of the attached schedule.

## APPRAISAL

### **Item DAA-0571-2015-0010-0001: Facility Response Plans.**

A pipeline operator's core plan and the response zone appendices for responding, to the maximum extent practicable, to a worse case discharge of oil, or the substantial threat of such a discharge.

**Proposed Disposition:** Temporary

**Appropriateness of Proposed Disposition:** Appropriate.

**Appraisal Justification:**

\* These plans are required to be updated at least every five years. If no incident takes place, these individual plans have insufficient informational value to be retained permanently after they have been superseded by new reports, by the National Archives and Records Administration.

\* These reports have been scheduled as temporary for many years under N1-467-97-1, Item 18 (approved 1997).

\* If the case of spill incidents, information concerning (especially major spills) will be captured elsewhere in permanent records, such as the Hazardous Materials Incident Reporting System (currently scheduled by N1-467-93-3).

**Adequacy of Proposed Retention Period:** Adequate.

**Media Neutrality:** Approved.

  
Appraiser