

JUL 06 2016

7/12

OWN

Final Proposal No. 2016-77

Date Filed 7-6-16

COVER SHEET FOR FINAL PROPOSAL

Notice Number	2016-77	Rule Number	Site 102.121, 102.161, 102.221
---------------	----------------	-------------	---

<p>1. Agency Name & Address:</p> <p>Site Evaluation Committee Pamela G. Monroe, Administrator 21 South Fruit Street, Suite 10 Concord, NH 03301-2429</p>	<p>2. RSA Authority: RSA 162-H:10,VI; RSA 162-H:10-b, II; RSA 541-A:16, I (a)</p> <p>3. Federal Authority:</p> <p>4. Type of Action:</p> <p><input checked="" type="checkbox"/> Adopt <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal <input type="checkbox"/> Readoption <input type="checkbox"/> Readoption w/amendment</p>
---	---

"Note to JLCAAR" on p. 1.

5. Short Title: **High Pressure Natural Gas Pipeline Definitions**

6. Contact person for copies and questions:

Name:	Pamela G. Monroe	Title:	Administrator
Address:	21 South Fruit Street, Suite 10 Concord, NH 03301-2429	Phone #:	603-271-2435

7. Yes No Agency requests review by Committee legal staff in the Office of Legislative Services and delayed Committee review pursuant to RSA 541-A:12, I-a.

8. The rulemaking notice appeared in the Rulemaking Register on **May 26, 2016**

9. Yes N/A Agency notified policy committees, or House Speaker and Senate President, pursuant to RSA 541-A:10, I because this is the first time this rule or its amendments have been proposed to implement newly-enacted state authority.

**SEE THE INSTRUCTIONS--PLEASE SUBMIT ONE COPY OF THIS COVER SHEET AND ONE COPY OF THE FOLLOWING:
(optional to number correspondingly)**

10. The "Final Proposal-Fixed Text," including the cross-reference table required by RSA 541-A:3-a, II as an appendix.

11. Yes N/A Incorporation by Reference Statement(s) because this rule incorporates a document or Internet content by reference for which an Incorporation by Reference Statement is required pursuant to RSA 541-A:12, III.

12. Yes N/A The "Final Proposal-Annotated Text," indicating how the proposed rule was changed because the text of the rule changed from the Initial Proposal pursuant to RSA 541-A:12, II(d).

13. Yes N/A The amended fiscal impact statement because the change to the text of the Initial Proposal affects the original fiscal impact statement (FIS) pursuant to RSA 541-A:5, VI.

INSTRUCTIONS FOR THE COVER SHEET FOR FINAL PROPOSAL

The first and second unnumbered items, and Items 1 through 5, shall be completed with the same information as appeared in the “Rulemaking Notice Form” (Appendix II-C) as published for the Initial Proposal in the Rulemaking Register. Item 6 shall identify the name, title, address, and telephone number of the person in the agency who can answer questions about the proposed rule and supply copies.

The agency shall then indicate, by checking the appropriate box on Item 7, whether it is requesting that it receive and respond to comments of the Committee legal staff prior to the Committee meeting that is at least 28 days, but not more than 60 days, after the proposal is filed. In effect, this would be a request for postponement of Committee action. See RSA 541-A:12, I-a and Section 2.14 of Chapter 3 in the Drafting and Procedure Manual for Administrative Rules (Manual).

In Item 8 the agency shall list the full date, by month, day, and year, on which the “Rulemaking Notice Form” was published in the Rulemaking Register.

In Item 9 the agency shall indicate, by checking either the “Yes” box or the “N/A” (not applicable) box, whether it had notified the House and Senate policy committees, or the House Speaker and Senate President, pursuant to RSA 541-A:10, I because the Initial Proposal was the first time the rule or its amendments had been proposed to implement newly-enacted state authority.

Items 10 through 13 all relate to required attachments to the “Final Proposal Cover Sheet”. PROVIDE ONE COPY OF EVERYTHING SUBMITTED. IT IS OPTIONAL TO NUMBER THEM ACCORDINGLY. Item 10 is required in every filing, and therefore is listed without a check-box. Items 11 through 13 will be required only under the circumstances set forth in the description of the items listed below. The agency shall determine whether such attachment is required and then check either the “Yes” box to indicate that the document is required and has been attached or the “N/A” box if the document is not required and therefore not applicable:

- Item 10. The “Final Proposal—Fixed Text,” required by RSA 541-A:12, II(b). See also Section 2.12 of Chapter 3 in the Manual. Include the cross-reference table required by RSA 541-A:3-a, II as was done for the Initial Proposal. See Section 2.4 of Chapter 3 in the Manual.
- Item 11. An “Incorporation by Reference Statement” (Appendix II-H) if the agency has incorporated a third-party document or Internet content by reference for which such a statement is required pursuant to RSA 541-A: 12, III. See Section 3.12 of Chapter 4 in the Manual.
- Item 12. The text of the final proposal annotated to reflect how the text of the Final Proposal differs from the text of the Initial Proposal, if the text has changed during the public hearing and comment process. See RSA 541-A:12, II(e) and Section 5.4 of Chapter 4 in the Manual.
- Item 13. The amended fiscal impact statement obtained from the Legislative Budget Assistant if, as a result of the public hearing and comment process, a change has been made to the rule which affects the original fiscal impact statement. See RSA 541-A:5, VI and Section 2.11 of Chapter 3 in the Manual.

Fiscal Impact Statement for Site Evaluation Committee rules governing High Pressure Natural Gas Pipeline Definitions. [Site 102.121, 102.161, 102.221]

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in when comparing the proposed rules to the existing rules. The proposed rules add three definitions to the organizational rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

Adopt Site 102.121, 102.161, and 102.221 to read as follows:

CHAPTER Site 100 ORGANIZATIONAL RULES

PART Site 102 DEFINITIONS

Site 102.121 “Blowdown event” means the automatic or manual venting of natural gas from a compressor or a section of pipeline taken off-line for maintenance or shutdown due to an emergency.

Site 102.161 “Compressor station” means a facility that mechanically re-pressurizes natural gas to keep the natural gas flowing continuously in a pipeline at a desired flow rate.

Site 102.221 “High pressure gas pipeline” means all parts of those physical facilities through which gas moves in transportation, including pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies, at a pressure greater than required to operate a distribution pipeline.

Note to JLCAR: Because it would include interstate pipelines, this rule gives rise to the issue explained in the Note to JLCAR, attached to FP 2016-78. There are no substantive issues with these rules.

APPENDIX

Proposed Rule	Statute
Site 102.121, 102.161, 102.221	RSA 162-H:7;IV and V; RSA 162-H:10,VI; RSA 162-H:10-b,II