

Comments to SEC on high-pressure gas pipeline rules

February 28, 2016

VIA email (rulemaking@sec.nh.gov)

Pamela Monroe, Administrator

NH Site Evaluation Committee

21 South Fruit St. Suite 10

Concord NH 03301

From Kathy Chapman, Mason Pipeline Committee

Response to Request for Advance Public Comment on Rules Related to Certificates of Site and

Facility, Site 300

Dear Administrator Monroe.

Thank you for the opportunity to comment regarding Site 300 rulemaking for high-pressure gas pipelines.

I would like to request that SEC extend the deadline for submitting comments beyond 29 February 2016. Reviewing the Rules Related to Certificates of Site and Facility, Site 300, has taken more time than the time originally allotted by the SEC because the rules are detailed and highly technical. In addition, unlike the potential applicants for building pipelines whose full-time job it is to work all things pipeline, the people whose path the pipeline is crossing are working jobs that have nothing to do with defending our land against federal eminent domain for private gain, making rule-reviewing a second (full-time) job. Thank you for considering my request.

With respect to Cite 300 and the SEC request for comments on safety: the rules should require that the pipeline cannot be routed so that it blocks the only exit routes for affected property owners in case of an incident along the pipeline route. In Mason, there are many dead-end roads. In an incident that involves the pipeline crossing the dead-end road, the residents and visitors on the dead-end side of the road would be trapped. If their houses and cars were

destroyed, they would not be able to seek shelter or, more importantly be rescued, should they be injured. Mason currently has no capabilities or plans to implement airborne rescue in any of its many rural areas.

Further, if the pipeline is routed near a disabled affected property owner, the pipeline company should be required (possibly under the Americans with Disabilities Act 28 C.F.R. §§ 35.130, 35.149) to accommodate the disabled individual both by reroute of the pipeline, in the case of a known disabled person along the pipeline route and its danger zone, and by including a plan for evacuating the disabled property owner in the event of an incident, covering the cases where a person along the pipeline route and in the danger zone becomes disabled during the lifetime of the pipeline's traversal of private property. The applicant should be required to (1) determine the status of each and every occupant who is in a danger zone surrounding the pipeline, where the danger zone includes any property that would be affected by an explosion and/or gas leak (airborne) and/or additive leak (underground), (2) identify the disability-related needs of the residents and visitors likely to be housed in a shelter after the pipeline incident, (3) make the advance arrangements necessary to meet those needs in the event an emergency or disaster strikes (for example, have unexpired medication and medical supplies such as colostomy bags specific to the needs of the identified residents and visitors), (4) insure that the shelter can physically accommodate the residents and visitors identified in the previous steps (28 C.F.R. §§ 35.130, 35.149), (5) insure that the shelter can physically accommodate the family and caregivers of the disabled person, however, the disabled person is not required to bring along family or caregivers, (6) insure that there is medical staff equipped for handling the specific disabilities that have been identified during this process, (7) insure that the shelter can physically accommodate service animals, and that the service animals can be allowed to remain with the disabled person, (8) insure that the shelter can provide physically appropriate kitchen and sleeping arrangements for the disabled people identified in this process, (9) insure that the shelter operators have access to, for example, large format materials and accommodations for hearing impaired to distribute instructions related to the emergency, and for the disabled individuals to communicate with persons outside of the shelter (doctors, family, insurance providers, etc.), (10) insure that people in need of medical supplies have an effective way to request and receive them while sheltered, (11) insure that the shelter can provide food options that accommodate the dietary restrictions of the identified disabled individuals, and (12) other accommodates as might be determine to be required periodically.

In addition, the applicant must update the disabled persons survey at least once/year and involve members in the community who might be disabled to participate in emergency planning and planning updates. In general, the Americans with Disabilities Act must be complied with by the applicant to meet federal law.

Further with respect to safety, the rules should require that the applicant must (1) treat the output from pigging stations as hazardous waste until proven otherwise, (2) contain the waste from the pigging stations according to established hazardous waste containment standards, and (3) dispose of the waste according to established hazardous waste disposal standards. See 40 C.F.R. part 264.

Thank you for your time.

Kathy Chapman, Esq.

111 Emerson Lane

Mason, NH 03048

[617-459-6487](tel:617-459-6487)