

STATE OF NEW HAMPSHIRE

Inter-Department Communication

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DATE: June 21, 2016
AT (OFFICE): NHPUC

FROM: Robert Wyatt, Assistant Director, Safety Division *RTW*

SUBJECT: DG 16-471, Granite State Gas Transmission, Inc., Petition for License to Cross Public Waters under a portion of Pomeroy Cove in the Piscataqua River, located in Dover, New Hampshire.

TO: Debra Howland, Executive Director
Randall Knepper, Director, Safety Division
Steve Frink, Assistant Director, Gas and Water Division
John Clifford, Director, Legal Division

The Safety Division review of the above petition consisted of the following elements:

- Petition contents and history
- Review of land ownership on each side of the river crossing.
- Review of CFR Part 192 requirements, as described in Puc 500 rules
- Review of public need and public impact, including applicability of other State regulations
- Conclusions and Recommendations

First, after conversations with Granite State Gas Transmission Legal Counsel, Staff assumes the following clarifications and corrections to the petition to be accurate:

- a. On page 1 of the petition, in both the title and again in the first sentence following the title, the references to "distribution gas main" more accurately relates to an "interstate natural gas transmission line".
- b. Also on page 1 of the petition, in the first sentence following the title, "over public waters" should reference "under public waters".
- c. In Part 4. of the petition, the reference to "NH RT 116" should be corrected to "NH RT 16".
- d. Also in Part 4, NH DOT right of way does not pass under Pomeroy Cove, which is public waters, owned by the State of New Hampshire. Staff assumes that both the directional drill entry pit and the exit pit are located in NH DOT right of way and that the crossing under Pomeroy Cove requires the license to cross public waters.
- e. In Part 9.B. of the petition, the reference to "Northern" should have referenced "Granite".

2. Petition contents and history.

On April 28, 2016, Granite State Gas Transmission, Inc. (GSGT), filed a petition, pursuant to RSA 371:17 and RSA 371:20, to construct and maintain a single natural gas pipeline under Pomeroy Cove, which is part of the Piscataqua River and a New Hampshire tidal estuary, located in the City of Dover. This project is necessary for GSGT to continue providing service on its existing interstate gas transmission system that is located in Massachusetts, New Hampshire and Maine. GSGT is an affiliate of Northern Utilities, Inc. (Northern), which is also GSGT's largest firm pipeline capacity customer.

The State of New Hampshire Department of Transportation (NH DOT) is currently implementing a major highway project that involves the widening of the Spaulding Turnpike/NH Route 16, a portion of which abuts Pomeroy Cove in Dover. GSGT proposes to relocate its natural gas pipeline under Pomeroy Cove to replace the existing pipeline that currently runs along the edge of Pomeroy Cove. The relocated segment of this pipeline on each side of the crossing will pass along the eastern edge of New Hampshire Department of Transportation right of way. The proposed GSGT pipeline relocation beneath Pomeroy Cove will allow the NH DOT project to be completed in a timely manner and allow for uninterrupted flow of natural gas on the interstate pipeline system.

In its petition GSGT states the 10 inch diameter pipeline will pass under approximately 1,300 feet of Pomeroy Cove, up to 25 feet from the approximate high tide line and at a depth of approximately 40-45 feet below ground. GSGT will be using the horizontal directional drilling method to install this segment of pipeline below the river/cove bed without disrupting Pomeroy Cove or the tidal estuary. In Attachment A2 of the petition, GSGT specifies the material and size of the pipeline will comply with all Unitil Corporation specification sections and ASTM Standards. The pipeline will consist of API 5L X-52 pipe with a minimum wall thickness of 0.365 inch and with 60 Mils of powercrete epoxy coating rated for natural gas or better. GSGT will use a continuous yellow sheathed solid conductor stainless steel detection wire in accordance to ASTM D-1248 for locating the underground utility line.

GSGT notes this water crossing is located in a tidal estuary. Staff notes that the Piscataqua River in Dover is listed in Part 3, Tidal Waters, of the New Hampshire Department of Environmental Services (NH DES) Official List of Public Waters. GSGT has demonstrated pipeline segment specific to this crossing will be constructed using horizontal directional drilling, resulting in no wetland impact.

The following link is to the NH DES official list of public waters in which RSA 371:17 is applicable:

<http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/olpw.pdf>

GSGT has provided sufficient documentation to demonstrate that the parcels along the shores of Pomeroy Cove where the horizontal directional bore location entry pit as well as the location exit pit are within NH DOT right of way. Standard NH DOT use and occupancy agreements are in place for those parcels.

Staff believes GSGT has also demonstrated sufficient information supporting the construction, operation and maintenance of the proposed pipeline to assure the crossing may be exercised without substantially affecting the public rights in said waters. GSGT asserts the relocation of this segment of pipeline under Pomeroy Cove is a necessary prerequisite to the NH DOT's project to widen the Spaulding Turnpike. This segment of pipeline is also critical to GSGT's ability to provide its customers a means to bring natural gas supplies into this region.

3. Review of safety requirements as described in Puc 500.

The N.H. Code of Administrative Rules Puc 506.01 Pipeline Safety Standards:

(a) All utilities shall comply with those pipeline safety regulations established by the United States Department of Transportation which are set forth in 49 C.F.R. Parts 191, 192, 193, 198 and 199, including future amendments thereto.

(b) Where Puc 500 or Puc 800 establishes more stringent requirements than those pipeline safety regulations adopted pursuant to (a) above, the more stringent requirement set forth in Puc 500 or Puc 800 shall apply.

GSGT's petition provides engineering details that show overall compliance with CFR Part 192 which are referenced in N.H. Code Admin. Rules Puc 506.01.

The Safety Division's review of the petition and attachments submitted to date found the proposed attachments to be in conformance with the applicable sections of the Puc 500 and CFR Part 192.

4. Conclusions and Recommendations.

Staff recommends approval of GSGT's petition under RSA 371:17 and RSA 371:20 with the following conditions:

- a. The approval be limited to the specific segment of the GSGT natural gas pipeline under consideration in this docket.

- b. GSGT should be directed to construct, operate and maintain the crossing in conformance with the latest CFR Part 192 amendments. Any and all future alterations to the crossing that may impact the public shall conform to the most current CFR Part 192 latest amendment that are in place at time of submittal of the alteration.
- c. GSGT should use above ground pipeline markers for identification of the pipeline with appropriate warning and company contact information at points on each bank of the Pomeroy Cove crossing.

If these engineering conditions are met, the Safety Division is of the opinion that the proposed natural gas pipeline will meet all current safety standards; safe ongoing operation is an inherent component of the RSA 371:20 public rights standard.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:

DEBRA A HOWLAND
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21 S. FRUIT ST, SUITE 10
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b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.

c) Serve a written copy on each person on the service list not able to receive electronic mail.