Attestations and Inspections

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Background

- Required by Senate Bill 3
- Electricity Supply Chain Map was Adopted on April 29, 2022
- Texas Administrative Code (TAC) Rule 3.66 Adopted on August 30, 2022 and effective on September 19, 2022

Applicability (1 of 3)

- TAC 3.66 applies to individual facilities

  - Gas Supply Chain Facilities; and
  - Gas Pipeline facilities

- An operator under RRC's jurisdiction may have only a portion of its total facilities subject to TAC Rule 3.66

Applicability (2 of 3)

Gas Supply Chain Facility

1. Included on the Electricity Supply Chain Map; and
2. Designated as critical under TAC Rule 3.65 (relating to *Critical Designation of Natural Gas Infrastructure*)

Applicability (3 of 3)

Gas Pipeline Facility

1. Directly serves a natural gas electric generation facility operating solely to provide power to the electric grid for the Electric Reliability Council of Texas (ERCOT) power region or for the ERCOT power region and an adjacent power region ; and
2. Included on the Electricity Supply Chain Map

Attestation Requirements (1 of 7)

Attestation requirements are defined in TAC Rule 3.66 beginning in section (c) and ending at section (d)

By December 1st of each year, an operator of a gas supply chain facility or a gas pipeline facility shall submit to the Commission a Weather emergency Readiness Attestation that:

Attestation Requirements (2 of 7)

1. is signed by an authorized representative of the operator entity attesting, under penalties prescribed in Texas Natural Resources Code §91.143, that:

(A) the operator implemented the required weather emergency preparation measures described in subsection (c) of this section;

(B) the information and statements made in the Weather Emergency Readiness Attestation are true, correct, and complete to the best of the attestor's knowledge;

Attestation Requirements (3 of 7)

(C) the representative is authorized to sign the attestation on behalf of the operator entity; and

(D) the Weather Emergency Readiness Attestation was prepared by the authorized representative or under the authorized representative's supervision and direction;

Attestation Requirements (4 of 7)

2. includes an attachment describing all activities engaged in by the operator to implement the requirements of subsection (c) of this section, including a description of the weatherization methods utilized by the operator to weatherize each type of facility; and

Attestation Requirements (5 of 7)

Subsection (c)- Weather emergency preparedness standards for a gas supply chain facility or a gas pipeline facility

Weather emergency preparation measures required by paragraph

(1) of this subsection shall include:

(A) providing training on weather emergency preparations and operations to relevant operational personnel;

Attestation Requirements (6 of 7)

(B) consideration of the risk to the health and safety of employees and protection of the environment; and

(C) weatherization of the facility using methods a reasonably prudent operator would take given the type of facility, the age of the facility, the facility's critical components, the facility's location, and weather data for the facility's county or counties such as data developed for the Commission by the state climatologist

Attestation Requirements (7 of 7)

3. also describes corrective actions taken to mitigate known major weather-related forced stoppages and weather-related forced stoppages that prevented sustained operation of a facility because of previous weather emergencies.

Attestation Template (1 of 5)

- The Critical Infrastructure Division has created a template for Operators to follow
- This template is not required however is helpful for ensuring all required information has been included.

Attestation Template (2 of 5)

The following is a template to assist operators in drafting an attestation. It is a sample of the type of information that can be submitted in the attestation.

WEATHER EMERGENCY READINESS ATTESTATION

Submitted by [Authorized Representative Name]

For [Operator Name, Operator P-5 Number]

[Date]

Attestation Template (3 of 5)

I, [Authorized Representative name], am a representative of [Name of Operator required to submit attestation], Operator Number [Operator P-5 number], authorized by [Name of Operator required to submit attestation] to submit and sign this *Weather Emergency Readiness Attestation*, submitted on [Date]. I certify under penalties prescribed by Texas Natural Resources Code §91.143 that:

- [Operator Name] implemented the required emergency preparation measures described in 16 Texas Administrative Code (TAC) §3.66(c);
- The information and statements made in this *Weather Emergency Readiness Attestation* and its attachments are true, correct, and complete to the best of my knowledge; and
- This *Weather Emergency Readiness Attestation* was prepared by me or under my supervision and direction.

Name of Authorized Representative	Authorized Representative Signature	Date

Attachments:

Attachment A – Description of Operator and type of facilities required to weatherize

Attachment B – Required Weather Emergency Preparedness Measures

Attachment C – [Title][1]

Attestation Template (4 of 5)

Attachment A – Description of Operator and type of facilities required to weatherize

This attestation describes the activities engaged in by [Operator Name] to implement the requirements of 16 TAC §3.66, including the weatherization methods utilized by [Operator Name] to weatherize each type of facility required to weatherize under 16 TAC §3.66.

[Operator Name] operates the following types of facilities required to weatherize under 16 TAC §3.66:

[List types of facilities required to weatherize and operated by the operator submitting the attestation]

Attestation Template (5 of 5)

Example Attachment B – Required Weather Emergency Preparedness Measures 16 TAC §3.66(d)(2) and (3)

The following are the weather emergency preparedness measures required by 16 TAC §3.66(c) and (b)(8), and a description of [Operator Name]'s actions to implement the required measures.

1. Providing training on weather emergency preparations and operations to relevant operational personnel (16 TAC §3.66(c)(2)(A))
   [Describe actions taken by operator to provide training on weather emergency preparations and operations to relevant operational personnel[2]]

2. Consideration of the risk to the health and safety of employees (16 TAC §3.66(c)(2)(B))
   [Explain how operator considered the risk to the health and safety of its employees in determining how to implement required emergency preparedness measures]

3. Consideration of protection of the environment (16 TAC §3.66(c)(2)(B))
   [Explain how the operator considered protection of the environment in determining how to implement required emergency preparedness measures]

4. Weatherization[3] of facilities
   Weatherization required by 16 TAC §3.66 is weatherization using methods a reasonably prudent operator would take.

   A. [Facility Type 1][4]
      i. [Describe what actions were taken to correct critical component failures that occurred during previous weather emergencies, if applicable]
      ii. [Describe what equipment was installed to mitigate weather-related operational risks]
      iii. [Describe internal inspections, self-assessments, and processes implemented to identify, test, and protect critical components]
      iv. [Describe how facility-specific factors[5] were considered in implementing required weatherization methods]

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[2] If different personnel were trained differently depending on their role, the operator may explain how different roles were trained and why specific training methods were chosen.
[3] Weatherization is defined as the iterative cycle of preparedness for sustained operation during weather emergencies that includes: (1) correcting critical component failures that occurred during previous weather emergencies; (2) installing equipment to mitigate weather-related operational risks; and (3) internal inspection, self-assessment, and implementation of processes to identify, test, and protect critical components. (§3.66(b)(8))
[4] An attestation may group facilities together if similar weatherization measures were implemented for those types of facilities. An operator may also list individual facilities and describe a specific weatherization technique if the measures implemented for the specific facility depart from what the operator generally implemented for that type of facility.
[5] Section 3.66(c)(2) requires weatherization methods to be based on the following facility-specific factors: facility type, facility age, facility location, facility critical components, and weather data for the facility's county or counties. Weather data developed by the state climatologist for each county is available here: https://www.rrc.texas.gov/critical-infrastructure/weatherization/).

Attestations from Inspector / Tech Staff POV

Attachment B – Required Weather Emergency Preparedness Measures16 TAC §3.66(d)(2) and (3)

1. Providing training on weather emergency preparations and operations to relevant operational personnel (16 TAC §3.66(c)(2)(A))

2. Consideration of the risk to the health and safety of employees (16 TAC §3.66(c)(2)(B))

3.Consideration of protection of the environment (16 TAC §3.66(c)(2)(B))

Attestations from Inspector / Tech Staff POV

Attachment B – Required Weather Emergency Preparedness Measures 16 TAC §3.66(d)(2) and (3)

The following are the weather emergency preparedness measures required by 16 TAC §3.66(c) and (b)(8), and a description of [Operator Name]'s actions to implement the required measures.

1. Providing training on weather emergency preparations and operations to relevant operational personnel (16 TAC §3.66(c)(2)(A))

   [redacted] has experienced field personnel going to the leases daily to inspect and avoid any hazardous situations. They are trained in safe operations of natural gas facilities such that the facility does not experience a major weather-related forced stoppage in the production of natural gas. They are trained to check the wellheads, surface facilities, various valves, and flowlines and in case any situation comes up, they will be in direct contact with the office and the engineering team to instruct them on the remediation steps.

2. Consideration of the risk to the health and safety of employees (16 TAC §3.66(c)(2)(B))

   [redacted] holds "employee safety" as the utmost priority. [redacted] will take into consideration the health and safety of employees while planning any operation during the winter weather. We will be monitoring the geographical location and the consequent upcoming weather before planning out any task on the field and would only decide to go ahead with the planned task if the weather permits. During winter weather conditions, they are instructed to take all the necessary precautions to get to locations when the roads are icy.

3. Consideration of protection of the environment (16 TAC §3.66(c)(2)(B))

   [redacted] will have daily multiple inspections of the wellsite including but not limited to the wells, surface facilities, flowlines, tanks, compressors, and pumps. Field personnel will check for any leakages that may affect the environment and would be ready to take all the necessary actions to avoid/remediate spills.

Attestations from Inspector / Tech Staff POV

Example Attachment B – Required Weather Emergency Preparedness Measures 16 TAC §3.66(d)(2) and (3)

The following are the weather emergency preparedness measures required by 16 TAC §3.66(c) and (b)(8), and a description of [Operator Name]'s actions to implement the required measures.

1. Providing training on weather emergency preparations and operations to relevant operational personnel (16 TAC §3.66(c)(2)(A))
   [Describe actions taken by operator to provide training on weather emergency preparations and operations to relevant operational personnel[2]] HAVING AN EVACUATION PLAN

2. Consideration of the risk to the health and safety of employees (16 TAC §3.66(c)(2)(B))
   [Explain how operator considered the risk to the health and safety of its employees in determining how to implement required emergency preparedness measures] TRAIN HOW TO REACT TO DISRUPTIVE SITUATIONS.

3. Consideration of protection of the environment (16 TAC §3.66(c)(2)(B))
   [Explain how the operator considered protection of the environment in determining how to implement required emergency preparedness measures] CONTAINMENT MEASURES

Attestations from Inspector / Tech Staff POV

Weatherization required by 16 TAC §3.66 is weatherization using methods a reasonably prudent operator would take.

A. Facility Type

i. Describe what actions were taken to correct critical component failures that occurred during previous weather emergencies, if applicable

ii. Describe what equipment was installed to mitigate weather-related operational risks

iii. Describe internal inspections, self-assessments, and processes implemented to identify, test, and protect critical components

iv. Describe how facility-specific factors were considered in implementing required weatherization methods

Attestations from Inspector / Tech Staff POV

Weatherization measures implemented to ensure sustained operation during a future weather emergency:

Due to operational constraints, [redacted], as a reasonably prudent operator, was unable to independently test critical components. However, for the purposes of Statewide Rule 66, [redacted] considers the conditions experienced during previous weather emergencies to be an appropriate facsimile of the most extreme conditions that could be experienced during future weather emergencies and relies on the data obtained during those events for the purpose of testing critical components for all the below.

[redacted]

- Facility-specific factors that were considered in implementing required weatherization methods.
- Both facilities are one well tank batteries without electricity. The wells (one well per facility) that feed each battery are flowing wells that make gas and less than 1 bopd and less than 1 bwpd. Due to the nature of the production, cold weather related downtime/freezing is very unlikely. Neither facility experienced cold weather related downtime during recent cold weather events.
- Installation of equipment to mitigate weather-related operation risks
- Insulated separator dump lines, separator gas supply line, and dump valves
- In addition to the real-world testing described in the previous section, identify internal inspection, self-assessment, and implementation of processes to identify, test, and protect critical components

[redacted]

- facility-specific factors that were considered in implementing required weatherization methods.
- installation of equipment to mitigate weather-related operational risks
- Air Compressor functional and tested with cover installed
- Gas compressor windwalls installed
- Gas compressor louvers set for cold weather and tested
- Scrubbers and dump lines on gas lift compressors heat taped and insulated
- Third stage hot gas/cooler bypass on gas lift compressors
- Heaters lit, burner pilots adjusted, thermostats functional
- Flare, Sales, and Combustor scrubbers heat taped/insulated
- BPV's insulated
- in addition to the real-world testing described in the previous section, identify internal inspection, self-assessment, and implementation of processes to identify, test, and protect critical components

Attestations from Inspector / Tech Staff POV

A. COMPRESSOR STATION
   i. N/A

   ii. [redacted] HAS INSTALLED A BACKUP COMPRESSOR INCASE OF PRIMARY COMPRESSOR FAILURE, INSTALLED HEAT TRACE ON ALL POTENTIAL "FREEZE POINTS", AND PURCHASED A GENERATOR FOR BACKUP EMERGENCY POWER.

   iii. [redacted] HAS INSTALLED SAID COMPRESSORS UNDER AN AWNING TO PROTECT FROM EXTREME HEAT WEATHER. [redacted] ALSO HAS WATER LINES INSTALLED NEAR THE COMPRESSORS AND WATER MISTERS AVAILABLE IF NECESSARY TO KEEP COMPRESSORS ONLINE.

   iv. [redacted] PERSONEL MONITOR THE FIELD AND COMPRESSOR STATION ON A DAILY BASIS. ALL FACILITIES, PIPING AND EQUIPMENT ARE INSPECTED DAILY AS A PART OF THIS DAILY MONITORING. FIELD SUPERVISION ALSO CONDUCTS MONTHLY FIELD INSPECTIONS TO VERIFY ALL CRITICAL COMPONENTS ARE PROTECTED AND FUNCTIONING PROPERLY. THE COMPRESSORS, GENERATORS, AND OTHER EQUIPMENT ARE ALL TESTED DURING THESE INSPECTIONS.

   v. THIS IS A REMOTE FACILITY, THEREFORE [redacted] HAS INSTALLED ON SITE HOUSING WITHIN THE OFFICE BUILDING INCASE THE FACILITY IS REQUIRED TO BE MANNED 24HRS DUE TO INCLEMENT WEATHER CONDITIONS OR OTHER EMERGENCY SITUATIONS.

Attestations from Inspector / Tech Staff POV

4. Weatherization[1] of facilities
   Weatherization required by 16 TAC §3.66 is weatherization using methods a reasonably prudent operator would take.

   A. Natural Gas Wells
      i. No failures of production have occurred in the past.
      ii. No equipment has been installed for weatherization beyond what was already in place which is ethanol injection to prevent freezing.
      iii. No internal inspections, self-assessments or processes were necessary.
      iv. There were no facility-specific factors considered.