

## **Chapter 20.81 PIPELINE SAFETY**

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### **20.81.010 Purpose.**

The purpose of this chapter is to help minimize unnecessary risk to the public from hazardous liquid and natural gas transmission pipelines by:

- A. Minimizing the likelihood of accidental damage to pipelines by ensuring early communication between those developing property and pipeline operators.
- B. Limiting exposure of land uses with high on-site populations that are difficult to evacuate and land uses that serve emergency functions to the risk of injury or damage in the event of a pipeline failure.
- C. Ensuring that there is adequate protection of existing pipelines from inadvertent damage during nearby construction. (Ord. 2010-033 § 1 (Exh. A), 2010).

### **20.81.020 Definitions.**

“Essential public facilities” are those facilities typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW [47.06.140](#), state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW [71.09.020](#) (RCW 36.70A.200, Siting of essential public facilities). The county has also designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities; however, telecommunication towers are exempt from the provisions of this chapter.

“Hazardous liquid” means petroleum, petroleum products, or anhydrous ammonia.

“High-consequence land use” means a land use that, if located in the vicinity of a hazardous liquid or gas transmission pipeline, represents an unusually high risk in the event of a pipeline failure due to characteristics of the inhabitants or functions of the use. High-consequence land uses include:

1. Land uses that involve a high-density on-site population that is more difficult to evacuate. These uses include schools, hospitals, multifamily housing or other facilities exclusively for the elderly or handicapped housing or facilities, stadiums, and day care centers. Day care centers do not extend to family day care or adult family homes.

2. Land uses that serve critical lifeline or emergency functions, such as fire and police facilities.

“Pipeline corridor” means the pipeline pathway defined by rights-of-way and easements in which the pipelines and facilities of a hazardous liquid or gas transmission pipeline operator are located, including rights-of-way and easements over and through public or private property.

“Transmission pipeline” means a pipeline carrying hazardous liquids, and all natural gas pipelines equal to or larger than 12 inches in diameter that operate at over 500 psi. (Ord. 2010-033 § 1 (Exh. A), 2010).

#### **20.81.030 Development notice when adjacent to transmission pipeline.**

The purpose of this section is to improve communication between property owners and transmission pipeline owners to minimize the risk of inadvertent damage to transmission pipelines and to provide guidance to property owners about minimizing further risk through site design or construction.

##### **A. Land Divisions, High-Consequence Land Uses and Essential Public Facilities.**

1. Applicants for divisions of land creating new lots, high-consequence land uses and essential public facilities shall show hazardous liquid and gas transmission pipeline corridors and other required construction limits on applications when proposed development is located within 500 feet of the centerline of the pipeline corridor. Minor modifications to existing structures that do not involve significant land disturbance on site or changes to off-site improvements are exempt from this requirement.

2. Whatcom County should notify the transmission pipeline owner at the earliest possible stage of application review. Whatcom County shall provide the transmission operator 15 days to provide comments to Whatcom County on the development application prior to approval. Any comments provided by the pipeline operators will be passed on to the applicant.

##### **B. Other Development.**

1. Development applications not addressed by subsection A of this section are not required, but encouraged to show transmission pipeline corridors that are on or abut the proposed development property.

2. Whatcom County should notify the pipeline transmission pipeline operator at the earliest possible stage of application review. Whatcom County may issue development permits without written response from the transmission pipeline owner. Any comments provided by the pipeline operator will be passed on to the applicant. (Ord. 2010-033 § 1 (Exh. A), 2010).

#### **20.81.040 Ensuring land use compatibility with pipelines.**

The purpose of this section is to limit exposure of land uses with high on-site populations that are difficult to evacuate and land uses or essential public facilities from the risk of injury or damage in the event of a pipeline failure.

#### A. High-Consequence Land Uses and Essential Public Facilities.

1. New occupied buildings for high-consequence land uses and essential public facilities proposed for within 500 feet of a hazardous liquid or natural gas transmission pipeline corridor are prohibited.
2. Proposed expansions to existing high-consequence land uses or essential public facilities located within 500 feet of a hazardous liquid or natural gas transmission pipeline corridor will be designed to avoid a significant increase in the level of risk in the event of a pipeline failure and, where feasible, reduce the risk compared to the existing development. Potential techniques to minimize or reduce risk include but are not limited to:
  - a. Site design features, such as maintaining or increasing the distance between occupied structures, or structures that provide critical lifeline functions, and the hazardous liquid or natural gas transmission pipeline.
  - b. Building features, such as building design to avoid a significant increase in risk to on-site populations or to expedite evacuation.
  - c. Technological features, such as accelerated notice of a pipeline failure to the high-consequence land use to facilitate evacuation or features that help to avoid damage in the event of a pipeline failure.
  - d. Operational features, such as emergency plans and education programs for occupants and employees concerning pipeline safety.

Modifications to existing buildings that do not increase the on-site population or hinder evacuation or change evacuation routes are exempt from this requirement. (Ord. 2010-033 § 1 (Exh. A), 2010).

#### **20.81.050 Pipeline corridor protection requirements.**

The purpose of this section is to ensure that the pipeline pathway defined by rights-of-way and easements are protected during construction in the manner set forth below:

- A. No significant land disturbance or construction or expansion of structures is allowed within defined rights-of-way or easements of transmission pipeline corridors without the express written consent of the pipeline operator.
- B. Pipeline corridors shall be identified and protected during construction by placement of a temporary barricade and on-site notices. Barricades and on-site notices are subject to review by the code administrator.
- C. On sites that directly abut or are located within the pipeline corridor, the county shall verify that applicants and designees have notified utilities through the one-call locator service by checking the

website [www.managetickets.com](http://www.managetickets.com) before issuing development permits for land disturbance or other significant work. (Ord. 2010-033 § 1 (Exh. A), 2010).