



**Williams Midstream**  
One Williams Center  
Tulsa, OK 74172

March 17, 2008

Department of the Interior  
Minerals Management Service (MS 4024)  
Attn: Rules Processing Team (Comments)  
381 Elden Street  
Herndon, VA 20170-4817

Re: RIN 1010-AD 11; Sub Part J-Pipelines and Pipeline Rights-of-Way  
FR Vol. 72, No. 191 10-03-07

Ladies and Gentlemen:

Williams Midstream ("Midstream") appreciates this opportunity to provide written comments on the subject proposed rule to amend regulations regarding pipeline and pipeline rights of way associated with Outer Continental Shelf oil and gas and other mineral operations as published in the October 3, 2007 Federal Register. Midstream owns and operates several Right-of-Way ("ROW") pipelines located in various areas of the Gulf of Mexico. Midstream expends great effort and resources to operate these facilities in a safe and environmentally sound manner and in compliance with regulations issued by the Pipeline and Hazardous Materials Safety Administration ("PHMSA"), a division of the Department of Transportation.

The proposed rule represents a significant rewrite of 30 CFR 250 Subpart J and consolidates numerous Notices to Lessees (NTLs) that have been issued since the regulations were last updated by a rulemaking. By incorporating into the proposed rule the numerous NTLs that clarify the current regulation, MMS will reduce the burden on industry to keep track of rules from various sources and help simplify compliance. Midstream applauds the MMS in its desire to craft new regulations using plain language in order to improve readability. Midstream has serious concerns however regarding the breadth and scope of the proposed rule, particularly as the proposed rule appears to apply to PHMSA regulated OCS pipelines. Application of the proposed rule to PHMSA regulated OCS pipelines would conflict with current regulatory oversight of the PHMSA for MMS ROW pipelines.

Midstream believes that the performance-based PHMSA requirements have worked well and are more effective than the prescriptive approach of the proposed rule. PHMSA rules are tailored to transportation facilities, while MMS rules have been tailored historically to production facilities. For instance, a common transportation issue, overpressure protection at interconnect specification breaks, is unaddressed in the current MMS rules and remains unaddressed in the MMS NOPR.

Midstream notes that the proposed rule would create numerous conflicting and duplicative requirements between PHMSA and the Department of Interior (DOI). Consequently, Midstream believes the proposed rule creates confusion, inconsistencies, and redundancy for the offshore ROW pipeline operators. Additionally, the conflicting and duplicative requirements will create jurisdictional overlaps and conflicts between the two agencies. It is Midstream's concern that the confusion will have a net effect of detracting from the collective goal of protecting the public and environment and maintaining the integrity of this vital offshore infrastructure. Midstream believes the proposed rule contradicts the 1996 Memorandum of Understanding between PHMSA and DOI governing their respective responsibilities on the OCS and it would be disappointing to see this differentiation eroded.

In addition to the above, Midstream has reviewed the recommendations developed by the Offshore Operators Committee and Interstate Natural Gas Association of America in addressing the rule making and urges the MMS to consider the recommendations by these organizations.

Finally, Midstream strongly encourages the MMS to promptly clarify that its proposed rules will apply only to production facilities.

If you have any questions, please contact Joe Freisberg, Sr. Compliance Coordinator, at 918-573-0810.

Very truly yours,  


Robert Cronk, Jr.  
Vice President Technical Services  
Williams Midstream