

7852.0400 PIPELINE EMERGENCY ACTION AND PROCEDURES.

Subpart 1. **Pipeline emergency action.** In the rare situation where immediate action by a pipeline company whose pipeline system requires the immediate construction of a pipeline is considered essential to avoid or eliminate an imminent threat, prevent injury, loss of life, property damage, or loss of essential public services, a pipeline project may be undertaken without the review that would otherwise be required by this chapter.

Subp. 2. **Pipeline emergency procedures.** The pipeline company shall notify and demonstrate to the commission, either orally or in writing, that immediate action is essential and must receive temporary authorization from the commission to proceed. All oral requests must be followed by a written request within three working days. Temporary authorization to proceed must be determined by the commission as soon as possible after the request is made and must be limited to only those aspects of the project necessary to control the immediate impacts of the emergency.

A. If temporary authorization to proceed is granted by the commission, the pipeline company must appear at the next commission meeting to seek authorization from the commission to continue activities necessary to remedy the emergency. Other aspects of the project remain subject to review under this chapter.

B. If temporary authorization to proceed is denied by the commission, the pipeline company may request and be granted an immediate special meeting of the commission. The commission shall then determine whether a pipeline emergency exists and whether temporary authorization for the pipeline company to proceed with immediate construction is appropriate.

Statutory Authority: *MS s 116I.015; 216G.02*

History: *13 SR 2046; L 2005 c 97 art 3 s 19*

Published Electronically: *August 21, 2007*