

**RAILROAD COMMISSION OF TEXAS
GAS SERVICES DIVISION**

**GAS UTILITIES
INFORMATION BULLETIN**

No. 707



**RAILROAD COMMISSION
OF TEXAS**

**Michael L. Williams, Chairman
Charles R. Matthews, Commissioner
Tony Garza, Commissioner**

**Steve Pitner
Director
Gas Services Division**

September 5, 2002

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SECTION 1
NEW APPEALS AND APPLICATIONS FILED

DOCKET NO. -- 9335
CAPTION -- Petition of the Association of TXU Municipalities for recovery of rate case expenses related to GUD Docket Nos. 9292 and 9304.
DATE FILED -- 09/06/2002
FILED BY -- Kathleen Sanford
EXAMINER --

CASES REFERRED TO SOAH

DOCKET NO. -- 9291
CAPTION -- Request of Texas General Land Office for immediate action to stay abandonment and for establishment of transportation rate on Panther Pipeline, LTD.
DATE REFERRED TO SOAH -- 06/28/2002
SOAH DOCKET NO. -- 455-02-3446
SOAH ALJ -- Wendy Harvel

DOCKET NO. -- 9313
CAPTION -- Petition for review of TXU Gas Distribution from the actions of the City of Arlington, et al.
DATE REFERRED TO SOAH -- 08/21/2002
SOAH DOCKET NO. -- 455-02-4058
SOAH ALJ -- Kerry Sullivan

SECTION 2
APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING CONFERENCE

None at this time.

SECTION 3
STATUS OF PENDING CASES

None at this time.

SECTION 4
NOTICES OF DISMISSAL

None at this time.

SECTION 5
ORDERS OF THE COMMISSION

None at this time.

SECTION 6
MISCELLANEOUS

STEVE PITNER, GAS SERVICES DIVISION DIRECTOR

1. OFFICE OF THE DIRECTOR

A. Publications

1. Texas Utilities Code Titles 3 and 4. Special Rules of Practice and Procedure and Substantive Rules - \$15.00
2. a. Annual Report for Fiscal Year 2001 – Now available via the Commission’s website at:
<http://www.rrc.state.tx.us/divisions/gs/tablecontents01.html>
 - a. Annual Report for Fiscal Year 2000 - \$17.00 (includes statistical data for 1999)
 - b. Annual Report for Fiscal Year 1999 - \$9.00 (includes statistical data for 1998)
 - c. Annual Report for Fiscal Year 1998 - \$7.00 (includes statistical data for 1997)
3. **2002 Pipeline Safety Rules - \$13.00, includes: 49 CFR 191 & 192 and 16 TAC Sections 7.70-7.74 (gas) 49 CFR 193 (LNG); 49 CFR 195 and 16 TAC Sections 7.80-7.87 (hazardous liquids); 49 CFR 40 and 199 (drug testing).**
4. Distribution and/or Gas Transmission Review forms for Adequacy of Operation, Maintenance and Emergency Manual - To obtain a copy of review forms at no charge, send a request with a self addressed envelope (10" x 13" preferably) with \$0.98 postage.
5. Six MCF Monthly Residential Gas Bill Analysis for Twenty-five Texas Cities - \$2.00 – Now available via the Commission’s website at: <http://www.rrc.state.tx.us/divisions/gs/rap/sixmcf.html>

Anyone who wishes to obtain a copy of any of the publications or maps listed in Section A should contact the Gas Services Division, P. O. Box 12967, Austin, Texas 78711-2967, (512) 463-7167.

B. Interest Rate on Customer Deposits

We have been advised by the Public Utility Commission that the interest rate to be applied to customer deposits in calendar year 2002 is 6.00%. All gas utilities should use this rate.

2. PIPELINE SAFETY SECTION

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Don Gault, Area Supervisor
Steven Rios, Engineering Specialist
Jesse Cantu, Jr., Engineering Specialist
Ronda Lauderman, Engineering Assistant

B. Monthly Summary (August)

No. of distribution safety evaluations – 115

No. of transmission safety evaluations - 29

No. of liquid safety evaluations - 7

No. of leak/calls - 39

No. of accident investigations - 3

No. of special investigations - 22

C. Reporting of Pipeline Accidents1) NATURAL GAS

Accidents on intrastate gas systems involving \$5,000 property damage, a fatality or injuries, gas ignition, or that are judged significant must be reported by telephone within two hours, and the written report filed within thirty (30) days. Call the 24-hour emergency phone number (512)463-6788 to report an accident. For your convenience this priority phone line is used only to report emergencies.

2) HAZARDOUS LIQUIDS

Accidents on intrastate hazardous liquid pipelines reportable under 49 CFR Sections 195.50 and 195.52 and 16 TAC Section 7.84(a) must be reported by telephone within two hours and the required written report filed within thirty (30) days. Call the 24-hour emergency phone number (512)463-6788 to report an accident. For your convenience this priority phone line is used only to report emergencies.

Rules and Regulations:

[Federal Register: September 6, 2002 (Volume 67, Number 173)]

[Notices]

[Page 57060-57061]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr06se02-114]

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Pipeline Safety: Required Notification of National Response Center

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice; issuance of advisory bulletin.

SUMMARY: The Office of Pipeline Safety (OPS) is issuing this advisory to owners and operators of gas distribution, gas transmission, and hazardous liquid pipeline systems, and liquefied natural gas (LNG) facilities. Owners and operators should ensure that telephonic reports of incidents to the National Response Center (NRC) are both prompt and accurate and fully communicate the estimated extent of the damages.

Additional reports should be made if there is a significant change in an estimate of the size of the gas or liquid release, the extent of the damage, or the number of deaths or injuries.

OPS is issuing this advisory bulletin to ensure that the National Transportation Safety Board (NTSB) and the OPS are notified (via the NRC) when the information provided in the initial telephonic report significantly changes due to new information available soon after the initial report.

FOR FURTHER INFORMATION CONTACT: Roger Little, (202) 366-4569; or by e-mail, roger.little@rspa.dot.gov. This document can be viewed at the OPS home page at <http://ops.dot.gov>.

SUPPLEMENTARY INFORMATION:**I. Background**

The pipeline safety regulations require gas pipeline, hazardous liquid pipeline, and LNG facility operators to make a telephonic report of a pipeline incident to the NRC in Washington, DC at the earliest practicable opportunity. For the purposes of this document, the term incident will refer to either an incident, an accident, a leak or a spill (the term differs in the regulations depending on whether the release involves gas, hazardous liquid or LNG). The information required to be reported includes the name of the operator, the name and telephone number of the person making the report, the location of the incident, the number of fatalities and injuries, and all other relevant significant facts. (49 CFR 191.5, 193.2011, and 195.52.)

Because an operator is required to make a telephonic report at the earliest practicable moment following discovery, an operator normally provides the first telephonic notification one to two hours after it discovers an incident on its pipeline. Additional information on the nature, cause, and extent of the damage usually becomes available as emergency response proceeds. If this additional information leads to a significant change (greater or lesser) in the estimated amount of product released, the estimated number of fatalities and injuries, the extent of environmental damage, or the extent of property damage, the operator should make an additional telephonic report to the NRC.

OPS considers a significant change to include any of the following:

1. An increase or decrease in the number of previously reported injuries or fatalities;
2. A revised estimate of the product release amount that is at least 10 times greater than the amount reported; for example, the

initial reported amount of product released was 300 barrels and the revised estimated amount is 3,000 barrels;

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3. A revised estimate of the property damage that is at least 10 times greater than the reported property damage estimate; for example, the initial reported amount of damage was 100,000 dollars and the revised estimate is 1,000,000 dollars.

Often when the telephonic report is made, early information on an incident is incomplete. Sometimes, new information changes the understanding of the severity or nature of the incident. Although the telephonic reporting regulations do not state that multiple reports are required, the nature and timing of emergency response are dependent on the information reported to the NRC. It is critical that an operator provide accurate information on the extent of the incident. Therefore, OPS expects an operator to provide significant update information during the emergency response phase. For natural gas or LNG events, the initial emergency response phase usually ends between 24 and 48 hours following an incident. For hazardous liquid events, the initial emergency response phase may last several days as spill clean-up continues. Once the emergency response phase is complete, OPS does not expect an operator to continue to update the NRC throughout long-term recovery or remedial action activities.

Some hazardous liquid operators do not provide an estimated product release amount when reporting an incident to the NRC. OPS recognizes the difficulty in estimating spill amounts, especially if the release is underground or into water. However, OPS's and NTSB's response to the incident may depend on the reported spill size. OPS and NTSB may not investigate a ten barrel spill and may perform an onsite investigation of a 20,000 barrel spill. To get this critical information, OPS is asking the NRC to request operators to provide an estimate of the spill amount. If an estimated amount is not provided, NRC assumes, for emergency notification and response purposes, that a major spill has occurred. Therefore, if the operator does not provide a spill estimate, NRC will enter a default spill estimate of 1,000 barrels. OPS will be notified of all spills over 500 barrels and any spill over 100 barrels that impacts water.

In providing information on significant changes from the original telephonic report, operators need to be aware that the NRC does not update a prior report, but, instead, accepts additional reports. An operator should tell the NRC representative if a previous report was filed for the incident and provide the NRC Report Number of the original telephonic.

II. Advisory Bulletin (ADB-02-04)

To: Owners and Operators of Gas Distribution, Gas Transmission, and
Hazardous Liquid Pipelines, and LNG Facilities
Subject: Telephonic Notification to NRC

Purpose: To advise owners and operators of gas distribution, gas transmission, and hazardous liquid pipeline systems and LNG facilities of the need to promptly contact the NRC after a pipeline incident is discovered and to file additional telephonic reports if there are significant changes in the number of fatalities or injuries, product release estimates or the extent of damages.

Advisory: Owners and operators of gas and hazardous liquid pipelines and LNG facilities are reminded that the pipeline safety regulations require operators to make a telephonic report of an incident to the NRC in Washington, DC at the earliest practicable opportunity, usually one to two hours after discovering the incident. The information required to be reported includes the name of the operator, the name and telephone number of the person making the report, the location of the incident, the number of fatalities and injuries, and all other significant facts that are relevant to the cause of the incident or extent of the damages. (49 CFR 191.5, 193.2011, and 195.52.)

If, during the emergency response period, additional information about the incident becomes available that shows a significant change in the number of fatalities and injuries, product release estimate, or the extent of property damage, an additional report to the NRC will be necessary. Although the regulation does not state that additional revised reports are required, it is important for emergency response purposes that the NRC be given accurate information on the extent of the incident.

The NRC will accept additional reports, but will not update a previous report. Therefore, operators should file an additional report(s) when circumstances and estimates change significantly. An operator should provide an estimate of the damage in the initial report and in any subsequent report. The operator should include the NRC Report Number of the initial report when making a subsequent report. If an operator reports that a damage estimate is unknown or unavailable, the NRC will assume that a major spill has taken place for emergency notification and response purposes.

Issued in Washington, DC, on August 30, 2002.
James K. O'Steen,
Deputy Associate Administrator for Pipeline Safety.
[FR Doc. 02-22734 Filed 9-5-02; 8:45 am]

BILLING CODE 4910-60-P

[Federal Register: September 6, 2002 (Volume 67, Number 173)]
[Proposed Rules]
[Page 56970-56976]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr06se02-17]

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. RSPA-97-2717; Notice 1]
RIN 2137-AD10

Pipeline Safety: Recommendations To Change Hazardous Liquid Pipeline Safety Standards

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: We are proposing to change some of the safety standards for hazardous liquid and carbon dioxide pipelines. The changes are based on recommendations by the National Association of Pipeline Safety Representatives (NAPSR). We believe the changes will improve the clarity and effectiveness of the present standards.

DATES: Persons interested in submitting written comments on the rules proposed in this notice must do so by November 5, 2002. Late filed comments will be considered so far as practicable.

ADDRESSES: You may submit written comments by mailing or delivering an original and two copies to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. The Dockets Facility is open from 10:00 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays when the facility is closed. Or you may submit written comments to the docket electronically at the following Web address: <http://dms.dot.gov>. See the SUPPLEMENTARY INFORMATION section for additional filing information.

FOR FURTHER INFORMATION CONTACT: L. M. Furrow by phone at 202-366-4559, by fax at 202-366-4566, by mail at U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC, 20590, or by e-mail at buck.furrow@rspa.dot.gov.

SUPPLEMENTARY INFORMATION:

Filing Information, Electronic Access, and General Program Information

All written comments should identify the docket and notice numbers stated in

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the heading of this notice. Anyone who wants confirmation of mailed comments must include a self-addressed stamped postcard. To file written comments electronically, after logging on to <http://dms.dot.gov>, click on "ES Submit." You can also read comments and other material in the docket at <http://dms.dot.gov>. General information about our pipeline safety program is available at <http://ops.dot.gov>.

Background

NAPSR is a non-profit association of officials from state agencies that participate with RSPA in the federal pipeline safety regulatory program. Each year NAPSR holds regional meetings to discuss safety and administrative issues, culminating in resolutions for program improvement.

Following NAPSR's comprehensive review of the gas pipeline safety standards in 49 CFR Part 192,¹ we asked NAPSR to begin a similar review of the hazardous liquid pipeline safety standards in 49 CFR Part 195. As with Part 192, the purpose of the Part 195 review was to identify standards that NAPSR considered unclear or hard to enforce. NAPSR compiled the results of its review in a report titled "Part 195 Project" (April 1995), a copy of which is in the docket. The report includes 30 different recommendations for changes to Part 195.

¹ We invited the public to comment on the results of NAPSR's Part 192 review during a proceeding to eliminate overly burdensome gas pipeline safety standards (Docket PS-124; 58 FR 59431; November 9, 1993). Although in that proceeding we adopted only four of NAPSR's 34 recommendations, three more were proposed in a proceeding to update regulations (65 FR 15290; Mar 22, 2000), and we are actively considering the rest for further rulemaking.

We have reviewed each recommendation to decide if rulemaking is needed. The results of that review, which led to the rule changes proposed by this notice, are discussed under the next heading. We found that 18 of the recommendations had already been adopted or proposed to be adopted in earlier rulemaking actions (No. 1, 4, 5, 6, 9, 10, 12, 15, 16, 18, 20, 21, 23, 24, 25, 26, 27, and 30). Of the remaining 12 recommendations, we are proposing to adopt 5 (No. 11, 13, 17, 19, and 28) and have declined to adopt 7 (No. 2, 3, 7, 8, 14, 22, and 29).

Disposition of NAPSR Recommendations

1. Sec. 195.1(b)(7) Applicability

Recommendation. Exempt marine transfer piping systems that do not cross public thoroughfares.

Response. Transfer lines between vessels (e.g., ships) and port facilities are regulated for safety by the U.S. Coast Guard. Section 195.1(b)(3)(ii) exempts from Part 195 all low-stress pipelines regulated by the U.S. Coast Guard. This exemption covers low-stress marine transfer lines. In addition, transfer lines at a marine terminal fall under the exemption in Sec. 195.1(b)(8)(ii). This latter exemption applies to facilities at a materials transportation terminal that are used exclusively to transfer hazardous liquid or carbon dioxide between non-pipeline modes of transportation or between a non-pipeline mode and a pipeline. NAPSR suggested it is unclear that the term "materials transportation terminal" includes marine terminals. However, within the context of Sec. 195.1(b)(8), the term clearly relates to non-pipeline modes of transportation, and Sec. 195.1(b)(8)(i) identifies vessels as one of these modes. Thus, we do not think rulemaking is needed to clarify the exemption of transfer lines at marine terminals.

2. Sec. 195.2 Definitions

Recommendation. To be consistent with the Pipeline Safety Act, define "gathering line" as a pipeline 6.625 inches or less in nominal diameter.

Response. We have not adopted this recommendation because doing so would not be consistent with the pipeline safety law. Rural gathering lines² are exempt from Part 195 (Sec. 195.1(b)(4)). The effect of redefining "gathering line" as NAPSR recommended would be to extend Part 195 to cover currently unregulated rural gathering lines that are larger than 6.625 inches in diameter.

² Section 195.2 defines "gathering line" as "a pipeline 219.1 mm (8⁵/₈ in) or less nominal outside diameter that transports petroleum from a production facility.

RSPA's authority to regulate rural gathering lines is limited to certain lines called "regulated gathering lines," which must be defined based on various factors in addition to pipe diameter (49 U.S.C. 60101). The statutory provision we believe NAPSR had in mind merely requires that the definition of "regulated gathering line" exclude certain lines 6 inches or less in nominal diameter. This

provision does not require DOT to regulate rural gathering lines larger than 6 inches in nominal diameter. We have not yet decided to regulate any rural gathering lines and so have not yet proposed to define "regulated gathering line."

3. Sec. 195.2 Definitions

Recommendation. In the definition of "production facility," specifically exclude storage tanks not associated with production.

Response. We have not adopted this recommendation because we feel the present definition of "production facility" clearly includes only those storage tanks that are associated with production. Not only does the definition specifically refer to "equipment used in production * * * or associated storage," but it specifically excludes equipment not "used in the process of extracting petroleum or carbon dioxide from the ground," a process generally thought of as production.

4. Sec. 195.3 Matter Incorporated by Reference

Recommendation. Add API tank standards 650 and 653 to the list of documents incorporated by reference.

Response. Section 195.3 has been amended to include API standards 650 and 653 (64 FR 15935; Apr. 2, 1999).

5. Sec. 195.3 Matter Incorporated by Reference

Recommendation. Clarify which parts of referenced documents are incorporated by reference.

Response. Section 195.3 has been amended to clarify which parts of documents are incorporated by reference (59 FR 33396; June 28, 1994).

6. Sec. 195.50(e)

Recommendation. Make the hospitalization criterion for accident reporting consistent with the comparable gas pipeline reporting criterion.

Response. Section 195.50 has been amended to make the hospitalization reporting criterion consistent with comparable reporting criterion for gas pipelines (67 FR 836; Jan. 8, 2002).

7. Subpart C Design Requirements, Design Factor Sec. 195.105

Recommendation. In furtherance of Recommendation No. 8, define class locations for hazardous liquid pipelines similar to the class location definitions for gas pipelines under 49 CFR 192.5.

Response. We have not adopted this recommendation because the need to base design requirements for hazardous liquid and carbon dioxide pipelines on class location has not been satisfactorily demonstrated. Also, the concept is controversial in view of the behavioral differences between hazardous liquid and gas pipelines. Furthermore, Sec. 195.452, our recently published integrity management rule, requires additional safety in areas of increased population, which is what NAPSRS sought to do through class location definitions.

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8. Sec. 195.106 Internal Design Pressure

Recommendation. Establish design safety factors based on class location and temperature similar to the factors required for gas pipelines.

Response. As stated in the response to Recommendation No. 7, the need to base design requirements for hazardous liquid and carbon dioxide pipelines on class location has not been satisfactorily demonstrated. Also, there is no need to establish temperature derating factors for hazardous liquid and carbon dioxide pipelines like those for gas pipelines in 49 CFR 192.115. As indicated by the table of factors in Sec. 192.115, the properties of pipeline steel are not affected by temperatures as high as 250[deg]F. While the heat of compression may cause gas pipelines to exceed this temperature, the operation of hazardous liquid and carbon dioxide pipelines does not cause the pipeline temperature to exceed 250[deg]F. This difference is recognized by the American Society of Mechanical Engineers (ASME). The ASME B31.8 Code for gas pipelines includes a temperature derating factor in the design formula for steel pipe, but the ASME B31.4 Code for petroleum pipelines does not include a temperature derating factor in the design formula for steel pipe.

9. Sec. 195.132 Aboveground breakout tanks

Recommendation. Require tank design according to API 650.

Response. Section 195.132 has been amended to require tank design according to API 650 (64 FR 15935; Apr. 2, 1999).

10. Sec. 195.214 Welding: General

Recommendation. Reference API 1104 and ASME Boiler & Pressure Vessel Code, Section IX, as welding procedure qualification standards.

Response. In a notice of proposed rulemaking entitled "Pipeline Safety: Periodic Updates to Pipeline Safety Regulations" (65 FR 15290; Mar. 22, 2000), we proposed to amend Sec. 195.214 by incorporating by reference Section 5 of API 1104 and Section IX of ASME Boiler & Pressure Vessel Code as standards for qualifying welding procedures.

11. Sec. 195.222 Welders: Qualification of Welders

Recommendation. Require continuing qualification of welders.

Response. Paragraph 434.8.3(c) of ASME B31.4 requires requalification of welders who have not engaged in a particular welding process for a period of 6 months or more. Similarly, our gas pipeline safety regulations (49 CFR Part 192) do not allow a welder to weld with a particular process unless the welder has welded with that process within the previous 6 months (Sec. 192.229(b)). Further, within the previous 6 months, each welder must have had one weld tested and found acceptable under API 1104 (Sec. 192.229(c)(1)).\3\

\3\ Because of the large amount of low-stress distribution lines, welder qualification standards in Sec. Sec. 192.227 and 192.229 allow alternative means of qualifying welders on low-stress pipe.

In the interest of making our gas and hazardous liquid pipeline regulations consistent as far as practical, we are proposing to amend Sec. 195.222 as NAPSRS recommended. In view of the B31.4 requirement for welder requalification, which generally represents current industry safety practices, the proposed amendment should not significantly increase the costs of compliance. Moreover, companies that operate both regulated gas and hazardous liquid pipelines may find regulatory consistency advantageous because it may ease the transfer of welders from liquid to gas pipelines.

12. Sec. 195.228 Welds and Welding Inspection: Standards of Acceptability

Recommendation. Require tank welding according to API 650.

Response. Section 195.132 has been amended to require tank construction, which includes welding, according to API 650 (64 FR 15935; Apr. 2, 1999).

13. Sec. 195.252 Backfilling

Recommendation. Require backfilling to be performed according to the standards for gas pipelines to guard against structural damage.

Response. NAPSRS reported that inspections of pipelines using instrumented internal inspection devices have identified many deleterious dents and gouges due to poor quality backfill material adversely affecting the pipeline. Paragraph 434.11 of B31.4 requires that backfilling must provide firm support for the pipe and prevent damage to the pipe and coating. A similar requirement is in effect for gas pipelines (Sec. 192.319(b)) and for hazardous liquid and carbon dioxide pipelines (Sec. 195.252). However, Sec. 192.319(b) specifically states that pipe and coating are not to be damaged by either the backfilling equipment or material.

We agree with NAPSRS that this more specific wording has the potential to increase safety for hazardous liquid and carbon dioxide pipelines, particularly in light of the requirement in Sec. 195.204 that pipe installation must be inspected for compliance with Part 195. Therefore, we are proposing to replace Sec. 195.252 with the standards in Sec. 192.319(b). Because this proposal merely clarifies an existing

requirement, there should not be any increased cost of compliance. NAPSRS further suggested we require that backfill material be free of objects which may cause damage to the pipe or pipe coating. We did not adopt this suggestion because such material may not always be

readily available in the quantity needed to fill the ditch. Under Sec. 192.319(b) and the proposed rule, material with potentially damaging rocks may be used in backfilling, but only if damage to the pipe or coating is prevented by means such as a sufficient initial layer of material that is free of potentially damaging rocks.

14. Sec. 195.260 Valves: Location

Recommendation. Establish a 10-mile maximum distance between shutoff valves to minimize the adverse effects of spills.

Response. To minimize the effects of spills, remote-control or automatic shut-off valves and a leak detection system are needed. In Docket PS-93, Notice 2, we concluded that there was insufficient justification to require the installation of remote-control or automatic shut-off valves at uniform intervals along gas and hazardous liquid pipelines (55 FR 23514; June 8, 1990). Subsequently, we completed a study required by the Pipeline Safety Reauthorization Act of 1988 on the feasibility and effectiveness of installing remote-control or check valves in certain circumstances. This study, "Emergency Flow Restricting Devices Study" (March, 1991), and our further assessment of remote control valves and associated means to minimize product releases (Docket No. PS-133) (59 FR 2802; January 19, 1994; and 60 FR 44822; August 29, 1995) provided the basis for a new integrity management rule in Sec. 195.452(i)(65 FR 75408; Dec. 1, 2000). This new rule requires operators to install remote control or check valves in particular circumstances to protect high consequence areas. In view of our previous decision against requiring operators to install uniformly spaced valves and the lack of any new information to the contrary, we have not adopted NAPSRS's valve spacing recommendation. However, we feel the new requirement in Sec. 195.452(i) substantially resolves the safety concern that caused NAPSRS to make the recommendation.

15. Sec. 195.264 Construction-Breakout Tanks

Recommendation. Require tank construction according to API 650.

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Response. Section 195.132 has been amended to require tank construction according to API 650 (64 FR 15935; Apr. 2, 1999).

16. Sec. 195.302(c) Hydrostatic Testing

Recommendation. Require tank testing according to API 650.

Response. Section 195.307(c) has been established to require hydrostatic testing of tanks according to API 650 (64 FR 15936; Apr. 2, 1999).

17. Sec. 195.310 Hydrostatic Test Records

Recommendation. Require hydrostatic test records to include temperature of the test medium or pipe.

Response. We agree with NAPSRS that temperature data are an important consideration in determining the validity of a hydrostatic test. A pressure drop due to a decrease in temperature during the test period could be incorrectly seen as a leak. More important, a pressure rise due to an increase in temperature could hide the indication of a small leak.

Therefore, it is necessary to mathematically account for any temperature-related pressure change to ensure the absence of leaks during the test. Operators customarily collect temperature data and make such calculations during hydrostatic tests.

The main purpose of keeping test records is to show compliance with the testing requirements, one of which is to maintain the test pressure

without leakage (Sec. 195.302(a)). NAPSRS's recommendation is consistent with this objective. Adopting the recommendation should not increase costs significantly because operators commonly collect temperature data. Therefore, we are proposing to amend Sec. 195.310 to require operators to include relevant temperature data among their test records.

18. Sec. 195.401(b) Continuing Surveillance and Risk Management Programs

Recommendation. Require a risk-based continuing evaluation program to assure pipeline integrity.

Response. Section 195.452 requires operators to undertake a continual process of assessment and evaluation of integrity threats as part of a risk-based integrity management program.

19. Sec. 195.403 Training

Recommendation. Clarify the training required for personnel to evaluate and respond to fire emergencies.

Response. We agree with NAPSRS that Sec. 195.403(a)(5), which requires operators to train personnel in "the proper use of firefighting procedures and equipment, fire suits, and breathing apparatus," is unclear regarding the level of training required for firefighting. We also agree that the terms "fire suit" and "breathing apparatus" are ambiguous, and using such gear with inadequate training could be harmful to personnel and unnecessarily delay or impede response by fully trained firefighters.

Therefore, as NAPSRS recommended, we are proposing to amend Sec. 195.403(a)(5) to require that emergency response training include basic evaluation of fire hazards and the appropriate use of portable fire extinguishers and other on-site fire control equipment. We did not include in the proposed rule several other items NAPSRS recommended (response appropriate to the situation, contacting the fire department, evacuating people from the immediate area, closing valves which could supply fuel to the fire, and coordination with emergency responders such as firefighters) because they are covered by existing regulations.

Under Sec. 195.402(e) and 195.403(a)(1), operators must develop procedures for handling these items and then train personnel to carry out the procedures.

20. Sec. 195.406 MOP

Recommendation. For pipelines existing before Part 195 took effect that transport hazardous liquids that are not highly volatile, allow the maximum operating pressure to be set at 80 percent of past pressure in lieu of testing under Subpart E.

Response. Section 195.406(a)(5) allows all older hazardous liquid pipelines to be operated at 80 percent of a qualified past pressure in lieu of testing under Subpart E.

21. Subpart F, Part 195, Operation and Maintenance

Recommendation. Establish definite requirements for abandoning pipelines; apply these requirements to any temporarily idle, inactive, or out-of-service pipeline not maintained under Part 195; and apply the requirements for converted pipelines (Sec. 195.5) to abandoned pipelines that are returned to service.

Response. Section 195.402(c)(10), which requires operators to establish and follow procedures for abandoning pipelines, covers the essence of NAPSRS's recommendation with respect to abandoning pipelines. Those procedures are subject to review and amendment by federal and state government inspectors. We believe these existing requirements are sufficient and substantially satisfy NAPSRS's recommendation to

establish definite requirements for abandonment.

Regarding pipelines temporarily removed from service, if the pipeline continues to contain a potentially harmful quantity of hazardous liquid or carbon dioxide, we consider it to be used in transportation and subject to the operation and maintenance requirements of Part 195, including corrosion control and routine surveys. If no potentially harmful quantity of hazardous liquid or carbon dioxide remains in the pipeline, we do not consider it to be in use, and the pipeline need not meet the operation and maintenance requirements while it is not used in transportation. However, before returning the pipeline to service, the operator must ensure that it fully complies with the operation and maintenance requirements. NAPSRS recommends that if an operator defers maintenance on a temporarily out-of-service pipeline, the pipeline should be disconnected, purged, and sealed as if it were abandoned. Considering the low risk involved

(given the absence of a potentially harmful quantity of hazardous liquid or carbon dioxide), and the temporary out-of-service status of the pipeline, we do not think such additional requirements are needed for safety or environmental protection. Furthermore, under Sec. 195.402, operators' operation and maintenance manuals should contain procedures for the safe temporary removal of a pipeline from service and for responding to any inadvertent operation of the pipeline while it is out of service. Thus, we have not adopted NAPSRS's recommendation

regarding out-of-service pipelines.

Any pipeline that is abandoned under Part 195 and later returned to Part 195 service would have to fully comply with the operation and maintenance requirements upon its return to service. NAPSRS recommends that, in addition, we require such pipelines to meet the Sec. 195.5

conversion requirements, which entail review of operation and maintenance records, visual inspections, and strength testing. But compliance with the operation and maintenance standards would involve a records review to learn which recurring inspections and tests must be performed. And visual inspections of rights-of-way and aboveground facilities would also be required. Although the operation and maintenance standards do not require visual inspection of selected portions of buried pipelines as Sec. 195.5 does, if a recommissioned abandoned pipeline affects a high consequence area, the operator would have to pressure test or internally inspect the pipeline in accordance with

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the schedule required by Sec. 195.452. In addition, upon return to service, every abandoned pipeline must meet the strength testing requirements of Sec. 195.302 or Sec. 192.303. Given that abandoned pipelines are not often returned to service and the lack of reported accidents attributable to recommissioned abandoned pipelines, we do not think rulemaking is needed at this time. Thus, we have not adopted NAPSRS's recommendation to apply Sec. 195.5 to abandoned pipelines that are recommissioned.

22. Sec. 195.412(b)

Recommendation. Add a 6-month grace period to the maximum 5-year interval between inspections of water crossings to account for flood disturbances.

Response. We believe that 5 years allows operators enough time to schedule inspections to avoid anticipated periods of flooding. If unanticipated flooding precludes a scheduled inspection, in enforcing Sec. 195.412(b) we would allow the operator a reasonable time to conduct the inspection, and we encourage participating state agencies to do likewise. Adding 6 months to the maximum interval between inspections would not necessarily alleviate the problem of unanticipated flooding. Therefore, we have not adopted NAPSRS's recommendation.

23. Sec. 195.414 Cathodic Protection

Recommendation. Establish criteria for the adequacy of cathodic protection.

Response. New Sec. 195.571 incorporates by reference paragraphs 6.2 and 6.3 of NACE Standard RP0169-96 as criteria for cathodic protection (66 FR 67005; Dec. 27, 2001).

24. Sec. 195.416 External Corrosion Control

Recommendation. Require prompt action to correct corrosion control deficiencies.

Response. New Sec. 195.573(e) requires operators to correct identified corrosion control deficiencies within the times allowed by Sec. 195.401(b) or Sec. 195.452(h), as applicable (66 FR 67006; Dec. 27, 2001).

25. Subpart F, Part 195, Operation and Maintenance Uprating

Recommendation. Establish steps to follow in uprating a pipeline, or increasing its maximum operating pressure (MOP).

Response. The Part 195 regulations that apply to uprating are Sec. Sec. 195.402 and 195.406. Under Sec. 195.402, operators must have and follow procedures for normal operations. Since uprating is a normal operation, if an operator uprates a pipeline, the operator's procedures for normal operations must cover uprating. In addition to these procedures, Sec. 195.406 limits any uprated MOP to the lowest pressure among five parameters.

NAPSRS's report suggests that more specific requirements for uprating are needed, like those for gas pipelines in Part 192. However, the report does not explain why the present regulations are inadequate, and we are not aware of any accidents related to inappropriate uprating

procedures. Although the report indicates that a few operators may not fully understand the present requirements, we do not feel lack of knowledge is sufficient reason to make the regulations more detailed. Therefore, we have not adopted the recommendation.

26. Sec. 195.428 Overpressure safety devices

Recommendation. Specifically require testing of thermal relief valves at maximum 3-year intervals.

Response. Section 195.428 requires annual inspection and testing of "relief valves." We believe this term is generally understood to mean a valve designed to open or close a vent when a preset pressure or temperature is reached. Although NAPSRS may be correct that most operators do not consider thermal relief valves to be pressure control devices, Sec. 195.428 distinguishes pressure control devices from relief valves. Because we believe thermal relief valves, or relief valves set to function at preset temperatures, are covered by the existing inspection and testing requirements in Sec. 195.428, we do not think specific treatment of thermal relief valves is necessary. Nor do we think there is a need to relax those requirements by allowing thermal relief valves to be inspected and tested at 3-year intervals instead of annually. Therefore, we have not adopted the recommendation.

27. Sec. 195.432 Breakout Tanks

Recommendation. Require tank inspection according to API 653.

Response. Section 195.432 has been amended to require tank inspection according to Section 4 of API 653 (64 FR 15936; April 2, 1999).

28. Sec. 195.434 Signs

Recommendation. Clarify that the emergency telephone number on signs at pump station and breakout tank areas is a number where the operator is always available.

Response. Section 195.434 requires that publicly visible signs around each pump station and breakout tank area display "the name of the operator and an emergency telephone number to contact." Undoubtedly the purpose of the number is to enable the public to notify the operator of an emergency involving the area. However, NAPSRS reported that in many instances the number could not always be used for that purpose because it did not reach the operator at all times. We agree that clarification would be helpful, particularly since a similar requirement governing line marking signs specifically states that the telephone number must be one "where the operator can be reached at all times" (Sec. 195.410(a)(2)(ii)). Therefore, we are proposing to change Sec. 195.434 to make the telephone number requirement consistent with a similar requirement under Sec. 195.410(a)(2)(ii).

29. Sec. 195.438 Smoking or Open Flame

Recommendation. Require operators to post "no smoking" signs in certain locations in pump station and breakout tank areas.

Response. Section 195.438 requires operators to prohibit smoking in certain locations in pump station and breakout tank areas. While some operators may comply by posting signs in those locations, others may comply by prohibiting smoking throughout the entire area or by limiting smoking to a designated location. NAPSRS's recommendation would narrow the range of possible compliance options for no reason other than "no smoking" signs are not mandatory under Sec. 195.428. We are not aware of any fires caused by smoking in pump station and breakout tank areas that might warrant rulemaking action. Also the efficacy of signs in preventing smoking in pump station and breakout tank areas was not discussed and may be uncertain. Thus, we have not adopted the recommendation.

30. Sec. 195.440 Public Education

Recommendation. Require an annual review of programs designed to educate the public to recognize and report hazards and emergencies.

Response. Section 195.402(c)(3) requires each operator to have and follow procedures for carrying out the operation and maintenance requirements of Part 195, including the requirements for public education under Sec. 195.440. Moreover, Sec. 195.402(a) requires operators to review their procedures annually and modify them if necessary for effectiveness. We believe these existing requirements satisfy NAPSRS's recommendation regarding

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annual reviews of public education programs. NAPSRS's recommendation closely parallels the National Transportation Safety Board's recommendation (P-98-38) that operators periodically evaluate the effectiveness of their public education programs using scientific techniques. In response to that recommendation, we are working with the Common Ground Alliance to develop guidelines operators may use in evaluating the effectiveness of their public education programs. In addition, we are working with industry trade associations to develop consensus standards that operators can use to improve their public education programs. To this end, we invited the public to participate in this voluntary standards-setting effort (67 FR 34754; May 15, 2002). Upon completion of these activities, we will decide if regulatory changes are needed regarding public education programs.

Regulatory Analyses and Notices

Executive Order 12866 and DOT Policies and Procedures. RSPA does not consider this proposed rulemaking to be a significant regulatory action under Section 3(f) of Executive Order 12866 (58 FR 51735; Oct. 4, 1993). Therefore, the Office of Management and Budget (OMB)

has not received a copy of this rulemaking to review. RSPA also does not consider this proposed rulemaking to be significant under DOT regulatory policies and procedures (44 FR 11034; February 26, 1979).

We prepared a Draft Regulatory Evaluation of the proposed rules and a copy is in the docket. The evaluation concludes there should be only minimal additional cost, if any, for operators to comply with the proposed rules. If you disagree with this conclusion, please provide information to the public docket described above.

Regulatory Flexibility Act. The proposed rules are consistent with customary practices in the hazardous liquid and carbon dioxide pipeline industry. Therefore, based on the facts available about the anticipated impacts of this proposed rulemaking, I certify, pursuant to Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605), that this proposed rulemaking would not have a significant impact on a substantial number of small entities. If you have any information that this conclusion about the impact on small entities is not correct, please provide that information to the public docket described above.

Executive Order 13084. The proposed rules have been analyzed in accordance with the principles and criteria contained in Executive Order 13084, "Consultation and Coordination with Indian Tribal Governments." Because the proposed rules would not significantly or uniquely affect the communities of the Indian tribal governments and would not impose substantial direct compliance costs, the funding and consultation requirements of Executive Order 13084 do not apply.

Paperwork Reduction Act

Title: Transportation of Hazardous Liquids by Pipeline Recordkeeping and Accident Reporting Requirements. OMB Number: 2137-0047

Summary: Section 195.310(b)(10) proposes minor additional information collection requirements to an already existing information collection requirement. Operators would be required to record the temperature during testing and keep the records for as long as the pipeline concerned is in service. However, we believe most operators already maintain records of temperature. Also, we believe the burden of

retaining temperature records would be minimal. These records are largely computerized. Maintaining these records on a floppy disk or computer file represents very minimal costs. Because the additional paperwork burdens of this proposed rule are likely to be minimal, we believe that submitting an analysis of the burdens to OMB under the Paperwork Reduction Act is unnecessary. If you disagree with this conclusion, please submit your comments to the public docket.

Use: Records are kept to help RSPA determine compliance with pipeline safety requirements.

Respondents (including the number of): There are 200 hazardous liquid pipeline operators that could potentially be subject to this proposed rule.

Annual Burden Estimate: 51,011 hours per year.

Frequency: Variable.

Unfunded Mandates Reform Act of 1995. This proposed rulemaking would not impose unfunded mandates under the Unfunded Mandates Reform Act of 1995. It would not result in costs of \$100 million or more to either State, local, or tribal governments, in the aggregate, or to the private sector, and would be the least burdensome alternative that achieves the objective of the rule.

National Environmental Policy Act. We have analyzed the proposed rules for purposes of the National Environmental Policy Act (42 U.S.C.

4321 et seq.). Because the proposed rules parallel present requirements or practices, we have preliminarily determined that the proposed rules

would not significantly affect the quality of the human environment. An environmental assessment document is available for review in the docket. A final determination on environmental impact will be made after the end of the comment period. If you disagree with our preliminary conclusion, please submit your comments to the docket as described above.

Impact on Business Processes and Computer Systems. We do not want to impose new requirements that would mandate business process changes when the resources necessary to implement those requirements would otherwise be applied to "Y2K" or related computer problems. The proposed rules would not mandate business process changes or require modifications to computer systems. Because the proposed rules would not affect the ability of organizations to respond to those problems, we are not proposing to delay the effectiveness of the requirements.

Executive Order 13132. The proposed rules have been analyzed in accordance with the principles and criteria contained in Executive Order 13132 ("Federalism"). The proposed rules do not propose any regulation that (1) has substantial direct effects on the States, the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government; (2) imposes substantial direct compliance costs on State and local governments; or (3) preempts state law. Therefore, the consultation and funding requirements of Executive Order 13132 do not apply.

List of Subjects in 49 CFR Part 195

Ammonia, Carbon dioxide, Petroleum, Pipeline safety, Reporting and recordkeeping requirements.
For the reasons discussed in the preamble, RSPA proposes to amend 49 CFR part 195 as follows:

PART 195--TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE

1. The authority citation for part 195 continues to read as follows:

Authority: 49 U.S.C. 5103, 60102, 60104, 60108, 60109, 60118; and 49 CFR 1.53.

2. Amend Sec. 195.222 as follows:

- a. Redesignate the existing text as paragraph (a); and
- b. Add paragraph (b) to read as follows:

Sec. 195.222 Welders: Qualification of welders.

* * * * *

- (b) No welder may weld with a particular welding process unless,

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within the preceding 6 calendar months, the welder has--

- (1) Engaged in welding with that process; and
 - (2) Had one weld tested and found acceptable under Section 6 of API 1104.
3. Revise Sec. 195.252 to read as follows:

Sec. 195.252 Backfilling.

When a ditch for a pipeline is backfilled, it must be backfilled in a manner that:

- (a) Provides firm support under the pipe; and
- (b) Prevents damage to the pipe and pipe coating from equipment or from the backfill material.

4. Amend Sec. 195.310 as follows:

- a. Remove the word "and" at the end of paragraph (b)(8);
- b. Remove the period at the end of paragraph (b)(9) and add "; and" in its place; and
- c. Add paragraph (b)(10) to read as follows:

Sec. 195.310 Records.

* * * * *

(b) * * *

- (10) Temperature of the test medium or pipe during the test period.

5. Revise Sec. 195.403(a)(5) to read as follows:

Sec. 195.403 Training.

(a) * * *

(5) Learn the potential causes, types, sizes, and consequences of fire and the appropriate use of portable fire extinguishers and other on-site fire control equipment, involving, where feasible, a simulated pipeline emergency condition.

* * * * *

6. Revise Sec. 195.434 to read as follows:

Sec. 195.434 Signs.

Each operator must maintain signs visible to the public around each pumping station and breakout tank area. Each sign must contain the name of the operator and a telephone number (including area code) where the operator can be reached at all times.

Issued in Washington, DC on August 29, 2002.

Stacey L. Gerard,

Associate Administrator for Pipeline Safety.

[FR Doc. 02-22735 Filed 9-5-02; 8:45 am]

BILLING CODE 4910-60-P

[Federal Register: September 10, 2002 (Volume 67, Number 175)]
[Notices]
[Page 57484-57485]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr10se02-149]

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Pipeline Safety: Safety of Liquefied Petroleum Gas (LPG) Distribution Systems

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice; issuance of advisory bulletin.

SUMMARY: This advisory bulletin urges owners and operators of liquefied petroleum gas (LPG) distribution systems to review their compliance with all leak detection, corrosion monitoring, and emergency response procedures, including training of emergency response personnel and liaison with emergency responders. Heavy rains and frozen soils can cause leaking propane to migrate to low areas, such as basements, and impede measurement of the presence of combustible gas.

FOR FURTHER INFORMATION CONTACT: Richard Huriaux, (202) 366-4565; or by e-mail, richard.huriaux@rspa.dot.gov. This document can be viewed at the OPS home page at <http://ops.dot.gov>.

SUPPLEMENTARY INFORMATION:

I. Background

On September 1, 2002 a propane gas explosion leveled a house in Snow Hill, MD. An employee of the local gas distribution company was killed and 17 emergency responders and others were injured, four critically. The accident is under investigation by the Maryland Public Service Commission. Initial

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observations indicate that the propane gas explosion occurred as the basement was being mechanically ventilated. The propane gas may have leaked into the house from a corroded service line.

The Federal pipeline safety regulations for gas pipeline systems (49 CFR part 192) provide safety requirements for corrosion control, leak detection, operations and maintenance, and emergency response for LPG systems. Leak detection on LPG systems is complicated because LPG is heavier than air and has a lower explosive limit (LEL) of 2 percent in air. Leak detection equipment must be calibrated to detect this

lower concentration. Leak detection may also be complicated by extremely wet or frozen soils and by ineffective leak detection procedures. Wet or frozen soils can effectively cap an area of leaking gas and cause gas that had been venting through the soil into the air to be redirected along underground utility lines or through loosely compacted soils into structures, especially basements. Both these conditions require leak detection procedures that emphasize measurement of gas below the surface of the soil or pavement. Usually this is accomplished by "bar holing" and examination of below ground areas, such as manholes, storm drains, and basements.

In addition, the gas pipeline safety regulations require an operator to establish and follow written procedures for responding to an LPG pipeline emergency (49 CFR 192.615). The operator's emergency plan for LPG must recognize its different characteristics. The operator must establish effective communications between utilities and appropriate fire, police, and other public officials. The regulations

require a continuing educational program to enable customers, the public, and appropriate government organizations to recognize an LPG pipeline emergency and to take action to notify the gas operator and local emergency responders (49 CFR 192.616).

Prompt and effective response is required when gas is detected in or near a building. All actions should be directed to protecting people through a prompt evacuation of the affected buildings and securing the area.

RSPA and its state pipeline safety program partners have recently issued a manual to assist LPG pipeline operators in safely operating their systems and effectively responding to emergencies. The Training Guide for Operators of Small LP Gas Systems, which was prepared for

RSPA by the National Association of Regulatory Utility Commissioners, includes information on LPG pipeline system operations and maintenance and on preparing the required emergency response manual. Chapter X addresses gas leakage control guidelines for LPG systems. It includes guidelines for the detection, grading, and control of gas leakage for systems handling LPG and other heavier-than-air gas mixtures.

Another excellent source of information on complying with the gas pipeline safety regulations is the Guide for Gas Transmission and Distribution Piping Systems (copyright) (ANSI GPTC Z380.1-1998), which is published by the Gas Piping Technology Committee. The document provides useful detail on written emergency procedures, including making the area safe through evacuation, access control, elimination of sources of ignition, ventilation, and coordination with emergency responders. It also addresses procedures for establishing liaison and emergency planning with public officials.

II. Advisory Bulletin (ADB-02-05)

To: Owners and Operators of Liquefied Petroleum Gas (LPG) Distribution Systems.

Subject: Safety of Liquefied Petroleum Gas (LPG) Distribution Systems

Purpose: To advise owners and operators of liquefied petroleum gas (LPG) distribution systems

Advisory: Owners and operators of liquefied petroleum gas (LPG) distribution systems should review their compliance with all leak detection, corrosion monitoring, and emergency response procedures, including training of emergency response personnel and liaison with other agencies.

LPG system operators should ensure that their procedures are adequate to detect leaks of heavier-than-air gas. LPG leaks do not dissipate as readily as does the natural gas, which is lighter than air and tends to rise through the soil. Leak detection may also be complicated by extremely wet or frozen soils that effectively cap an area of leaking gas and cause gas that had been venting through the soil into the air to be redirected along underground utility lines or through loosely compacted soils into structures, especially basements. Both these conditions require a leak detection procedure that emphasizes measurement of gas below the surface of the soil or pavement. Usually this is accomplished by "bar holing" and examination of below ground areas, such as manholes, storm drains, and basements.

In addition, the gas pipeline safety regulations require an operator to establish and follow written procedures for responding to LPG pipeline emergencies (49 CFR 192.615). This includes establishment of communications systems between utilities, and appropriate fire,

police, and other public officials. The regulations also require an operator to establish a continuing educational program to enable customers, the public, and appropriate government organizations to recognize a gas pipeline emergency and to take action to notify the gas operator and local emergency responders (49 CFR 192.616).

Prompt and effective response is required when gas is detected in or near a building. All actions should be directed to protecting people first through a prompt evacuation of the buildings, followed by establishing access control, elimination of sources of ignition, ventilation, and coordination with emergency responders.

Issued in Washington, DC, on September 5, 2002.

Stacey L. Gerard,

Associate Administrator for Pipeline Safety.

[FR Doc. 02-22952 Filed 9-9-02; 8:45 am]

BILLING CODE 4910-60-P

3. AUDIT SECTION

- A.** Maintains headquarters and three district offices as follows:
- Headquarters - William B. Travis Building
1701 North Congress, P. O. Box 12967, Austin, Texas 78701 Telephone (512) 463-7022
Ed Abrahamson, Assistant Director
- Dallas District- 1546 Rowlett Rd., Suite 107, Garland, Texas 75043 Telephone (972) 240-5757;
Stephen Cooper, Auditor Fax (972)303-1897
Josh Settle, Auditor
- Austin District- P. O. Box 12967, Austin, Texas 78711-2967 Telephone (512) 463-7022
- Houston District- 1706 Seamist Drive. Suite 501, Houston, Texas 77008-3135 Telephone (713) 869-8425;
Mark Brock, Supervising Auditor Fax (713)869-3219
Dale Francis, Auditor
Margie Stoney, Auditor
Konata Uzoma, Auditor
Lekisha Churchwell, Auditor
Larry Alcorn, Auditor

B. Gas Utility Tax, Annual Reports and Audit Reports

Questions relating to gas utility tax, annual reports and audit reports, call Shannon L. Miller at (512) 463-7022.

C. Available Information

Copies of company annual reports (1994 to present), as well as information relating to any of the above, A through C, are available for review at the William B. Travis Building, Gas Services Division, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of five days for completion of requests. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022, or Fax your request to (512) 475-3180.

4. REGULATORY ANALYSIS AND POLICY

- A.** Maintains the following office to assist you:
- Headquarters - William B. Travis Building
1701 North Congress, P.O. Box 12967, Austin, Texas 78711 Telephone (512) 463-7164
Karl Nalepa, Assistant Director
- B. Gas Utilities Information Bulletin**
- Published on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gs/rap/rapbls.html>.
- C. Proposals For Decision**
- Published on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gs/rap/pfds.html>.
- D. Tariff Filings**
- Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Kathy Arroyo, Yolanda Lovelace or Sandra Soto at (512) 463-7164.
- E. Curtailments**
- Curtailment questions should be referred to Sandra Soto at (512) 463-7164. Curtailment reports made Monday through Friday, 8:00 a.m. to 5:00 p.m., should be made to (512) 463-7164. Curtailment reports made during hours other than those specified above and holidays, should be made to (512) 463-6788, (512) 896-3863 (digital pager), (512) 892-1772 or (512) 280-5949.

F. Compliance Filings

Questions regarding gas utilities docket compliance filing requirements should be referred to Jackie Standard at (512) 463-7164.

G. Complaints and Inquiries

All complaints and inquiries relating to the gas utility industry should be directed to the Regulatory Analysis and Policy section at (512) 463-7164.

H. Rules and Regulations:

GUD No. 9221 Amendments to Quality of Service Rules

GUD No. 9253 New Rule for Relocation Cost Recovery Factor

GUD No. 9257 Amendments to §7.450 Gas Distribution in Mobile Home Parks, Apartment Houses and Apartment Units.

GUD No. 9275 Amendments to §7.512 NGPA Section 311 Rate Review

GUD No. 9276 Amendments to §7.511 TUC Section 102.054 Sale, Transfer, Merger Reviews

GUD No. 9277 Amendments to §7.305 Curtailment Rule

GUD No. 9303 Amendments to §7.465 Abandonment Rule

GUD No. 9334 Amendments to §7.310 System of Accounts

5. HEARINGS AND LEGAL ANALYSIS**A. Miscellaneous**

Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the Legal Division at (512) 463-7017.

B. Status of Pending Cases

The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the Legal Division at (512) 463-7017.