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**Draft Regulatory Evaluation and Regulatory Flexibility Assessment**

**Pipeline Safety: Further Regulatory Review Pipeline Safety: Gas Pipeline Safety Standards**

**Background**

The Research and Special Programs Administration (RSPA) is proposing to modify some of its regulations concerning gas pipeline safety standards. These changes are based on recommendations from the National Association of State Pipeline Representatives (NAPSR). NAPSR is a non-profit association of officials from state agencies that participate with RSPA in the Federal pipeline safety regulatory program.

**Need for the regulation**

Annually NAPSR meets and discusses safety and administrative concerns of state pipeline officials. Following NAPSR's comprehensive review of the gas pipeline safety standards in 49 CFR Part 192, five of the thirty-five recommendations, were adopted as final in earlier rulemaking actions, and three others were proposed to be adopted in the rulemaking called "Periodic Updates to Pipeline Safety Regulations (1999)" (Docket RSPA-99-6106; 56 FR 15290; Mar. 22, 2000). Now RSPA is proposing to adopt nineteen additional recommendations either in whole or with adjustments.

## **Alternatives**

RSPA considered two alternative scenarios. First, the status quo alternative or do not adopt any additional NAPSRS recommendations. Second, adopt several additional NAPSRS recommendations which will clarify Part 192 making the regulations clearer and more easily enforceable. RSPA chose the second alternative as it felt that adopting 19 of the NAPSRS recommendations in Part 192 would clarify the intent of these sections, make them more enforceable, and in some instances potentially reduce the burden to gas pipeline operators by offering operators the opportunity to choose more cost-effective alternatives that are not now available.

## **Benefits**

This section describes the benefits of the proposed rules that are based on recommendations or alternatives to recommendations.

### **1) 192.3 Definitions of Main and Transmission Line**

This section clarifies and creates consistency with current policies used for waivers and interpretations. It specifically describes the definitions of customer meter, service line and service regulator. These should reduce the number of waivers needed and therefore reduce costs to the industry.

### **2) 192.123 Design Limitations for Plastic Pipe.**

This section removes the grandfather provision that allows plastic pipe manufactured before May 18, 1978 to be operated at a temperature higher than its design temperature. There is probably little benefit to this section as there is probably little pipe of this age which exists in the inventory of pipeline operators that could be used as replacement pipe.

### **3) 192.197(a) Control of the Pressure of Gas Delivered from High-pressure Distribution**

## Systems.

This proposal clears up a discrepancy between two different sections of the regulation which describe whether a pipe can be operated up to 60 pounds per square inch gauge (p.s.i.g.) Or less than 60 psig.

### 4) 192.285(d) Plastic Pipe: Qualifying Persons to Make Joints.

This section replaces “his” with a word that is not gender specific.

### 5) 192.311 Repair of Plastic Pipe.

This section drops the term “patching saddle” which is unclear. Further it allows for the use of other technologies for repairing plastic pipe. This should reduce the costs of plastic pipe repair by encouraging operators to use the repair technology they find most effective.

### 6) 192.321(e) Installation of Plastic Pipe; 192.361(g) Service Lines: Installation

To prevent underground plastic pipe from being damaged by intense electrical charges, these sections prohibit tracer wire from being wrapped around buried plastic pipe. We believe this merely codifies standard industry practice.

### 7) 192.353(a) Customer Meters and Regulators: Location

This proposal emphasizes that vehicular damage is a type of damage from which meters and service regulators must be protected. Although the existing rule implicitly requires protection from vehicular damage, this emphasizes the need to prevent this type of damage.

### 8) 192.457(b) and (c) External Corrosion Control: Buried or Submerged Pipelines Installed Before August 1, 1971; 192.465(e) External Corrosion Control Monitoring

These sections remove an expired provision related to inspection. It also allows operators of distribution lines to use other means than electrical survey to find active corrosion without first

having to determine that electrical surveys are impractical. Further it clarifies the “other means”. By allowing means other than electrical survey for distribution operators this recommendation should save money by encouraging operators to use the inspection means that are the most cost-effective.

9) 192.479 Atmospheric Corrosion Control: General

This section makes the gas regulation on controlling atmospheric corrosion the same for old and new pipelines and consistent with a comparable hazardous liquid pipeline regulation. This change should improve safety by eliminating possible confusion over differences between old and new pipelines and gas and hazardous liquid pipeline regulations.

10) 192.481 Atmospheric corrosion control: Monitoring.

This section would change the atmospheric corrosion monitoring regulation by specifying particular pipeline features to inspect and the remedial action to take if harmful corrosion is found. Although the present monitoring regulation requires reevaluation rather than inspection and does not establish a definite standard for correction, operators’ inspections generally conform to the proposal. So there would be little or no benefit.

11) 192.517 Records

This provision requires operators to keep leak testing records for 5 years. This will help compliance officers determine if pipelines were tested for leaks. We believe that it is industry practice to keep these records.

12) 192.553 Upgrading: General Requirements

This section merely clarifies an existing reference to an upgrading limitation.

13) 192.605 Procedural manual for operations, maintenance, and emergencies.

This section requires that operators have written procedures in their Operations and Maintenance

Plans to respond promptly to a report of gas odor. By having written procedures the operator personnel will know what is the appropriate and timely response to an odor.

14) 192.625(f) Odorization of Gas We are proposing to amend § 192.625(f) to state specifically that an instrument must be used to determine odorant concentration. Presently the sampling requirement to test for odorant in natural gas lines cannot be satisfied without using an appropriate test instrument. Some operators may be using a sniff test without the use of instruments.

However, we believe use of an instrument is common industry practice, because a sniff test cannot accurately determine the concentration of odorant.

15) 192.739(c) Pressure Limiting and Regulating Stations: Inspection and Testing 192.743(c) Pressure Limiting and Regulating Stations: Testing of Relief Devices

This section clarifies the meaning of “correct pressure” and “insufficient capacity” in a way that is consistent with usual practices.

16) 192.743(a) and (b) Pressure Limiting and Regulating Stations: Testing of Relief Devices

This section should reduce operators’ costs by allowing them to use calculations to determine if relief devices are of sufficient capacity without first having to determine that testing the devices in place is not feasible.

17) 192.745 Valve maintenance: Transmission lines.

This section requires operators of transmission lines to take prompt remedial action to correct any valve that might be needed in an emergency if the valve is found inoperable.

18) 192.747 Valve maintenance: Distribution systems.

This section requires operators of distribution systems to take prompt remedial action to correct any valve that may be needed for safe operation of the system if the valve is found inoperable.

19) 192.753 Caulked bell and spigot joints

This provision clarifies a conflict found in two different sections concerning bell and spigot joints on cast iron pipe.

### Costs

This section examines the costs of adopting the regulation changes described above.

#### 1) 192.3 Definitions of Main and Transmission Line

This section makes present OPS policy consistent with that used in granting waivers for this definition. This should reduce the number of waivers and therefore potentially reduce costs.

#### 2) 192.123 Design Limitations for Plastic Pipe

This should have no costs as it only would impact plastic pipe made before 1979 that is now being installed. It is unlikely that any pipeline operator has any significant amount of pipe this old in its inventory.

#### 3) 192.197(a) control of Pressure of Gas Delivered from High-pressure distribution systems.

This will have no cost as it clears up a conflict in two provisions.

#### 4) 192.285(d) Plastic Pipe: Qualifying Process

No cost as it changes the word “his” to a gender neutral term.

#### 5) 192.311 Repair of Plastic Pipe

This may reduce costs as it removes the term “patching saddle” as the only method of repairing plastic pipe and allows operators to choose the appropriate method for repair that is most cost-effective.

#### 6) 192.321(e) Installation of Plastic Pipe; 192.361(g) Service Lines: Installation

This prohibits wrapping tracer wire around plastic pipe as it might cause the pipe to be electrically damaged. OPS believes this merely codifies industry practice. Nevertheless, even if some

operators presently wrap their plastic pipe merely laying the pipe in the ground and adding fill dirt before the tracer wire is put in the ground should add no costs to the operator.

7) 192.353(a) Customer Meters and Regulators: Location

This proposal has no cost as it merely emphasizes something that was implicitly understood the need to prevent damages from vehicles.

8) 192.457(b) and (c) External Corrosion Control: Buried or Submerged Pipeline Installed Before August 1, 1971; 192.465(e) External Corrosion Control Monitoring

No costs as it removes an expired provision related to inspection. It also may reduce costs as it allows distribution operators to detect corrosion by means other than electrical survey without first having to determine that an electrical survey is impractical, and it clarifies the term "other means".

9) 192.479 Atmospheric Corrosion Control: General

This makes the gas corrosion control regulations consistent with those for hazardous liquid with no cost to operators.

10) 192.481 Atmospheric corrosion control: Monitoring.

The changes this section would make to the atmospheric corrosion monitoring regulation - specifying particular pipeline features to inspect and the remedial action to take if harmful corrosion is found - are consistent with usual practices. So there would be little or no additional costs .

11) 192.517 Records

This provision requires operators to keep leak testing records for 5 years. We believe that it is industry practice to keep these records. Therefore, there should be no cost to this provision

12) 192.553 Uprating: General Requirements

This section clarifies the references to this section and therefore adds no costs.

13) 192.605 Procedural manual for operations, maintenance, and emergencies

This section requires operators to have written procedures for responding to reports of gas odors promptly. We believe operators already are doing this so there should be no added costs.

14) 192.625(f) Odorization of Gas Although some operators may be performing sniff tests without the use of instruments we believe that the use of instruments to perform odorant sampling is now the overwhelming industry practice. Therefore, we believe that there should be little additional cost to this proposal.

15) 192.739(c) Pressure Limiting and Regulating Stations: Inspection and Testing 192.743(c); Pressure Limiting and Regulating Stations: Testing of Relief Valves

This section has no cost as it clarifies the meanings of “correct pressure” and “insufficient capacity”.

16) 192.743(a) and (b) Pressure Limiting and Regulating Stations Testing of Relief Devices

This should reduce costs as it allows operators to substitute calculations in lieu of testing relief stations.

17) 192.745 Valve Maintenance: Transmission Lines

We believe that this codifies the industry practice that transmission operators after inspecting valves needed in an emergency and finding them inoperable repair them promptly. Therefore, there should be no cost to this provision.

18) 192.747 Valve Maintenance Distribution Systems

We believe that this codifies the industry practice that distribution operators after inspecting valves needed for safe system operation and finding them inoperable repair them promptly. Therefore, there should be no cost to this provision.

19) 192.753 caulked bell and spigot joints

There is no cost to this provision as it resolves a conflict in two sections regarding cast iron bell and spigot joints.

After performed its review, OPS believes that it is more likely that these changes will save operators money. Many provision merely clarify and eliminate conflicting regulations. Other provisions codify good industry practice. And finally some provisions allow operators to choose the most cost-effective means of complying with the regulations.

### **Conclusion**

OPS has analyzed this proposal and found that none of the changes proposed will have an adverse consequence on costs to operators or safety to the general public. Rather, the updating of and the clarification of pipeline safety regulations has the potential for enhanced public safety. Further some of the proposed revisions have the potential for reducing the costs to operators by offering options that could lower operator expenses.

### **Regulatory Flexibility Certification**

Based upon the above information showing that the economic impact of this rule will be minimal, as they merely clarify the regulations and adopt general industry practices and offer additional options to pipeline operators, I certify under Section 605 of the Regulatory Flexibility Act that this regulation will not have a significant impact on a substantial number of small entities.