

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

[7550-01-M]

NATIONAL MEDIATION BOARD

[29 CFR Part 1206]

REPRESENTATION DISPUTES PERCENTAGE OF VALID AUTHORIZATIONS REQUIRED TO DETERMINE EXISTENCE OF A REPRESENTATION DISPUTE

Withdrawal of Proposed Rulemaking

AGENCY: National Mediation Board.

ACTION: Withdrawal of proposed rulemaking notice.

SUMMARY: This action withdraws the Board's Advance Notice of Proposed Rulemaking with respect to § 1206.2(b) of the NMB Rules, 29 CFR 1206.2(b), which was published in the FEDERAL REGISTER on November 21, 1978. (43 FR 54267).

Certain of the circumstances which led significantly to the proposed amendment of § 1206.2(b) have changed, including the decision of the United States Court of Appeals for the Second Circuit in *American Airlines, Inc. v. National Mediation Board, et al.*, 99 LRRM 3450 (2nd Cir. 1978). Said decision determined that the number of authorization cards filed in NMB representation cases is privileged from disclosure under the Freedom of Information Act. In the event the foregoing decision is set aside upon further review, if any, or that other circumstances which led primarily to the Board's initial proposal regarding § 1206.2(b) so require, the Board would be prepared to consider appropriate action with respect to 29 CFR 1206.2(b).

DATES: This withdrawal of the Board's November 21, 1978, Advance Notice of Proposed Rulemaking with respect to 29 CFR 1206.2(b) becomes effective February 22, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. Rowland K. Quinn, Jr., Executive Secretary, National Mediation Board, Washington, D.C. 20572, Telephone: (202) 523-5920.

SUPPLEMENTARY INFORMATION:

(1) In view of this withdrawal action, the Board will not detail herein the public comments received with respect to the initial proposal. However, the Board appreciates the conscientious and knowledgeable comments provided by the public in this matter.

(2) This action is taken pursuant to the authority of 44 Stat. 577, as amended, 45 U.S.C. 151, *et seq.*

By direction of the National Mediation Board.

Dated: February 15, 1979.

ROWLAND K. QUINN, JR.,
Executive Secretary.

[FR Doc. 79-5448 Filed 2-21-79; 8:45 am]

[4910-60-M]

DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

[49 CFR Part 192]

[Docket No. PS-57; Notice 1]

TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE

Monitoring of Gas Odor Level

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Proposed rule.

SUMMARY: This notice proposes to revise the requirements of §§ 192.625 (e) and (f) to establish a frequency for monitoring the injection of odorant into gas pipelines and a frequency and locations for monitoring the concentration of odorant. The proposed changes are needed to clarify present requirements to assure that an appropriate level of odorant is maintained in the gas as it moves through the system.

DATES: Interested persons are invited to submit written comments on this proposal before April 30, 1979. Late filed comments will be considered to the extent practicable.

ADDRESS: Comments should refer to the docket and notice number, and should be sent to: Docket Branch, Materials Transportation Bureau, Department of Transportation, 2100 Second Street, SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Paul J. Cory (202) 426-2392.

SUPPLEMENTARY INFORMATION: The purpose of odorizing gas in pipelines that is normally odorless, like natural gas, is to make hazardous leaks detectable by humans and thus

minimize the risk of explosions and fires and the attendant death, injury, and property damage.

ODORIZATION RATE

In the odorization of gas, if odorant is injected into a gas system in varying amounts that may at times be excessive, members of the public are caused to detect very small escapes of gas that may occur in the normal operation of a pipeline and that are not dangerous. Such an experience often results in people developing a complacent attitude toward detecting a gas odor and could cause a person to not report a hazardous leak. To preclude this result, equipment used to inject an odorant into gas must do so continuously in appropriate amounts. Thus, § 192.625(e) now requires that gas odorization equipment must introduce odorant without a "wide variation" in the level of odorant.

MTB believes that § 192.625(e) is not a satisfactory performance standard because the term "wide variation" is unclear. In an effort to establish a more definite criterion for odorizer performance under § 192.625(e), MTB is considering prescribing an injection rate in terms of a fixed percent of the mean injection rate of the odorizer. Under this approach, § 192.625(e) would be amended to require that the quantity of odorant injected per unit gas volume may not vary from an established mean by more than 33 percent.

Directly measuring the quantity of odorant injected per million cubic feet of gas and comparing this rate with an established mean injection rate is the simplest and most common method that can be used to show that gas is being odorized at a level that will not produce adverse consequences in leak detection by the public. Alternatively, methods of chemical analysis, such as titration or spectrographic analysis can be used to determine the quantity of odorant present in gas and the injection rate.

Comments are specifically requested concerning the safety or appropriateness of the proposed 33 percent criterion for odorizer performance and on possible alternatives to making § 192.625(e) more effective.

MTB further believes that § 192.625(e) is inadequate because it does not prescribe how often an odorant level must be checked. Under the current standard, some operators con-

tinuously monitor odorizer outlets with recording chemical analyzers while others only check an odorizer's performance when it needs refilling. Depending upon the gas flow, the necessary odorization level, and the odorant storage capacity of an odorizer, the odorant level provided by an odorizer may not be inspected more than a few times a year.

Because of the importance of continued injection of odorant in appropriate amounts, MTB is proposing to establish a required frequency in § 192.625(e) for inspecting the odorant level provided by each odorizer. Under this proposal, an odorant level would have to be inspected at weekly intervals for systems serving more than 10 consumers and at intervals of no more than 95 days between consecutive inspections for systems serving 10 or less consumers. The interval of 95 days was chosen to allow flexibility in scheduling inspections on a quarterly basis.

In considering the impact of this proposal, it was recognized that if small odorizers serving 10 or less consumers were each inspected on the same frequency as odorizers serving large gas districts or transmission lines, there would be a heavy impact on the cost of gas to the public that would not be offset by a corresponding safety benefit. Small distribution systems with an odorizer serving 10 or less consumers normally would be located in rural areas where leaks have a low probability of detection by odor because of the low population density.

ODORANT LEVEL

Under § 192.625(a) gas must be detectable by the human sense of smell at 1/2 of the lower explosive limit of the gas. To assure that the odorant level meets this criterion throughout a pipeline system, § 192.625(f) requires "periodic sampling" of gas.

Because the term "periodic sampling" in § 192.625(f) is vague, a consistent interpretation cannot be made as to how often or where in a pipeline system samples must be taken. Some operators are checking the odorant level at several locations in the pipeline system daily while others check at

only one or two locations as infrequently as once or twice a year. Most operators have odor monitoring programs that are between these two extremes.

Also, it is known that a decrease in odorant level in gas in any segment of a pipeline can be caused by the presence of such things as iron oxide scale, newly installed pipe, tars, oils, dust and natural gas liquids. In addition, the remoteness of some areas in the system from the odorization equipment as well as low gas velocity also affect the retention of odorant in the gas. This loss of odorant in the system, which is called "fading," is discussed in various studies and papers that have been presented by odorization experts at American Gas Association and Institute of Gas Technology sponsored meetings. For example, see "Odor Fading and Supplemental Odorization" by Frank H. Suchomel, II, presented at the IGT Odorization Symposium, July 14, 1976.

MTB believes that the frequency and location of monitoring of odor level in a pipeline system should depend on the specific conditions present in the system. In pipeline systems that are reasonably free of contamination or that are internally coated, there will normally be only minor variations in the odorant level as the gas moves through the system, provided the odorizer maintains a relatively stable injection rate as required under § 192.625(e). This situation does not normally exist in most pipeline systems where conditions that could cause "fading" of odorant are present. In such pipelines, odor checks should be conducted at locations where fading may occur.

In some gas systems, there are segments of pipeline that have a history of leakage that is worse than that of other segments. In these segments, an operator would have reason to anticipate the occurrence of future leaks. MTB believes that checks on the odorant level in such segments should be conducted to assure that if future leaks do occur, the escaped gas will be detectable in accordance with the requirements of § 192.625(a).

To establish a more precise standard for monitoring odor level, MTB is proposing that § 192.625(f) be amended to require that odor level be determined at intervals of not more than 95 days at sufficient locations in the pipeline system to assure compliance with § 192.625(a). The locations would have to include places where fading or leakage may occur.

In consideration of the foregoing, MTB proposes that Part 192 of Title 49 of the Code of Federal Regulations be amended by revising paragraphs (e) and (f) of § 192.625 to read as follows:

§ 192.625 Odorization of gas.

(e) Equipment for odorization must introduce odorant so that the quantity of odorant injected per unit volume of gas does not vary more than 33 percent from the mean injection rate. The injection rate must be confirmed by inspection or testing according to the following schedule:

If equipment odorizes gas for 10 or less consumers, inspect or test each 95 days or less.

If equipment odorizes gas for more than 10 consumers, inspect or test weekly.

(f) Combustible gas from that portion of a pipeline system served by each odorizer station must be sampled and tested at intervals of not more than every 95 days, at a sufficient number of locations to show that the gas throughout the pipeline system is odorized in compliance with paragraph (a) of this section. Samples must be taken from:

(1) Each segment of the pipeline system where odorant fading may be anticipated; and

(2) Segments where leakage may be anticipated based upon leak history records.

(49 U.S.C. 1962 CFR 1.53; Appendix A of Part 1 and Appendix A of Part 106.)

Issued in Washington, D.C., on February 9, 1979.

CESAR DE LEON,
Associate Director for Pipeline
Safety Regulation.

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