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By the Commission.

Francis C. Hurney,

Secretary.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. PS-57; Notice 2]

Transportation of Natural and Other Gas by Pipeline; Monitoring of Gas Odor Level

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, Transportation.

ACTION: Withdrawal of proposed rulemaking.

SUMMARY: Rigid standards were proposed for the control of the odorant injection rate required for natural gas along with a increased frequency of inspection of each odorizer and a maximum interval between the dates of the sampling of the gas in the odorized piping systems to assure the presence of an appropriate level of odorization. Review of the comments to Notice 1 published in the **Federal Register,** February 22, 1979 (44 FR 10604), has convinced MTB that the proposal was not practical and would not increase the level of safety sufficiently to justify the very high estimated cost. Odorizing equipment to replace wick and by-pass odorizers on small gas systems that may be capable of meeting the proposed limits are very costly and lack the reliability of the present equipment. As a consequence, the proposed standards are withdrawn.

FOR FURTHER INFORMATION CONTACT: Paul J. Cory, (202) 426-2082.

SUPPLEMENTARY INFORMATION: Part 192 now contains standards for the minimum level of odorization required for natural gas in a distribution system and certain transmission pipelines. Section 192.625(a) provides that, "A combustible gas in a distribution line must contain a natural odorant or be odorized so that at a concentration in air of one-fifth of the lower explosive limit, the gas is readily detectable by a person with a normal sense of smell." Section 192.625(b) requires transmission pipelines in Class 3 or 4 locations, with certain exceptions, to also be odorized in compliance with paragraph (a). Section 192.625(e) then states, "Equipment for odorization must introduce the odorant without wide variations in the level of odorant." In addition, § 192.625(f) requires that, "Each operator shall conduct periodic sampling of combustible gases to assure the proper concentration of odorant in accordance with this section."

Notice and Comments

Public Complacency

In Notice 1, MTB argued that if odorant is injected into a gas system in varying amounts above the minimum required by § 192.625(a), the public subjected to minor gas leaks would develop a complacent attitude toward detecting a gas odor and could cause a person to not report a hazardous leak.

This argument was refuted by many of the 111 commenters to the NPRM who pointed out that in fact there were advantages to periodically increasing the odorant level to assist in detecting minor leaks inside homes before they become hazardous. One comment relative to complacency stated that the public was most impressed by the response or lack of response by the operator. Several other comments said that excessive ordorant injection becomes self regulating because of nuisance leak calls and the cost of odorant.

Variation in odorant injection rate

There were many comments stating that the proposed limit of a 33 percent variation from an established mean odorant injection rate for each station was not practical and could be unsafe. Reason given included:

1. Gas received from the supplier may have a widely varying odorant level.

2. Gas flow rates may at times be either higher or lower than the designed capacity of the odorizer.

3. At times it is necessary to vary injection rates to compensate for odorant absorption in the system.

4. Variations of the odorant level in natural gas could safely be much greater than 33 percent.

5. Many operators intentionally increase the odorant level to periodically get consumers to detect and report gas leaks inside buildings.

6. Very few odorizers are capable of controlling the injection rate within a 33 percent variation over the widely varying range of gas flows that occur at most tap stations.

7. Above a certain high concentration of odorant in air, the human nose does not respond to additions of odorant.

Fequency of inspection of odorizers

MTB further proposed to establish maximum time intervals between the inspection or testing of odorizers to assure a continued supply of odorant and determine the average odorant injection rate.

Commenters responded by pointing out that wick and by-pass odorizers, which account for most odorizers in use, are not equipped to measure odorant level. In addition, these odorizers are usually installed on smaller gas systems where the odorant use would be quite small. Thus, odorant usage would often be erratic or so small as to be unmeasurable. On odorizer stations where injection type odorizers are used for large gas flows, it may be appropriate to inspect odorizers daily. All of these arguments were used to support the continued use of the present performance language of § 192.625(e).

Frequency of sampling natural gas

MTB also proposed to amend § 192.625(f) to establish a maximum interval of 95 days between sampling and testing of the gas in the pipeline to determine that the gas was detectable at a concentration in air of one-fifth of the lower explosive limit. Responses to this varied from an operator who did odorometer tests at least daily to those who stated that an odorometer test annually was adequate so long as odorizer performance was regularly monitored. Convincing arguments were given for various frequencies of conducting odorometer tests (annually, semi-annually, monthly, weekly, daily) on each individual operator's system. Thus, MTB is convinced that a fixed maximum time interval between samplings of gas in pipelines would in some cases permit an excessive amount of time between samplings to be safe on some pipelines and at the same time requiring samplings to be made more frequently than necessary for safety on other pipelines.

Conclusions

In summary, it appears that the more rigid requirements proposed for control of the injection rate of odorant in natural gas by odorizers, establishment of maximum fixed intervals between inspections of odorizer equipment, and establishing maximum intervals between tests of the odorant level in pipeline systems at a number of locations are not practical or cost effective. Therefore, Notice 1 is hereby withdrawn pending further study of the safety benefits of any additional odorization regulations compared to their costs to industry and the public.