

Briefing: Comments Received on the NPRM: Pipeline Safety: Miscellaneous Changes to Pipeline Safety Regulations

June 12, 2012

Forty two comments were submitted in response to the NPRM: Pipeline Safety: Miscellaneous Changes to Pipeline Safety Regulations, Docket #:PHMSA-2010-0026.. These comments represented submissions from trade organizations, operators, steel/pipe manufacturers, Federal/State government, State municipalities and private citizens.

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List of commenters:

Trade Associations

American Gas Association (AGA)
American Petroleum Institute (API)
American Public Gas Association (APGA)
East Texas Gas Association (ETGA)
Interstate Natural Gas Association of America (INGAA)
Professional Engineers in California Government
Texas Oil & Gas Association
American Chemistry Council

Pipeline Operators

Avista Utilities
CenterPoint Energy
Colonial Pipeline Company
El Paso Pipeline Natural Gas Company (ELNGC)
Laclede Gas Company (Laclede)
East Texas Gas Association
Kern River Gas Transmission Company
MidAmerican Energy Company (Mid American)
National Grid
Nicor Gas Company
Northeast Gas Company
Northern Natural Gas Company
Paiute Pipeline Company
Panhandle Energy
Questar Pipeline Company (Questar Pipeline)

SCANA Corporation
Southern Star Central Gas Pipeline, Inc.
Southwest Gas Corporation
The Texas Pipeline Association (TPA)
TransCanada Corporation

Steel/Pipe Manufacturers

The Committee on Pipe and Tube Imports (CPTI)/Ad Hoc Large Diameter Line Pipe Producers Group
Evraz, Inc, NA
Stupp Corporation

Federal/State/Municipal

National Association of Pipeline Safety Representatives (NAPSR)
City Utilities of Springfield, Missouri (City Utilities)
Iowa Utilities Board (Iowa)
The Minnesota Municipal Utilities Association (MMUA)
DTE Energy - Michigan Consolidated Gas Company (MichCon)
National Transportation Safety Board (NTSB)

Private Organization/Citizens

Thomas Lael
S. Colon
Steve Belowsky

Others

Odor-Tech LLC
Oleska and Associates, Inc

Summary:

The NPRM addressed and solicited comments on the regulation topics listed below. Most commenters addressed collective requirements within the proposed rule, and suggested that PHMSA should defer revision to some of the proposals. Some commenters provided suggested revisions/clarifications to the proposed regulatory language, while some simply supported the comments of others.

§192.305: Inspection: General: Responsibility to Conduct Construction Inspections

- NAPS Resolution CR-1-02 is referenced as initiating the proposed rule. However the rule as proposed is not what was intended or envisioned by NAPS, which in the resolution stated:

THEREFORE BE IT RESOLVED – that 192.305 be amended to prohibit a contractor that is hired to do construction work for an operator from inspecting its own work.

The following language is suggested: ***“Each transmission line and main must be inspected to ensure that it is constructed in accordance with this part. No operator shall use a person to perform these required inspections if that person is performing any construction activities subject to inspection. Nothing in this section shall prohibit the operator from inspecting construction activities with operator personnel who are involved in the construction activities”.***

- The NAPS resolution was intended to preclude operators from allowing contractor personnel to self-inspect their own work. It was based on the experiences of NAPS members at that time with poor quality of construction by unsupervised contractors. The resolution does not propose mandatory third party inspection of all construction work. It does not propose that no one else participating in the project in any form could perform inspections and was not intended to apply to operator personnel engaged in the

construction. PHMSA states that it “*believes the same concerns apply to non-contractor pipeline personnel as well,*” but provides no basis for that conclusion. The PHMSA proposed rule does not address the same concerns as NAPSRS.

- Consider the situation of a municipal or other small operator. Any construction done by their own personnel may well require the participation of every member of their department. Requiring that they import a third party inspector would make completion of such projects more difficult and expensive.
- PHMSA cannot claim that replacement of a 50-mile pipeline is “maintenance” for purposes of Operator Qualification, but is not “maintenance” for purposes of inspection.
- Proposed wording of “a strength test after installation is not required” should be removed and replaced with the word “pressure”. Strength test is required for pipe tested under §192.505, but a pressure test for pipe to be operated at lower stress levels is a leak test, not a strength test. Remove “strength” and replace it with “pressure”.

Responsibility to Conduct Construction Inspections

This topic drew many comments and most of the comments are against the change.

- In agreement with NAPSRS that contractors who install transmission line or main should be prohibited from inspecting their own work for compliance purposes, “*NAPSRS Resolution CR-1-02 “Therefore be it resolved, that § 192.305 be amended to prohibit a contractor that is hired to do construction work for an operator from inspecting its own work”*”. However, the draft language of the regulation does not prevent the contractor from inspecting its own work.

- Does not agree with PHMSA’s statement that “*the proposed rule does not impose any compliance, recordkeeping or other reporting requirement*”. The proposed change to §192.305 will result in significant cost to impact the operators.
- Is problematic in several aspects, the re-wording proposal by Interstate Natural Gas Association of America (INGAA), “Each transmission line and main must be inspected to ensure it is constructed in accordance with this subpart. **A required inspection may not be performed by the individual who performed the construction task requiring inspection**” [proposed addition in bold] should be adopted.
- Whether an individual is employed by the operator or by an independent contractor the results will be the same.
- Overly burdensome economically and has the potential to compromise site safety due to additional personnel, congestion, inattention, carelessness and unnecessary overhead expense.
- No supporting data published to support the quality or safety of work performed.
- Resources to implement this would be significant with no demonstrated benefit.
- The stress levels at which distribution facilities operate and the failure mechanisms associated with these lower stress levels does not warrant this independent inspection.
- Will result in significant cost impact to operators.
- PHMSA cannot claim that replacement of a 50-mile pipeline is “maintenance” for purposes of Operator Qualification (OQ), but is not “maintenance” for purposes of inspection.
- Remove proposed change and consider it in a separate rulemaking

- Would have greater impacts on operators and impose greater burden than PHMSA has considered.
- Withdraw proposed language in order to permit preparation of cost/benefit analysis of impact and allow Office of Management and Budget (OMB) to review.
- Agrees that language as currently stated is not adequate to fully identify the requirements for inspection, Clarify the meaning of a person “participating in the construction” of a pipeline. This can be interpreted to be the designer, delivery materials personnel, or flagman. It is unclear just how isolated a person would have to be from the construction to be able to inspect that construction.
- The proposed change will result in significant cost impact to operators. Change will cause an obligation to document inspections and additional manpower to manage and schedule these inspections.
- Expand requirements of the Operator Qualification (OQ) rule to include new construction of distribution and transmission pipelines.
- Review established Quality Assurance/Quality Control (QA/QC) procedures associated with pipeline construction to ensure adequacy of oversight and confirm that operator construction practices and procedures are followed.
- Make inspection and new construction OQ tasks.
- Prohibiting any “person” involved in the construction of the pipeline (as in Definition of “person”,) could be interpreted to prohibit any other municipal employee from performing the inspection, so even larger utilities would incur the cost of 3rd party inspections.

- Preamble is vague and ambiguous regarding an operator who performs their own construction and how the operator could inspect their own installations and demonstrate compliance with this rule.
- Don't believe the stress levels at which distribution facilities operate and the failure mechanisms associated with these lower stress levels warrant this independent inspection.
- How far removed from the construction must the operator's personnel be in order to be able to inspect the installations? Further guidance defining what is acceptable inspection is necessary.
- Redefine "a person who participated" in the construction of the pipeline.
- API requires all agencies responsible for regulation development to include reasoned analysis to substantiate regulatory actions. Other than indicating that the potential exists for contractors to impair pipeline integrity when allowed to self-inspect construction work, PHMSA failed to provide an analysis for its regulatory change.
- The proposed amendment to § 192.305 is clearly a significant regulatory action, as highlighted in the previous argument, and is therefore inappropriately included in a proposed rulemaking that is expressly limited to non-significant action.
- The revision to §192.305 will meet the monetary threshold by affecting the economy by \$100 million annually.

Request that the proposed rule be modified to provide that no individual who installs pipe or pipeline systems be responsible for inspecting his own work for final approval or compliance.

§192.9 Leak Surveys for Type B Gathering Lines

- Section 21 of the 2011 Reauthorization Act requires the Secretary of Transportation to review existing Federal and State regulations for gathering pipelines to determine their sufficiency to ensure the safety of such lines. PHMSA should not move forward with additional regulatory requirements for Type B gathering pipelines when Congress has mandated a review of the sufficiency of existing regulations prior to new regulatory initiatives on gathering pipelines.
- Proposed amendment appears responsive to National Association of Pipeline Safety Representatives (NAPSR) Resolution 2006-3, which called for reinstatement of leak surveys that were not included when requirements for Type B gathering lines were adopted in Amendment § 192102. Encouragement of the NAPSR amendment is encouraged. The proposed amendment includes a second part that was not included in the NAPSR resolution. Language of the second part says ***“and fix hazardous leaks that are discovered in accordance with §192.703(c)”***. “Fix” is hardly usual regulatory language and has no specified definition or usage history in Part 192. Suggest alternate language that removes a non-standard term and unnecessarily complicating the rule reference by simply saying ***“and promptly repair hazardous leaks that are discovered”***.
- Would have greater impacts on operators and impose greater burden than PHMSA has considered.
- Wait until Congress has mandated a review of existing regulations. Provisions for change already provided in Section 21 of the 2011 Reauthorization Act
- Develop estimates of the cost of compliance for affected operators.
- No supporting data provided for proposed change.
- Economic impact may exceed the threshold for a non-significant regulatory action

- Suggested new proposed language for §192.9(d)(7), “Conduct leakage surveys in accordance with §192.706 and eliminate hazardous leaks that are discovered in accordance with §192.703(c).
- Share any supporting information provided by NAPSRS that leaks are the primary hazard for Type B gathering lines. Docket contains no supporting evidence to show that the regulation is based on facts, and not speculation.
- Excavation damage may pose a greater risk for leak in Type B gathering lines.
- PHMSA must provide at least one year adequate time for affected operators to purchase leak detection equipment, establish leak survey routes, develop recordkeeping systems for these surveys and hire additional personnel following adoption of the new leak survey equipment.
- Revise your proposal to require operators of Type B regulated gathering lines to apply leak survey methods in accordance with § 192.723, the leak survey requirements for low stress pipelines with a MAOP of less than 20% SMYS. Type B regulated gathering lines function and operate similar to low stress pipelines.
- Recommendation that PHMSA revise its proposal to require operators of Type B regulated gathering lines to apply leak survey methods in accordance with § 192.723, the leak survey requirements for low stress pipelines with a MAOP of less than 30% SMYS.

§192.285: Plastic Pipe: Qualifying Plastic Pipe Joiners

Two issues are addressed under this topic. Comments are listed for both.

- (1) Requalification on a less than 12-month period to ensure that joiners are not disqualified.**

(2) Number of unacceptable joints permitted under this regulation

- To disqualify and retrain an individual if one unacceptable joint during any 12-month period is made is overly excessive without a reasonable explanation.
- No data provided to show that a person who makes one unacceptable joint will make more.
- The proposed rule is not reflective of NAPSRS proposal; it is in fact substantially different and would not accomplish the intent of the resolution. Unlike the proposed rule, the NAPSRS resolution recommends annual requalification of plastic pipe joiners, with a 15-month window for compliance, regardless of whether the joiner had made a joint in the previous 12 months.
- QA/QC of potentially unacceptable joints is accomplished through §192.513 testing methods.
- Language unnecessarily restrictive. A failed joint can be immediately replaced and retested.
- Current requirements practical and working well where a failed joint can be immediately replaced and retested. No need to change.
- Revision does not accurately reflect the issues in the NAPSRS Resolution 2008-3. Use language proposed in NAPSRS resolution with this addition: “*(c) A person must be re-qualified under an applicable procedure at intervals not exceeding 15 months, but at least once each calendar year, or after any production joint is found unacceptable through testing under §192.513.*” (Strike out 192.285(c)(1) and (2))

- PHMSA should analyze data on fusion failures, present the information to the public and then determine how best to address this issue. The amendment to prohibit the entire crew from further fusion after one joint failure until requalification occurs seems unnecessarily severe and unsupported by statistical evidence. This proposal has the potential to create unexpected adverse consequences.
- A zero tolerance standard for plastic pipe joiners also fail to take into consideration the fact that all plastic pipes are required to be pressure tested before going into service. This requirement provides an additional layer of safety assurance that plastic pipe joints are safe before pipeline operation begins.
- How does one unacceptable joint determine that an individual is unqualified?
- Leave § 192.285(c)(2) as is written, “*3 or 3% whichever is greater*”. QA/QC of potentially unacceptable joints is accomplished through § 192.513 testing.

§192.112(e)(1) Mill Hydrostatic Tests for Pipe to Operate at Alternative MAOP

- Recommendation that PHMSA consult with pipe manufacturers regarding potential impacts of consideration of end loading in the calculation of the mill hydrostatic test before adopting changes to the procedures. Increased safety factor was already added in final rule that amended Part 192 (Docket No.PHMSA-2005-23447) in October 2008. The proposed rule change appears to be a safety factor on top of a safety factor.
- Replace the year ‘2008’ following “December 22” that appears to have been inadvertently dropped from §192.112(e)(2).

- Correct the Citation ANSI/API Specification in §192.112(e)(3) to “ANSI/API Specification 5L/ISO 3183” as it appears in §192.7.
- System operating pressures may vary widely based upon season, changing system configurations and maintenance activities. A line may rarely see MAOP.
- Eliminating the allowance for combining loading stresses imposed by pipe mill hydrostatic testing equipment could put pipe mills that use testing processes that apply high end loadings at a competitive disadvantage to mills that do not.

§195.2 Regulating the Transportation of Ethanol by Pipeline

- The term “Ethanol” and Bio-Diesel Petroleum” should be added to the definition of hazardous liquid.
- Rather than having another federal agency or a number of state agencies attempt to regulate the safety of pipeline transportation of ethanol, we support defining denatured ethanol in PHMSA’s regulation under §195.2 as a hazardous liquid so that ethanol transported via pipeline is regulated consistently with other energy liquids under 49 CFR Part 195.

§198.13 Limitation of Indirect Costs in State Grants

- Objection to the proposal to limit the direct cost rate that can be recovered through a state’s pipeline safety grant to 20%. Limit is arbitrary and capricious and may prevent recovery of legitimate costs of state participation in the federal/state pipeline safety program.
- OMB Circular A-87, in Part 6, Attachment E, includes examples of indirect cost calculations that produce results far in excess of 20%.

- No clear rationale given why PHMSA should impose a requirement that Congress found unnecessary and removed from the law when the Pipeline, Inspection, Protection, Enforcement and Safety (PIPES) Act was passed in 2006.
- Different states have different methods of allocating costs within their budgets. No basis is presented for punishing states that distribute a larger portion of their costs as indirect costs.
- If PHMSA is concerned that states will artificially inflate indirect costs to receive a larger grant payment, recall that effective in CY2013, each state agency must have an approved negotiated indirect cost rate in place in order to be reimbursed for indirect cost expenses.

§192.65(a)(2) Transportation of Pipe.

- The National Transportation Safety Board (NTSB) supports PHMSA in its regulatory amendment.
- Change is justified in response to a NTSB investigation of a pipeline incident identified only as occurring in July 2002. When citing NTSB investigation, identify the events clearly citing the report by name or at least provide the number of the NTSB recommendation.
- Objections from commenters include that an operator be allowed to use pipe transported prior to November 2, 1970, if proper documentation of requirements with API 5L1 can be shown.
- Large Ad Hoc group agreed with PHMSA in the change and determined that the provision would not have an adverse impact on operations or the ability to manufacture products.

- Proposed wording may result in some nuances of misinterpretation and unintended consequences including suppositions that “use” applies to pipe currently installed rather than pipe in stock and that shipping records must be provided for all pipe exceeding the specified diameter to wall thickness ratio.
- Rewrite wording: (a) ***Railroad.*** In a pipeline to be operated at a hoop stress of 20% or more of SMYS, an operator may not ***install*** pipe having an outside diameter to wall thickness ratio of 70 to 1 or ***greater shipped by rail prior to November 12, 1970, unless the operator can show that the transportation was performed in a manner that meets the requirements of API RP 5L1.***
- If PHMSA promulgates this amendment, it should specify that the use restriction does not apply to any pipe already installed or to any pipe transported after §192.65 initially took effect.

§192.279 Threading Copper Pipe

No comments received against PHMSA’s Proposal

§§192.27, 195.57 Offshore Pipeline Condition Reports

The proposal by PHMSA to repeal the reporting requirements in §§ 192.27 and 195.57 was supported by the commenters.

§195.452(h)(4)(i) 195.452 Calculating Pressure Reductions for Hazardous Liquid Pipeline Integrity Anomalies.

- The proposal is to modify section § 195.452(h)(4)(i) to provide for alternate methods of calculating a pressure reduction for immediate repair conditions caused by threats other than corrosion. One commenter proposed that PHMSA revise its proposal to say:

(h)(4)(i) Immediate repair conditions. An operator’s evaluation and remediation schedule must provide for immediate repair conditions. To maintain safety an operator must provide for immediate repair conditions. To maintain safety an operator must temporarily reduce operating pressure or shut down the pipeline until the operator completes the repair of these conditions. An operator must calculate the temporary reduction in operating pressure *using the criteria in paragraph (h)(4)(I)(B) of this section. If no suitable remaining strength calculation method can be identified, a minimum of 20% or greater operating pressure reduction must be implemented until the anomaly is repaired.* An operator must treat the following conditions as immediate repair conditions.”

- The proposed changes to calculating pressure reductions for hazardous liquid pipeline integrity anomalies should correctly reference suitable calculation methods.

§192.505 Testing Components other than Pipe Installed in Low-Pressure Gas Pipelines

- Many supporters of the change to §§ 192.503 and 192.505.
- Consistent with extending current pressure testing regulations to components installed in low pressure gas pipelines, PHMSA should expand the list and sources of standards that can be used to establish pressure ratings.

- PHMSA should review all referenced standards and provide the exemption for all standards that establish pressure ratings. Standards to be reviewed include ASTM, PPI and API standards.
- As an alternative to referencing a list of specific standard organizations, which is subject to change, PHMSA could incorporate the standards referenced in §192.7 and amend. § 192.503(e)(3) to add: “The component carries a pressure rating established through applicable specifications listed in 192.7, or by unit strength calculations as described in 192.143”.

§192.620(c)(8) Alternative MAOP Notifications

- The amended notice requirement for alternate MAOP pipelines should apply only prospectively, and the regulations should include an alternative notice period measured from the placement of a pipe purchasing order or the start of pipe manufacturing.
- The proposed language needs clarification with regard to new pipelines. PHMSA requires 180-day notification prior to the start of pipe manufacturing and/or construction activities. If an operator wished to utilize existing pipe stock that satisfies the requirements of the alternative MAOP regulations, 180 days’ notice to pipe manufacturer would be impossible. Use of such pipe would give rise to allegation of non-compliance. Such “gotcha” language should not be part of regulation. Revise language to remove “and/or” and provide clear unambiguous standards.

- Make no change to §192.112, but rather utilize the extensive changes to API 5L by updating 5L references in § 192.7 to include all addenda (1, 2 and 3) and errata (1) to the 44th edition of API 5L.
- The 180 day notification requirement should not apply to pipe that was manufactured prior to the effective date of new regulation. Pipe that is manufactured in small quantities are installed

§192.61: National Pipeline Mapping System

- Supportive of proposal providing there is no potential for NPMS to be overwhelmed by a large number of submissions in a short period of time.
- Clarify the language of §195.61. Only operators of hazardous liquid trunk lines, including low stress pipelines, and regulated rural hazardous liquid gathering lines are currently required to make such submissions. Revise the language to only cover hazardous liquid trunk lines and regulated rural hazardous liquid gathering pipelines as defines in the NPMS Operator Standards.

192.227: Welders vs. Welding Operators

- Proposed language appears to preclude the extension of qualification of a welding operator whose welds are regularly being assessed per Criteria in Appendix A, which is regarded as being equivalent to Section 9.
- Proposed revision to §192.227(a) “under section 6, ~~or~~ **section 9 or Appendix A, as applicable** of API Standard 1104 (incorporated by reference, see §192.7). [Proposed deletion indicated by strikeout; proposed addition in bold].

§192.229(d)(2)(ii) Section should read:

(ii) Two sample welds tested and found acceptable in accordance with the test in section III of Appendix C or this part ~~or~~ **for** a welder or welding operator who works only on service lines 2 inches (51) millimeters or smaller in diameter. [Proposed deletion indicated by strikeout; proposed deletion indicated by strikeout; proposed addition in bold]

§192.153: Components Fabricated by Welding

- INGAA is not aware of any failures due to the reduced testing requirements in components rated under the ASME code currently incorporated by reference into 49 CFR Part 192. PHMSA should adopt an alternate clarification that these components do not require testing beyond the ASME. If PHMSA adopts the current recommendation, it should clarify that the amendment applies only to components placed into service after the amendment's effective date.
- Observed as a clarification of language and not change. Change in test factor required by the ASME Boiler and Pressure Vessel Code was not merely a decrease from 1.5 to 1.3, but was preceded by other safety factor related changes to that code and maintains a higher level of safety for vessels.
- Insert introductory statement "For facilities and components designed or ordered after [insert date of final rule]..."
- If this change is applied without provisions to grandfather existing pipeline facilities or provide reasonable time for replacement of existing facilities, this change will place many facilities constructed after the change in ASME Boiler & Pressure Vessel Code

(BPVC), Section VIII, and many other facilities in violation of the ASME Code, and result in costly replacements.

- Addition of paragraph (e) is a change from previous understanding and practice of both PHMSA and operators. Change will place many in violation of the Code. Station piping is commonly tested in several segments and it is not common practice to include and retest ASME code vessels, since they are certified by manufacturers and retesting would require dewatering.
- As written, a vessel in a Class 1 or Class 2 location that is not a compressor, regulator or measuring station only has to be pressure tested to the factor associated with the Class location. The proposed change would require pressure testing of all vessels and other components fabricated by welding to be tested to Class 3 requirements regardless of whether they are in a compressor, regulator or measuring station. This is a significant change to the regulations with far-reaching impact for other operators.
- Parts 192.153 and 192.165(b)(e) are readily interpreted to mean ASME Code vessels are designed, manufactured and tested to the ASME code incorporated by reference. Because components fabricated by welding are specifically addressed in these two paragraphs, Part 192.505 without the proposed “clarification” erroneously imparts the idea that it applies to pipeline components fabricated by welding. Retesting or replacing these in-service components would not only be unnecessary, but would be very expensive and would take several years to complete.

Section 192.625 Odorization of Gas

- Clarification is needed relative to odorization of lateral lines to ensure consistent application of this regulatory requirement.
- The proposed amendment's apparent distinction between lateral and transmission lines appear to lack logic as it allows parts of a line originally considered to be a "lateral" line to change classification due the introduction of a branch.
- Cost not justified. PHMSA has not presented statistical evidence that this understanding of lateral line has caused safety issues resulting from operators applying this definition to exempt certain lines from odorization under §192.625(b)(3).
- Proposal contradicts with the odorization criterion which is underway, the 2011 Reauthorization Act and integrity management principles.
- Increased sulfur dioxide emissions that will unfavorably impact ambient air quality in areas that are nonattainment for particulate matter or SO₂.
- This will necessitate additional investment to reduce emission and/or numerous industrial sources modify air permits.
- Safety issues, including potential hydrogen sulfide development from catalyst reactions.
- Residual odor on end products making the product unsuitable for use, or negatively affecting the commercial value as well as residual odorant in air emissions, resulting in false reports.
- Would have greater impacts on operators and impose greater burden than PHMSA has considered.
- Retain the words "the length of" in the final version of §192.625(e)(3) to eliminate any confusion that the 50% threshold applies to some pipeline characteristic such as weight or volume.

- In an attempt to better define what natural gas transmission lateral pipelines are subject to odorization of the gas they carry, the agency may create the unintended consequence of adversely impacting industrial facility operations and product quality as well as increasing emissions.
- PHMSA proposes to clarify a method to calculate the length of a lateral line. This formulation may result in odorizing more lateral lines that currently in use. Odorants can interfere with certain catalysts in the production process and odorants not removed from the gas stream may increase emissions subject to the Clean Air Act.
- Withdraw proposal related to odorization of lateral lines until there is a better understanding of the impact of this change on pipelines, operators and users. A public meeting or workshop may be an appropriate vehicle for the collection of this information.
- “First upstream connection to the transmission line” will likely result in very short sections of pipeline being required to be odorized by transmission operators with no significant benefit to the public safety. Odorization equipment including storage tanks located in close proximity to populated areas might increase the likelihood of false reports and less public sensitivity to odorant and potential failure to report real gas leaks. The removal of sulfur based odorant is an expensive endeavor and is subject to mechanical breakdowns.
- Clarification to the term “Distribution center” would significantly enhance the degree of clarification provided from any change in the odorization regulations. If PHMSA proceeds with proposed regulations, operators should be provided with at least 18 months for compliance.

- The proposed language is unclear and the nature of the problem it seeks to address is unstated. If an example were provided of a scenario or situation where this amendment would be beneficial, its merit could be explained, but lacking that, it is unclear what justification exists for this confusing worded amendment.

Editorial Amendments

- The notice proposes to revise §195.571 as follows:
§195.571: What criteria must I use to determine the adequacy of cathodic protection?
While API and AOPL do not oppose the proposed regulation, we point out the proposed language should be modified to reflect that the citation to the NACE Standard should be NACE SP 0169 rather than RP 0169.