Flow Valves into Gas Service Lines

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.


SUMMARY: This document advises operators of gas distribution pipeline systems of a statutory requirement for installation of excess flow valves in certain gas service lines.

FOR FURTHER INFORMATION CONTACT: Mike Israni by phone at (202) 366–4571 or by e-mail at mike.israni@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Pipeline Inspection, Protection, Enforcement, and Safety (Pipes) Act of 2006 (Pub. L. 109–468) mandates that PHMSA require operators of natural gas distribution systems to install excess flow valves (EFV) on certain gas service lines. The statute directs that installation of EFVs will be required on single family residence service lines:

- That are installed or entirely replaced after June 1, 2008;
- That operate continuously throughout the year at a pressure not less than 10 psi gauge;
- That are not connected to a gas stream with respect to which the operator has had prior experience with contaminants the presence of which could interfere with the operation of an EFV, and
- For which an excess flow valve meeting the performance standards of 49 CFR 192.381 is commercially available.

The PIPES Act directs the Pipeline and Hazardous Materials Safety Administration (PHMSA) to include this requirement in a regulation requiring that distribution pipeline system operators establish integrity management programs.

PHMSA is still working on its proposed regulation addressing distribution integrity management programs (DIMP). That regulation is complex and has taken longer than anticipated to develop. As a result, the regulation will not be in place before the June 1, 2008, deadline specified in the Act for installation of EFVs on the affected service lines. Nevertheless, gas distribution pipeline operators should be aware of the statutory requirement and are encouraged to install EFVs on service lines that are newly installed or completely replaced after June 1, 2008, and that meet the criteria specified in the PIPES Act.

II. Advisory Bulletin (ADB–08–04)

To: Operators of Gas Distribution Pipelines.

Subject: Installation of Excess Flow Valves into Gas Service Lines.

Purpose: To advise gas distribution pipeline operators of a statutory requirement to install excess flow valves in selected gas service lines.

Advisory: The Pipeline Inspection, Protection, Enforcement, and Safety (Pipes) Act of 2006 (Pub. L. 109–468) mandates that PHMSA require operators of natural gas distribution systems to install excess flow valves (EFV) on certain gas service lines. The statute directs that installation of EFVs will be required on single family residence service lines:

- That are installed or entirely replaced after June 1, 2008;
- That operate continuously throughout the year at a pressure not less than 10 psi gauge;
- That are not connected to a gas stream with respect to which the operator has had prior experience with contaminants the presence of which could interfere with the operation of an EFV, and
- For which an excess flow valve meeting the performance standards of 49 CFR 192.381 is commercially available.

The PIPES Act directs the Pipeline and Hazardous Materials Safety Administration (PHMSA) to include this requirement in a regulation addressing distribution integrity management programs (DIMP). PHMSA is working on its DIMP regulation and expects a proposed rule to be published shortly. PHMSA intends to analyze public comments and prepare a final rule in an

Claude H. Harris
Director, Office of Vehicle Safety Compliance.
Based on projected revenues for the line being acquired, RJCP expects to remain a Class III rail carrier after consummation of the proposed transaction. RJCP certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier.

Because the projected annual revenues of the lines, together with RJCP’s projected annual revenue, will exceed $5 million, RJCP is required, at least 60 days before an exemption is to become effective, to send notice of the transaction to the national and local offices of the labor unions with employees on the affected lines and post a copy of the notice at the workplace of the employees on the affected lines and certify to the Board that it has done so. 49 CFR 1150.42(e). However, RJCP has noted that there are no affected employees as there is no current rail line. Therefore, RJCP has filed for a waiver from the requirements of 49 CFR 1150.42(e). RJCP states in the waiver request that the track materials on the line have been removed, no rail operations have been conducted for at least 15 years, and no railroad workers have been employed on the line for at least the same period of time. RJCP’s waiver request will be handled in a subsequent decision.

The Board will establish in the decision on the waiver request the earliest this transaction may be consummated. RJCP states that it intends to consummate the transaction only following approval of RJCP’s petition for exemption in STB Finance Docket No. 35116.

If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Petitions for stay must be filed no later than 7 days before the exemption becomes effective.

Pursuant to the Consolidated Appropriations Act, 2008, Public Law 110–161 section 193, 121 Stat. 1844 (2007), nothing in this decision authorizes the following activities at any solid waste rail transfer facility: collecting, storing, or transferring solid waste outside of its original shipping container; or separating or processing solid waste (including baling, crushing, compacting, and shredding). The term “solid waste” is defined in section 1004 of the Solid Waste Disposal Act, 42 U.S.C. 6903.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35143, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, one copy of each pleading must be served on Ronald A. Lane, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606–2832.

Board decisions and notices are available on our Web site at http://www.stb.dot.gov.


Anne K. Quinlan,
Acting Secretary.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35143]

R.J. Corman Railroad Company/ Pennsylvania Lines Inc.—Acquisition and Operation Exemption—Line of Norfolk Southern Railway Company

R.J. Corman Railroad Company/ Pennsylvania Lines Inc. (RJCP), a Class III rail carrier, has filed a petition for an exemption under 49 CFR 1150.41 to acquire by purchase from Norfolk Southern Railway Company (NS) a rail line extending between milepost 64.5 near Winburne, PA, and milepost 45.5 near Gillintown, PA, a distance of approximately 19 miles in Clearfield and Centre Counties, PA (the Snow Shoe Industrial Track). RJCP intends to operate rail service over the Eastern Segment.3

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Anne K. Quinlan,
Acting Secretary.

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DEPARTMENT OF TRANSPORTATION

Bureau of Transportation Statistics

[RITA 2007–27185 Paperwork Reduction Notice]

Research and Innovative Technology Administration: Agency Information Collection; Activity Under OMB Review; Report of Traffic and Capacity Statistics—The T–100 System

AGENCY: Research and Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

ACTIONS: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, Public Law 104–13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of DOT requiring U.S. and foreign air carriers to file traffic and capacity data pursuant to 14 CFR 241.19 and Part 217, respectively. These reports are used to measure air transportation activity to, from, and within the United States.

DATES: Written comments should be submitted by August 4, 2008.

ADDRESSES: You may submit comments identified by DOT Docket ID Number