

Kellie Martinec

From: Wagner, Christopher J. <Christopher.Wagner@amerigas.com>
Sent: Monday, November 18, 2019 8:21 AM
To: Rules Coordinator
Subject: Amend Chapter 9--HB2714 (2019), NFPA updates, and other clarifications - Comments

CAUTION: This email originated from outside of the Railroad Commission of Texas. Do NOT click links or open attachments from unknown sources without first confirming the message is legitimate. If you believe this to be a malicious and/or phishing email, please contact the ITS Help Desk at 512-463-7229. Do not respond to or forward the email, click on any links or open any attachments without guidance from the Help Desk

Good morning,

Please accept the following comments related to the proposed amendments to Chapter 9 of HB 2714. AmeriGas feels the following considerations are consistent with federal standards and will reduce confusion while assisting with the continued safe usage and delivery of propane throughout the State of Texas.

- 1. LP Gas Safety Rule 9.10 (d) Employee-Level Examinations. - I am opposed to the requirement that "container delivery unit operator" be required to have a certification and sit for the bobtail exam. Container delivery does not fall within the scope of the RRC, and job functions do not match a bobtail driver. These drivers must currently be trained in accordance with 49 CFR 172.704 as it pertains to General Awareness, Safety, Function Specific Duties, Security Awareness, In-Depth Security, and Hazard Communication. Performance of the bobtail exam will provide no value for this class of driver.*
- 2. LP Gas Safety Rule 9.140(g). Uniform Protection Requirements. - The National Propane Gas Association sponsored extensive crash testing to determine adequate levels of protection. As a result of the testing, NFPA 58 adopted updated rules confirming locked ventilated cages provide substantial and adequate protection for cylinders and no additional crash protection is necessary to ensure damage is prevented from stored cylinders. <https://www.pei.org/sites/default/files/PDF/ArticleVehicleImpactProtection.pdf>
Based on this study I am opposed to the listed requirements in exceedance of NFPA 58 8.4.2.1 -8-4.2.2.*
- 3. We would like to see the RRC provide additional clarity with regard to the use of bollards in other installations requiring crash protection.*
- 4. We would like to see the RRC consider adding an allowance for the use of electronic pneumatic actuators into 9.126 and 9.143 to take advantage of newly available technology for facility safety.*
- 5. We would like to see the addition of "engineered safety breakaway couplers" into 9.143(d).*
- 6. Due to the separate meaning of pressure test by industry definition we recommend that the language in 9.134 related to connecting a container to piping be changed as follows: " A licensee may connect to piping installed by an unknown or unlicensed person provided the licensee has performed a leak check verifying that the piping is free of leaks and has been installed according to the rules in this chapter...."*

Christopher J Wagner

Director of Compliance and Regulatory Affairs
AmeriGas Propane
460 N. Gulph Road
King of Prussia, PA 19406
O: 610-768-3637 (Please note the new office number)
C: 610-308-3822