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From: Ryan Tudyk <ryan@howdyservices.com>
Sent: Monday, November 18, 2019 9:44 AM
To: Rules Coordinator
Subject: All Flagged Rules with Comments 2.docx
Attachments: All Flagged Rules with Comments 2.docx; ATT00001.txt

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Flagged Rules with Positions & Comments

1.OPPOSED. LP Gas Safety Rule 9.10 (d) Employee-Level Examinations. The Railroad Commission proposed to add **container delivery unit drivers to be required to take the bobtail examination.**

Say "No" to the requirement that container/cylinder delivery drivers 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.

2.OPPOSED. LP Gas Safety Rule 9.140. Uniform Protection Standards.

Say "No" to RRC requiring additional crash protection for 20 lb. cylinder and forklift cylinder storage. The National Propane Gas Association funded extensive testing to determine adequate levels of protection. As a result of the testing, NFPA 58 adopted updated rules confirming locked ventilated cages serves as adequate protection and no further protection is needed.

3.SUPPORT. Say "Yes" TPGA would request the RRC to clarify the use of bollards in other installations requiring crash protection.

4.OPPOSED. Proposed revisions to **LP Gas Safety Rule 9.308 Installation of Piping** would require you to ensure the bonding requirements of NFPA 54 7.12.2 were met when connecting to or supplying a new piping system with corrugated stainless-steel tubing (CSST).

Say "No" to certifying electrical work was done properly. The Texas RRC does not train and certify any level of electrical work. Texas law does not allow an individual that is not licensed as an electrician to conduct those services. To verify electrical work was performed correctly is outside the scope of knowledge and training.

5.OPPOSED. The RRC's adoption of the **section 6.29.3.3 of the NFPA 58 2017** requiring a **fire safety analysis.**

Say "No" to the new requirement of having to have a fire safety analysis. Preserve this exception to NFPA 58 we've had since 2001. The requirement is redundant and not needed!

6.OPPOSED.LP Gas Safety Rule 9.2 Definitions. Say" No" to the deletion of the definition of "repair to container," and **SUPPORT "Yes"** to adding the definition of maintenance, so it is not classified as repair. Follow the DOT definition.

7.SUPPORT. LP Gas Safety Rule 9.126 Appurtenances & Equipment and 9.143 Piping & Valve Protection for Stationary Installations.

Say " Yes " to a request that the Commission allow for an "electronic" pneumatic actuator.

8.SUPPORT. LP Gas Safety Rule 9.143 (d) Piping & Valve Protection for Stationary Installations. The rule intends to provide a breakaway point, but the rule is outdated. **Say "Yes"** to adding additional choices: engineered safety breakaway coupler.

9.SUPPORT. LP Gas Safety Rule 9.134 Connecting Container to piping. **Say "Yes"** TPGA's proposal to remove the pressure test requirement and require a leak check instead.

10.OPPOSED. LP Gas Safety Rule 9.311 Special Exceptions for Agricultural. **Say "No"** eliminating the use of ceiling trusses in chicken houses to hang piping because of the corrosive nature of the environment on the floor of the chicken house.

11.SUPPORT. NFPA 58 6.10.2.3. Pressure Regulators. **Say "Yes"** to removing the grandfather exception for single stage regulators over 100,000 BTU's. The two-stage system is safer.

12.SUPPORT. NFPA 58 8.3.1(a)(b) Storage within Buildings. **Say "Yes"** to adopting this section as published, which sets limits to what size tank can be stored inside buildings and **Say "No"** to the RRC's proposed exception not to adopt this section. Without this section, it is our understanding, any size propane storage tank can be stored *inside* a business, hotel, dorm, apartment, daycare, educational, or healthcare building.

13.SUPPORT. NFPA 58 9.6.2.2. Transportation of Containers. **Say "Yes"** to adopting this section this will ensure the public has rules they must follow while transporting propane.

14.OPPOSED. NFPA 58, Chapter 15. Operations & Maintenance.

SAY "No" to the Railroad Commission is proposing adoption of chapter 15 which would require an Operation & Maintenance (O & M) manual for storage over 10,000 lbs. (2,380 gallons); The RRC has created an exception stating the requirement pertains to 10,000 gallons or greater. TPGA strongly suggests say no, an O & M manual should be a business decision and not the RRC's. Visit <https://propane.com/resource-catalog/resources/operations-maintenance-handbook-for-lp-gas-bulk-storage-facilities-downloadable-version/> for PERC's O & M manual template to get an idea of what would be required.