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United States Environmental Protection Agency
Office of Solid Waste and Emergency Response
Docket ID No. EPA-HQ-RCRA-2002-0033

Attn: James E. Woolford, Director
Office of Superfund Remediation and Technology Innovation

Attn: Carolyn Hoskinson, Director
Office of Underground Storage Tanks

Re: OSWER Final Guidance for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Sources to Indoor Air;
OUST Guidance for Addressing Petroleum Vapor Intrusion at Leaking Underground Storage Tanks
Docket ID No. EPA-HQ-RCRA-2002-0033

To whom it may concern:

The American Gas Association (AGA) appreciates the opportunity to respond to EPA’s request for public comment on its draft guidance documents entitled “OSWER Final Guidance for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Sources to Indoor Air” (“SVI Guidance”) and the Office of Underground Storage Tanks (“OUST”) document entitled “Guidance for Addressing Petroleum Vapor Intrusion at Leaking Underground Storage Tanks” (“PVI Guidance”).

The American Gas Association, founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 71 million residential, commercial and industrial natural gas customers in the U.S., of which 92 percent — more than 65 million customers — receive their gas from AGA members. AGA is an advocate for natural gas utility companies and their customers and provides a broad range of programs and services for member natural gas pipelines, marketers, gatherers, international natural gas companies and industry
AGA is a member of the Utility Solid Waste Activities Group (USWAG) and has joined in the detailed comments to be submitted by USWAG on the SVI and PVI Guidance. We are submitting this letter to address a specific issue that relates to the operation of our members' natural gas transmission and distribution pipelines.

Natural Gas Pipelines and Pipeline Safety

The SVI Guidance contains several cryptic and ill-considered references to natural gas transmission pipelines1 and suggests that these pipelines are a potential source of vapor intrusion. There is however, absolutely no reference in the SVI Guidance to the robust pipeline safety regulations administered by the U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) or the extensive leak detection and repair programs managed by natural gas interstate transmission companies and local distribution companies pursuant to PHMSA and state regulatory requirements. There is similarly no reference to the extraordinary safety record of natural gas pipelines. DOT has recognized that pipeline leaks are “rare” and that “pipelines are one of the safest and most cost-effective means to transport the extraordinary volumes of natural gas … that fuel our economy.”2

As EPA’s Office of Air and Radiation (OAR) recognized in proposing the greenhouse gas reporting rule in April 2009 for natural gas systems under 40 C.F.R. Part 98, Subpart W, methane leaks on high pressure natural gas pipelines that could pose a safety hazard on our systems are detected and fixed promptly.3 EPA explained in April 2009:

Natural gas transmission involves high pressure, large diameter pipelines that transport gas long distances from field production and natural gas processing facilities to natural gas distribution pipelines or large volume customers such as power plants … The majority of fugitive emissions from the transportation of natural gas occur at the compressor stations, which are already proposed for inclusion in the rule and discussed above. We do not propose to include reporting of fugitive emissions from natural gas pipeline segments

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1 See SVI Guidance, at pages 18, 38, 45, 50, and 74.
2 DOT PHMSA Safe Pipeline Frequently Asked Questions (FAQs), available on the PHMSA web site at: http://www.phmsa.dot.gov/portal/site/PHMSA/menuitem.ebdc7a8a7e39f2e55cf2031050248a0c/?vgnextoid=2c6924cc45ea4110VgnVCM1000009ed07898RCRD&vgnextchannel=f7280665b91ac010VgnVCM1000009ed07898RCRD&vgnextfmt=print#QA_0.
between compressor stations, or crude oil pipelines in the rulemaking due to the dispersed nature of the fugitive emissions, the difficulty in defining pipelines as a facility, and the fact that once fugitives are found, they are generally fixed quickly, not allowing time for monitoring and direct measurement of the fugitives.\(^4\)

EPA reiterated this rationale in the preamble to the 2010 proposed amendments to the Subpart W rule.\(^5\)

Transmission pipelines are operated both by interstate pipeline companies and by gas utilities, also known as local distribution companies (LDCs). LDCs often operate intra-state transmission pipelines to transport natural gas from custody transfer stations, where they accept custody of natural gas from upstream interstate pipeline providers and local production, to communities located around the state. As an added safety precaution, LDCs are required to odorize natural gas in their systems to allow a person with a normal sense of smell to detect the presence of otherwise odorless methane at concentrations far below explosive levels. LDCs spend millions of dollars on their public awareness programs which train individuals to call their local gas utility if they “smell gas.” Leaks that are determined to present a significant safety hazard (e.g. “grade 1” leaks) are repaired immediately.

PHMSA has promulgated regulations under 49 C.F.R. Part 192 that require utilities to perform annual leak detection surveys of their system at least once every five years, as administered by individual state Public Utility Commissions (PUC). Many state PUCs have adopted more stringent regulations that require more frequent leak surveys based upon the unique characteristics of the pipeline or the location of the pipeline. For example, business districts must be leak surveyed at least once each calendar year, not to exceed 15 months. The federal leak survey rules in 49 CFR §192.723 allows LDC’s to use the most effective equipment appropriate to the situation to detect the leaks in pipes and associated control equipment, such as regulator stations. These practices have been used for decades under the close scrutiny of the state PUCs and PHMSA.

PHMSA does not only require surveys to detect leaks. It also imposes a rigorous program to address leaks that could pose a safety risk. Under 49 C.F.R. Part 192, PHMSA has established integrity management programs for natural gas transmission and distribution operators that requires interstate pipelines and LDCs to investigate and

\(^4\) Id. (emphasis added).
analyze their systems to detect potential conditions such as corrosion or damage from tree roots or construction equipment (known as “third party damage”) that could pose a risk of future leaks or ruptures. Priority attention is given to transmission lines located near population centers, and pipeline anomalies are repaired based on the level of risk they pose.

In light of this robust, long-standing program to address natural gas pipeline safety, AGA urges EPA to delete any references to leaks from natural gas transmission lines in the SVI Guidance.Leaks on high-pressure pipelines can be identified quickly due to the typical high pitched noise caused by the high pressure exiting the pipe. The appropriate action in such a case would be to call 911 and/or the local natural gas pipeline or LDC emergency call center, not to consult EPA’s vapor intrusion guidance. Pipelines operated by LDCs are also odorized, providing an additional means to recognize and report a leak to the emergency call center. Leaks on lower pressure local distribution lines are smaller, and due to odorization, those posing a safety concern would be identifiable by the “smell of gas” – which is actually the smell of the odorant. Natural gas transmission (and distribution) pipelines simply are not a source of the type of slow, imperceptible vapor intrusion intended to be addressed in EPA’s SVI Guidance and fall outside of the scope of this guidance. Moreover, there is already a robust body of pipeline safety regulatory law overseen by PHMSA – an agency with particular expertise in pipeline methane leak detection and remediation.

Accordingly, the references to natural gas pipelines should be removed or, at a minimum, clarified to make plain that natural gas pipelines are not a potential source of vapor intrusion of the sort intended to be assessed under the SVI Guidance.

AGA appreciates the opportunity to comment. If you have any questions, please contact me (202) 824-7340.

Respectfully submitted,

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