

Periodic Update of Regulatory References to Technical Standards NPRM**Advisory Committee Action: Information****Contact: Mike Israni**

PHMSA issued a Notice of Proposed Rulemaking on July 22, 2009 (74 FR 36139), proposing to revise technical standards incorporated by reference to the most recent editions of voluntary consensus standards in Part 192, 193, and 195. National Technology Transfer and Advancement Act of 1995 and OMB Circular A-119 *Federal Participation in the Development and Use of Voluntary Standards* require PHMSA to reference voluntary consensus standards. Most standards are updated every three to five years. PHMSA also proposed to make nonsubstantive edits and clarify regulatory language in certain provisions.

Background:

Nineteen comment letters covering eight topics were posted to the docket. In response to the comments and further consideration by PHMSA, PHMSA intends to make several changes to the proposed rule in the final rulemaking. Following are the topics covered by the comment letters:

Periodic Updates of Regulatory References to Technical Standards

1. Proposal to not adopt the 2008 editions of NFPA 58 and NFPA 59.
2. Proposal to not adopt the 2006 edition of NFPA 59A.
3. Proposal to not adopt the 2007 edition of ASME D2513.
4. Proposed change to §192.7 to adopt the LNGFIRE3 computer software.
5. Request to incorporate more recent editions of API standards that were updated after the NPRM was published and revise titles of certain API standards.
6. Request to post newly adopted versions of the standards on the web.

Clarifications, Corrections and Edits

7. Proposal to give primacy to Part 192 over NFPA 58 & 59 in §192.11(c).
8. Request to clarify the reason for the proposed change to §192.557(c).