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Pipeline and Hazardous Materials Safety Administration Advance Notice of Proposed Rulemaking – Volatility of Unrefined Petroleum Products in Class 3 Materials: American Petroleum Institute May 19th Comments

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The American Petroleum Institute (“API”) filed May 19th comments on the Pipeline and Hazardous Materials Safety Administration (“PHMSA”) advance notice of proposed rulemaking titled:

Hazardous Materials: Volatility of Unrefined Petroleum Products in Class 3 Materials (“ANPR”)

See Docket PHMSA-2016-0077(HM-251D).

API is the national trade association representing various companies involved in aspects of the oil and natural gas industry such as producers, refiners, suppliers, pipeline operators, and marine transporters.

The ANPR is proposed pursuant to the federal Hazardous Materials Transportation Act (“HMTA”) and requires the Secretary of Transportation to establish regulations for the safe and secure transportation of hazardous materials in commerce.

The ANPR would propose new vapor pressure limits for certain hazardous materials during transportation.

API’s comments argue that:

. . . New unilateral vapor pressure limits during transportation will not mitigate or reduce the severity of accidents; it could, however, put upward pressure on prices and could hamper domestic production, job creation, and tax revenue to communities. Proper infrastructure maintenance and transportation practices are the only ways to reduce accidents.

API’s comments include the following sections:

- General Questions
- The need for supporting science (arguing that based on available data there is currently no scientific basis to support the agency’s consideration of vapor pressure limits)
- Science and experience demonstrate that Class 3 materials ignite and burn within the range of their flammability limits, given an ignition source

- Globally harmonized transportation regulations (arguing there is no scientific reason to diverge from the transport hazardous classification and identification processes set forth by the United Nations Model Regulations on the Transport of Dangerous Goods)
- The operating environmental (arguing there is no evidence to show that the approved packages and classification schemes for flammable liquids are inadequate, eliminating a need for a vapor pressure limit)
- Safety questions (current hazardous materials regulations adequately address the risks associated with flammable liquids containing gases)
- Vapor pressure questions (solely using vapor pressure for classification and packaging is not useful for determining the packaging of flammable liquids)
- Packaging questions (further limiting the filling capacity would be an effective method for reducing the risks associated with Class 3 hazardous materials containing dissolved gases)

API's comments are authored by Group Director (Midstream and Industry Operations) Robin Rorick.

[A copy of the comments can be downloaded here.](#)