



# INTERNATIONAL ASSOCIATION OF FIRE CHIEFS

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March 24, 2015

Dockets Management System  
U.S. Department of Transportation  
Dockets Operations, M-30  
Ground Floor, Room W12-140  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590-0001

**Re: Comments on Hazardous Materials Miscellaneous Amendments, PHMSA Docket No. 2013- 0225 (HM-218H) rule identification no. (RIN2137-AF04)**

To Whom It May Concern:

The International Association of Fire Chiefs (IAFC) is pleased to submit the following comments concerning the Pipeline and Hazardous Materials Administration's proposed revisions to its Hazardous Materials Regulations. The IAFC represents more than 11,000 leaders of the nation's fire, rescue and emergency service.

The IAFC generally supports the proposed additions and revisions to 49 CFR by adding section 173.304a(d)(5) and 173.314(h) and revising 173.315(b)(1) to address the odorization of liquid propane gas (LPG) in both cylinders and rail cars, and the creation of a performance standard to address issues of under-odorization and odor fade of LPG in transportation.

However, the IAFC believes the proposed rules could be strengthened by addressing three areas: Labeling of LPG Containers; Quantitative Testing Methodology; and Record Keeping Requirements.

## **Labeling of LPG Containers**

Based upon a reading of the proposed rule it appears that PHMSA is allowing tank cars and other containers to transport non-odorized LPG to those entities requiring non-odorized LPG. Specifically, the rules allow all transportation container markings to read non-odorized. How will first responders identify and differentiate these cars and/or containers?

Our concern is if a train derails and the car is marked non-odorized LPG, how will first responders identify a leak? Because the container is marked non-odorized LPG and will possibly contain odorized LPG, the first responders will smell the odor and will have to continue to check other tank cars because of the marking. The odorization amendment requires clarification to eliminate this type of confusion.

We would like to recommend that PHMSA consider improving the odorization threshold distinction and testing for all odorized containers along with required improved recordkeeping of the odorization and testing. This is intended to ensure that odorization remains active during the transportation phase of the LPG.

## **Quantitative Testing Methodology**

Among other requirements, the Commonwealth of Massachusetts' Department of Fire Services, as a result of its investigation into a fatal LPG explosion in Norfolk, Mass. on July 30, 2010, instituted specific testing methodology to determine adequate levels of odorant (Ethyl Mercaptan) in railcars shipped for delivery into the commonwealth. Those requirements are now codified at 527 CMR (Code of Massachusetts Regulations) 1.00, section(s) 69.1.4.1 and apply to railcar shipments.

### **69.1.4.1 Railcar Shipments:**

Each railcar shipment of LPG intended for distribution within Massachusetts, shall comply with the provisions in section 69.1.4.3(1). Each railcar shipment delivered for distribution shall be tested for odorization using one of the tests prescribed in section 69.1.4.3(2) and subsections (a), (b), or (c).

### **69.1.4.2. Odorization Thresholds, Testing and Filling of Containers:**

(2) For testing purposes one of the following tests listed below in (a), (b), or (c) shall be required to determine adequate Ethyl Mercaptan odorant levels equivalent to 1lb. per 10,000 gallons of propane

- (a) Vapor test using stain tubes resulting in a minimum of 5 ppm of Ethyl Mercaptan utilizing ASTM D5305
- (b) Flash Vapor Test using stain tubes resulting in a minimum of 17 ppm of Ethyl Mercaptan utilizing ASTM D5305
- (c) Liquid Test for analysis of volatile sulphurs using gas chromatography resulting in a minimum of 17 ppm of Ethyl Mercaptan utilizing ASTM D1265.

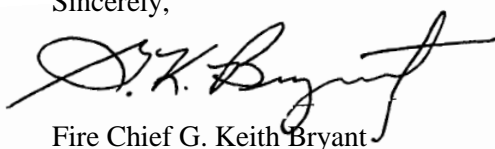
The IAFC urges the PHMSA to require greater specificity in its proposed rulemaking by outlining such testing methodology that is similar or the same as Massachusetts, as it relates to the testing of Ethyl Mercaptan in cylinders and railcars.

## **Record Keeping Requirements**

In addition, the proposed rules should require, at a minimum, that the process of odorization, testing, and, if necessary, remediation by injection of additional odorant, be the subject of a mandatory recordkeeping requirement. Such records, including test results, should be made available to the Authority Having Jurisdiction upon request. A mandatory reporting requirement also should be considered in order to track and identify problems with LPG in transportation.

In closing, I wish to thank you for the opportunity to provide comments regarding the Carrier by Rail regulations at 49 CFR. I believe the submitted recommendations will help to ensure the protection of property as well as the life of both the public and first responders who may be affected by the shipment of dangerous products by rail. Please contact Jim Goldstein, the IAFC's government relations manager at [jgoldstein@iafc.org](mailto:jgoldstein@iafc.org) or 703.537.4828, if we can be of further assistance.

Sincerely,



Fire Chief G. Keith Bryant  
President and Chairman of the Board