



U.S. Department
of Transportation

1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

**11/2/2016
FOIA Control Number: 2015-0137**

Transmitted via Electronic Mail to carl@media.org – Read Receipt Requested

**Carl Malamud
Public.Resource.Org
1005 Gravenstein Highway North
Sebastopol, CA 95472**

Dear Mr. Malamud:

This letter serves as the final response to your Freedom of Information Act (FOIA) request dated 6/8/2015, and received in the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) FOIA Office on the same date. You requested “all communications that PHMSA has had with the American Society of Testing and Materials (ASTM or ASTM International) and the American Society of Mechanical Engineers (ASME) discussing making ASTM and ASME standards available for public viewing during either the NPRM period or after a rule is promulgated.”

Attached, please find 29 pages we are releasing to you in full.

Because the fee for processing your request falls below the minimum amount the Department of Transportation charges for processing FOIA requests, we processed your request at no charge to you. *See* Department of Transportation FOIA Regulations, 49 C.F.R. § 7.43(a)(1).

This concludes our response to your request. If you have any questions about this response, you may contact Madeline Van Nostrand, FOIA Officer, by phone at 202-366-0273 or by email to PHMSA.FOIA@dot.gov. You also may seek the services of our FOIA Public Liaison, Patricia Klinger, Deputy Director of the Office of Government, International, and Public Affairs, by phone at 202-366-4831 or by email to phmsapublicaffairs@dot.gov.

Sincerely,

MADELINE M VAN NOSTRAND

FOIA Officer
Pipeline and Hazardous Materials Safety Administration (PHMSA)

Digitally signed by MADELINE M VAN NOSTRAND
DN: c=US, o=U.S. Government, ou=DOT Headquarters,
ou=PHMSAHQ, cn=MADELINE M VAN NOSTRAND
Date: 2016.11.02 14:06:14 -0400

Attachment: 2015-0137 Response Package 2016.11.02.pdf

From: [Kieba_Max \(PHMSA\)](mailto:Kieba_Max@PHMSA)
To: "Robert Wheeler"
Cc: [William Berger; Satterthwaite, Cameron \(PHMSA\)](mailto:William.Berger@Satterthwaite.Cameron.PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008
Date: Wednesday, June 03, 2015 2:04:16 PM
Attachments: [image002.png](#)
[image003.png](#)
[im_oe005.png](#)
[image006.png](#)

FYI I am now able to view the pdf myself after my IT finally got around to installing the plug in it for me. So I can at least say the process is working for me.

From: Robert Wheeler [mailto:WheelerR@asme.org]
Sent: Wednesday, May 20, 2015 4:46 PM
To: Kieba, Max (PHMSA)
Cc: William Berger; Satterthwaite, Cameron (PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Great. Thank you Max. (Sorry about the IT hoops.) And thank you for the additional info.

Robert

From: Max.Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Wednesday, May 20, 2015 4:43 PM
To: Robert Wheeler
Cc: William Berger; Cameron.Satterthwaite@dot.gov
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Thanks Robert. I was successful at downloading the PDF the other day but unable to read it so far as I need the plugin. This is an issue with my IT here since we don't have admin rights on our computers and have to go through a bunch of hoops to get approvals. Otherwise it looks like things are working.

And fyi to both if you haven't heard the NPRM will officially publish in the Federal Register tomorrow with current comment period through July 31 2015.

It is available for public display today. Here's a link <https://www.federalregister.gov/articles/2015/05/21/2015-12113/pipeline-safety-plastic-pipe>

Max

From: Robert Wheeler [mailto:WheelerR@asme.org]
Sent: Wednesday, May 20, 2015 4:30 PM
To: Kieba, Max (PHMSA)
Cc: William Berger; Satterthwaite, Cameron (PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Max

A user can only download this once; when you had gone in the first time the PDF may not have been set up but the system/process must have considered it a download.

At this point we have wiped that early data. You should be able to download.

Please let us know if you have any further questions concerns or issues.

Thank you

Robert



Robert Wheeler

Director
Publishing Technologies
ASME
2 Park Avenue 6th Floor
New York NY 10016-5990
Tel 1.212.591.8493
wheeler@asme.org

From: Max.Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Thursday, April 09, 2015 3:49 PM
To: William Berger; Cameron.Satterthwaite@dot.gov
Cc: Robert Wheeler
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Thanks. I defer to Cameron but guessing we can give you a more clear time frame as we get closer to the actual publishing of the notice. When we ultimately submit to the Federal Register we usually get information on when exactly it will publish.

On the pdf download issues for Robert's benefit the below screen shot is what I currently get. Note the second paragraph that says I already accessed or downloaded the pdf. I did not actually get that pdf. For my previous attempt I got to a page that looks like the screen below and I recall gave me a button to download but then gave me an error message and said pdf could not be downloaded. I was guessing at the time it was because it might have not been fully ready yet for download as Bill said you were working out some things.



NPRM Comment Period Public Access
ASME B16.40

[In Order to View B16.40](#) * Required

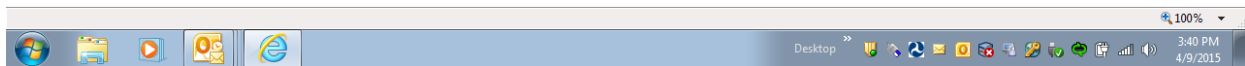
You must download and install the FileOpen plug-in for Adobe Acrobat Reader. If this plug-in is not installed, you will not be able to open the B16.40 PDF file. File-Open is a free plug-in, which can be downloaded from:

<http://plugin.fileopen.com/Default.aspx>

Our records indicate you have already accessed and/or downloaded this product. Please contact our customer service department if you need further assistance.

If you have any questions or need assistance, please contact customer service at:

800-843-2763 (U.S./Canada)
001-900-843-2763 (Mexico)
973-882-1170 (Outside North America)
Fax: 973-882-1717
E-mail: CustomerCare@asme.org



From: William Berger (<mailto:BergerW@asme.org>)
Sent: Thursday, April 09, 2015 10:36 AM
To: Satterthwaite, Cameron (PHMSA)
Cc: Kieba, Max (PHMSA); Robert Wheeler
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

We don't have anything further that we can provide to you at this time, but it would be very helpful to us in completing the product that will be made available if we knew the dates of the comment period for the NPRM. As we have agreed to, the document will be accessible only during the comment period, and we will be able to accommodate any extensions to the comment period, if necessary.

By copy of this response, I am introducing Robert Wheeler, who is ASME's Director, Publishing Technologies. Robert might want to offer some insight on the technical issues of the pdf, including addressing the error message that Max reported receiving when he opened the link provided to him previously.

asmeLogo_Link



William Berger
Managing Director
Standards
ASME
2 Park Avenue 6th Floor
New York NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Cameron Satterthwaite@dot.gov (<mailto:Cameron.Satterthwaite@dot.gov>)
Sent: Wednesday, April 08, 2015 3:49 PM
To: William Berger
Cc: Max.Kieba@dot.gov
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

At this time we do not have an exact time for the publication date. We are hoping that it will publish by the end of April. In general our comment periods last 60 days. However, a comment period can be extended per request of the commenters. Extensions vary up to an additional 45 or 60 days depending upon requestors' need and PHMSA's review. It may be a good rule of thumb to post the links now for 150 days.

If possible, we would like for the link to be active as soon as possible so that we can check them and have them added to our website before the NPRM is published.

Cameron H. Satterthwaite
Transportation Regulations Specialist
Standards and Rulemaking
East Building, PHP 30

1200 New Jersey Avenue, SE
Washington, DC 20590
(o) 202-366-1319

From: William Berger [mailto:BergerW@asme.org]
Sent: Monday, April 06, 2015 1:38 PM
To: Kieba, Max (PHMSA)
Cc: Satterthwaite, Cameron (PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Thank you for the information

asmeLogo_Link



William Berger
Managing Director
Standards
ASME
2 Park Avenue 6th Floor
New York NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Max Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Monday April 06 2015 11 16 AM
To: William Berger
Cc: Cameron.Satterthwaite@dot.gov
Subject: RE PHMSA Plastic Pipe NPRM - ASME B16.40-2008

No problem understood. We re also making some edits on our end including through the NPRM language and our website. Thanks for continuing to work with us especially on short notice.

I continue to defer to Cameron on timing of the NPRM who will likely be the best one to advise exactly when it might be happening. My understanding is we re working on some final relatively minor tweaks to the preamble of the NPRM including language addressing the standards we re proposing to incorporate. My understanding is in the rule itself rather than pointing folks to a few individual sites we ll be pointing folks to the portion of our website talking about Standards Incorporated by Reference and including the applicable links there for the respective SDOs.

A longer version of the link is below (we re working on getting a shorter link.) We still need to add in ASME and others like PPI.

http://www.phmsa.dot.gov/portal/site/PHMSA/menuitem.6f23687cf7b00b0f22e4c6967d9c8789/?vgnextoid_d5af714769382310vgnVCM1000001ecb7898RCRD&vgnnextchannel_f0b8a535eac17110vgnVCM1000009ed07898RCRD&vgnnextfmt_print

As soon as we know more we ll let you know.

Max

From: William Berger [mailto:BergerW@asme.org]
Sent: Monday, April 06, 2015 10 57 AM
To: Kieba, Max (PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Thanks, I didn t get details on what issues they were still working on, but that may very well be it. I m not sure the link will be "ready" until we have some idea of the dates of the rulemaking and comment period, as I think they want to build in the dates of availability for the standard before the link is considered final

asmeLogo_Link



William Berger
Managing Director
Standards
ASME
2 Park Avenue 6th Floor
New York NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Max Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Monday April 06 2015 9 50 AM
To: William Berger
Subject: RE PHMSA Plastic Pipe NPRM - ASME B16.40-2008

As a side note I tried to go through the steps of registering and trying to download the read-only version more out of curiosity of what others would see and to get confirmation it works. I did get through a few steps but eventually got an error message possibly from the issue you described below. When it s worked out on your end let me know and I ll try again.

Max

From: William Berger [mailto:BergerW@asme.org]
Sent: Friday, April 03, 2015 12:58 PM
To: Kieba, Max (PHMSA)
Cc: Satterthwaite, Cameron (PHMSA); Israni, Mike (PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Max:

Here is the link to use in your NPRM that will be incorporating by reference ASME B16 40:

<https://shop.asme.org/PublicReview/PHMSA/B16-4-2008>

It s not completely ready to go yet, we re finalizing work on an issue with the pdf; it should be ready to go by early next week

To help us set the time period for which the document will be posted, do you have a more definitive idea of when the NPRM will be issued, and the time frame for the public comment period?

Thanks

William Berger
Managing Director
Standards
ASME
2 Park Avenue 6th Floor
New York NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergew@asme.org

From: Max.Kieba@dot.gov [<mailto:Max.Kieba@dot.gov>]

Sent: Wednesday March 18 2015 4 04 PM

To: William Berger

Cc: Cameron.Satterthwaite@dot.gov; mike.israni@dot.gov

Subject: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Hi Bill

Mike asked me to reach out to address questions on anticipated timing and comment period for the Plastic Pipe NPRM which will include the proposal to incorporate ASME B16.40-2008 "Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems."

Exact timing is TBD but there is a chance we could have the NPRM published within 2 weeks. Is that timing doable on ASME's end to get a link set-up for the NPRM comment period? If not let us know.

As for comment period it may be anywhere from 60-90 days once published. 60 days is the norm and what we'll start with. However sometimes we get requests to extend the comment period for a variety of reasons in which case we may possibly go to 90 days. We're hoping we can stick to 60 days but hit or miss whether we might get a request to extend. If we did end up needing to extend is that also something you can also adjust on your end?

I'm ccing Cameron in our Standards and Rulemaking group who is the best point of contact for process and timing for this particular rule. The two of us will be listed as the points of contact for further info... Cameron for general information and me for technical questions.

Max

P.S. And by the way yes I know there is a 2013 version out for B16.40 but the 2008 version is what was petitioned to us and what we're planning to propose for now. With any of the standards and versions we're proposing I wouldn't be surprised if we do get comments to propose a later version.

Max Kieba
Engineer
Engineering and Research Division
U.S. DOT PHMSA Office of Pipeline Safety
Office 202-493-0595
Cell 202-420-9169
max.kieba@dot.gov



From: [Gale, John \(PHMSA\)](mailto:Gale_John@PHMSA)
To: [Morgan, Robert](mailto:Morgan_Robert)
Cc: [Satterthwaite, Cameron \(PHMSA\)](mailto:Satterthwaite_Cameron@PHMSA); [Kieba, Max \(PHMSA\)](mailto:Kieba_Max@PHMSA)
Subject: RE: ASTM standards
Date: Tuesday, April 07, 2015 10:39:47 AM

Bob:

Thank you very much, this is great

John A. Gale
Director, Standards and Rulemaking Division
Office of Pipeline Safety
(202) 366-0434

From: [Morgan, Robert \[mailto:morgan@astm.org\]](mailto:Morgan_Robert)
Sent: Tuesday, April 07, 2015 10:35 AM
To: [Gale, John \(PHMSA\)](mailto:Gale_John@PHMSA)
Cc: [Satterthwaite, Cameron \(PHMSA\)](mailto:Satterthwaite_Cameron@PHMSA)
Subject: RE: ASTM standards

Hi John

I believe we are all set with the view only site. Standards can be accessed at www.astm.org/phmsa. Please let me know if you have any questions.

Best

Bob

Robert J. Morgan
Director, Technical Committee Operations

—
ASTM INTERNATIONAL
Helping our world work better

—
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tel +1 610 832 9732 fax +1 610 832 9666
www.astm.org

From: [john.gale@dot.gov \[mailto:john.gale@dot.gov\]](mailto:john.gale@dot.gov)
Sent: Thursday, April 02, 2015 7:49 AM
To: [Morgan, Robert](mailto:Morgan_Robert)
Cc: Cameron.Satterthwaite@dot.gov
Subject: RE: ASTM standards

Bob:

We are ready for the ASTM standards we discussed to be placed on your website. We need them available until July 10, 2015. Please let me know when they are available and the website they can be viewed at.

Thank you again,

John A. Gale
Director, Standards and Rulemaking Division
Office of Pipeline Safety
(202) 366-0434

From: [Morgan, Robert \[mailto:morgan@astm.org\]](mailto:Morgan_Robert)
Sent: Thursday, March 19, 2015 2:29 PM
To: [Gale, John \(PHMSA\)](mailto:Gale_John@PHMSA)
Subject: RE: ASTM standards

Hi John

I'm told that we can set up a read only site for the duration of the review. Can you give me some dates when you will need this to be in play? Once rulemaking is finalized we can add them to the "Reading Room." Thanks for your help.

Bob

Robert J. Morgan
Director, Technical Committee Operations

—
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Helping our world work better

—
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www.astm.org

From: [john.gale@dot.gov \[mailto:john.gale@dot.gov\]](mailto:john.gale@dot.gov)
Sent: Thursday, March 19, 2015 9:57 AM
To: [Morgan, Robert](mailto:Morgan_Robert)
Cc: Cameron.Satterthwaite@dot.gov; Todd.Delvecchio@dot.gov; mike.israni@dot.gov
Subject: FW: ASTM standards

Bob:

Per our conversation, below is list of those ASTM standards that we need added to ASTM's Reading Room. We anticipate publishing our rulemaking in the next two to three weeks. If you could, please let us know when these standards are posted in the reading room.

Thanks again for your help

John

ASTM D2513-12ae1 "Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and fittings"
ASTM D2564-12 "Standard Specification for Solvent Cements for Poly(Vinyl Chloride) (PVC) Plastic Piping Systems"
ASTM F1055-1998 (2006) "Standard Specification for Electrofusion-Type Polyethylene Fittings for Outside Diameter Controlled Polyethylene Pipe and Tubing"
ASTM F1924-12 "Standard Specification for Plastic Mechanical Fittings for Use on Outside Diameter Controlled Polyethylene Gas Distribution Pipe and Tubing"
ASTM F1948-12 "Standard Specification for Metallic Mechanical Fittings for Use on Outside Diameter Controlled Thermoplastic Gas Distribution Pipe and Tubing"
ASTM F1973-13 "Standard Specification for Factory Assembled Anodeless Risers and Transition Fittings in Polyethylene (PE) and Polyamide 11 (PA 11) and Polyamide 12 (PA 12) Fuel Gas Distribution Systems"
ASTM/ANSI F2145-13 "Standard Specification for Polyamide 11 (PA-11) and Polyamide 12 (PA-12) Mechanical Fittings for Use on Outside Diameter Controlled Polyamide 11 and Polyamide 12 Pipe and Tubing"
ASTM/ANSI F2600-09 "Standard Specification for Electrofusion Type Polyamide-11 Fittings for Outside Diameter Controlled Polyamide-11 Pipe and Tubing"
ASTM F2620-12 "Standard Practice for Heat Fusion Joining of Polyethylene Pipe and Fittings "
ASTM F2767-12 "Specification for Electrofusion Type Polyamide-12 Fittings for Outside Diameter Controlled Polyamide-12 Pipe and Tubing for Gas Distribution"
ASTM F2785-12 "Standard Specification for Polyamide 12 Gas Pressure Pipe, Tubing, and Fittings" (PA-12)
ASTM F2817-10 "Standard Specification for Poly (Vinyl Chloride) (PVC) Gas Pressure Pipe and Fittings For Maintenance or Repair" (PVC components only)
ASTM F2897-11a "Standard Specification for Tracking and Traceability Encoding System of Natural Gas Distribution Components (Pipe, Tubing, Fittings, Valves, and Appurtenances)
ASTM F2945-12a "Standard Specification for Polyamide 11 Gas Pressure Pipe, Tubing, and Fittings" (PA-11)

From: [William Berger](#)
To: [Kieba, Max \(PHMSA\)](#)
Cc: [Satterthwaite, Cameron \(PHMSA\)](#)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008
Date: Monday, April 06, 2015 1:43:37 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

I was just reviewing the language on the web site you provided the link for, and I note that you quote some wording from the initial PL 112-90, but did not mention the technical correction made in 2013, i.e. deletion of the words "on an Internet Web site". It's your web site so you can include whatever you want, but that technical correction was pretty important for ASME and other SDO's.

asmeLogo_Link



William Berger

Managing Director
Standards
ASME
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Fax 1.212.591.8502
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Sent: Monday, April 06, 2015 11:16 AM
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Cc: Cameron.Satterthwaite@dot.gov
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As soon as we know more, we'll let you know.

Max

From: William Berger [mailto:BergerW@asme.org]
Sent: Monday, April 06, 2015 10:57 AM
To: Kieba, Max (PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

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asmeLogo_Link



William Berger

Managing Director
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Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Max.Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Monday, April 06, 2015 9:50 AM
To: William Berger
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

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To: Kieba, Max (PHMSA)
Cc: Satterthwaite, Cameron (PHMSA); Israni, Mike (PHMSA)
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Max:

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William Berger
Managing Director Standards ASME 2 Park Avenue, 6th Floor New York, NY 10016-5990 Tel 1.212.591.8520 Fax 1.212.591.8502 bergerw@asme.org

From: Max.Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Wednesday, March 18, 2015 4:04 PM
To: William Berger
Cc: Cameron.Satterthwaite@dot.gov; mike.israni@dot.gov
Subject: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Hi Bill,

Mike asked me to reach out to address questions on anticipated timing and comment period for the Plastic Pipe NPRM which will include the proposal to incorporate ASME B16.40-2008 "Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems."

Exact timing is TBD, but there's a chance we could have the NPRM published within 2 weeks. Is that timing doable on ASME's end to get a link set-up for the NPRM comment period? If not, let us know.

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60 days, but hit or miss whether we might get a request to extend. If we did end up needing to extend, is that also something you can also adjust on your end?

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Max

P.S. And by the way, yes I know there is a 2013 version out for B16.40, but the 2008 version is what was petitioned to us and what we're planning to propose for now. With any of the standards and versions we're proposing, I wouldn't be surprised if we do get comments to propose a later version.

Max Kieba
Engineer
Engineering and Research Division
U.S. DOT PHMSA Office of Pipeline Safety
Office: 202-493-0595
Cell: 202-420-9169
max.kieba@dot.gov



From: [William Berger](#)
To: [Kieba, Max \(PHMSA\)](#)
Cc: [Satterthwaite, Cameron \(PHMSA\)](#); [Israni, Mike \(PHMSA\)](#)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008
Date: Thursday, March 19, 2015 8:11:02 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Max:

I've checked with our Publishing staff, and we should be able to get the link to you within 2 weeks.

asmeLogo_Link



William Berger

Managing Director
Standards
ASME
2 Park Avenue, 6th Floor
New York, NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Max.Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Wednesday, March 18, 2015 4:04 PM
To: William Berger
Cc: Cameron.Satterthwaite@dot.gov; mike.israni@dot.gov
Subject: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Hi Bill,

Mike asked me to reach out to address questions on anticipated timing and comment period for the Plastic Pipe NPRM which will include the proposal to incorporate ASME B16.40-2008 "Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems."

Exact timing is TBD, but there's a chance we could have the NPRM published within 2 weeks. Is that timing doable on ASME's end to get a link set-up for the NPRM comment period? If not, let us know.

As for comment period, it may be anywhere from 60-90 days once published. 60 days is the norm and what we'll start with. However, sometimes we get requests to extend the comment period for a variety of reasons, in which case we may possibly go to 90 days. We're hoping we can stick to 60 days, but hit or miss whether we might get a request to extend. If we did end up needing to extend,

is that also something you can also adjust on your end?

I'm cc:ing Cameron in our Standards and Rulemaking group who is the best point of contact for process and timing for this particular rule. The two of us will be listed as the points of contact for further info... Cameron for general information, and me for technical questions.

Max

P.S. And by the way, yes I know there is a 2013 version out for B16.40, but the 2008 version is what was petitioned to us and what we're planning to propose for now. With any of the standards and versions we're proposing, I wouldn't be surprised if we do get comments to propose a later version.

Max Kieba
Engineer
Engineering and Research Division
U.S. DOT PHMSA Office of Pipeline Safety
Office: 202-493-0595
Cell: 202-420-9169
max.kieba@dot.gov



From: [William Berger](#)
To: [Kieba, Max \(PHMSA\)](#)
Cc: [Satterthwaite, Cameron \(PHMSA\)](#); [Israni, Mike \(PHMSA\)](#)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008
Date: Wednesday, March 18, 2015 4:12:41 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Max:

Thank you for the information, I will pass this on to our Publishing staff who will work with IT to set up the pdf and associated link. If there's any problem with getting the link to you within a couple of weeks, I will let you know. In the past situation where we did post an ASME Standard during rulemaking comment period, we made it available for the 60 day period at the outset, then when the comment period was extended, we extended the availability of the ASME standard.

asmeLogo_Link



William Berger

Managing Director
Standards
ASME
2 Park Avenue, 6th Floor
New York, NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Max.Kieba@dot.gov [mailto:Max.Kieba@dot.gov]
Sent: Wednesday, March 18, 2015 4:04 PM
To: William Berger
Cc: Cameron.Satterthwaite@dot.gov; mike.israni@dot.gov
Subject: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Hi Bill,

Mike asked me to reach out to address questions on anticipated timing and comment period for the Plastic Pipe NPRM which will include the proposal to incorporate ASME B16.40-2008 "Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems."

Exact timing is TBD, but there's a chance we could have the NPRM published within 2 weeks. Is that timing doable on ASME's end to get a link set-up for the NPRM comment period? If not, let us know.

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Max

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Max Kieba
Engineer
Engineering and Research Division
U.S. DOT PHMSA Office of Pipeline Safety
Office: 202-493-0595
Cell: 202-420-9169
max.kieba@dot.gov



From: [Israni, Mike \(PHMSA\)](#)
To: [Gale, John \(PHMSA\)](#); [Lee, Kenneth \(PHMSA\)](#); [Pates, James \(PHMSA\)](#); [White, Lawrence \(PHMSA\)](#); [DeVecchio, Todd \(PHMSA\)](#); [Kieba, Max \(PHMSA\)](#)
Cc: [Israni, Mike \(PHMSA\)](#)
Subject: FW: ASME Compendium PTB-9-2014- March 12 at 1.30p
Date: Tuesday, March 03, 2015 3:55:55 PM

List of ASME attendees for March 12th call.

Mike Israni
Senior Technical Advisor
Manager- Standards & Committees
PHMSA/OPS
202-366-4571
mike.israni@dot.gov

From: William Berger [<mailto:BergerW@asme.org>]
Sent: Tuesday, March 03, 2015 2:34 PM
To: Israni, Mike (PHMSA)
Cc: Gerald M. Eisenberg
Subject: RE: ASME Compendium PTB-9-2014- March 12 at 1.30p

Mike:

The following will be the ASME participants on the March 12 call:

June Ling – Deputy Executive Director
John Delli Venneri – General Counsel
William Berger – Managing Director, Standards
Michael Merker – Managing Director, Conformity Assessment and Publishing
Gerry Eisenberg – Director, Pressure Technology Codes and Standards
Joseph Wendler – Director, Standards & Certification Initiatives
Heidi Hijikata – Director, Global Development

Regards,

Bill

asmeLogo_Link



William Berger

Managing Director
Standards
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2 Park Avenue, 6th Floor
New York, NY 10016-5990
Tel 1.212.591.8520

From: mike.israni@dot.gov [<mailto:mike.israni@dot.gov>]

Sent: Monday, February 23, 2015 4:32 PM

To: William Berger; Gerald M. Eisenberg

Cc: mike.israni@dot.gov; Robert.W.Smith@dot.gov

Subject: ASME Compendium PTB-9-2014

Gerry, Bill,

It was good talking with you today. Here is quick summary of what we discussed earlier:

- 1) PHMSA would like ASME to walk us through the Compendium (hi level) sometime in early March. We want to know how Compendium is organized and how it covers the ASME codes currently incorporated in the Pipeline Safety Regulations 49 CFR 192, 193 and 195. And please explain how Compendium can satisfy 2011 Pipeline Safety Act- Section 24 requirement of standards incorporated in 49 CFR 192-195 are freely available.
- 2) I'll send you possible dates for the conference call after checking availability of PHMSA Senior Management & Chief /or Deputy Counsel.
- 3) I believe, the Compendium as currently written only can partially meet the Section 24 requirement of the 2011 Act. The Compendium includes applicable provisions from B31.8, B31.8S and B31.4 very well, however, it does not provide any text from other ASME standards. It just mentions references for those standards. This in my view does not meet the intent of Section 24, 2011 Act.
- 4) Because eight (8) out of 11 ASME standards are not covered in the Compendium, PHMSA is considering the following two options to address 2011 Act requirement:
 - a) PHMSA's existing FedStar website that lists standards incorporated by reference in 49 CFR 192-195 is for internal use and password protected. Currently, only PHMSA staff and

State Pipeline Safety Office staff have access to it. We believe by adding few extra slots (10 or 15) on the FedStar to provide access to certain public members (Known to PHMSA) we would be able to meet the Section 24 requirement. We would ensure access to FedStar for public members is password protected and for limited time only. And we'll ensure have some sort of written agreement.

- b) In lieu of using FedStar, we could consider getting few extra copies from ASME of those standards that have recently been updated or incorporated, so we can loan them to public members for a limited time.

Hope that covers gist of what we discussed today.

Regards,

Mike Israni
Senior Technical Advisor
Manager- Standards & Committees
PHMSA/OPS
202-366-4571
mike.israni@dot.gov

From: [William Berger](#)
To: [Israni, Mike \(PHMSA\)](#); [Gerald M. Eisenberg](#)
Cc: [Gale, John \(PHMSA\)](#); [White, Lawrence \(PHMSA\)](#); [Lee, Kenneth \(PHMSA\)](#); [Kieba, Max \(PHMSA\)](#)
Subject: RE: ASME Compendium PTB-9-2014
Date: Thursday, February 26, 2015 1:02:07 PM

OK, so noted.

asmeLogo_Link



William Berger

Managing Director
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Fax 1.212.591.8502
bergerw@asme.org

From: mike.israni@dot.gov [mailto:mike.israni@dot.gov]
Sent: Thursday, February 26, 2015 12:59 PM
To: William Berger; Gerald M. Eisenberg
Cc: john.gale@dot.gov; Lawrence.White@dot.gov; kenneth.lee@dot.gov; Max.Kieba@dot.gov
Subject: RE: ASME Compendium PTB-9-2014

Bill:

I'm sorry we have a conflict from 10am -11.30a on March 12. Let's have a conference call from 1.30p- 2.30p on March 12. Thanks,

Mike Israni
Senior Technical Advisor
Manager- Standards & Committees
PHMSA/OPS
202-366-4571
mike.israni@dot.gov

From: Israni, Mike (PHMSA)
Sent: Thursday, February 26, 2015 12:41 PM
To: 'William Berger'; Gerald M. Eisenberg
Cc: Gale, John (PHMSA); White, Lawrence (PHMSA); Lee, Kenneth (PHMSA); Kieba, Max (PHMSA)
Subject: RE: ASME Compendium PTB-9-2014

Bill,

Okay, I'll set up a conference call from 10 am to 11.30 am on Thursday March 12, 2015. I'll send

you call in number. Thanks,

Mike Israni
Senior Technical Advisor
Manager- Standards & Committees
PHMSA/OPS
202-366-4571
mike.israni@dot.gov

From: William Berger [<mailto:BergerW@asme.org>]
Sent: Thursday, February 26, 2015 11:57 AM
To: Israni, Mike (PHMSA); Gerald M. Eisenberg
Subject: RE: ASME Compendium PTB-9-2014

Mike:

All of the ASME participants are currently available at any time on March 12. I'll provide you with the names and titles of our participants eventually, but I wanted to nail down the specific time for the call quickly. Please let me know PHMSA's preference for time; as I mentioned, right now, we're open all day...but that could change at any minute. Thanks.

Bill



William Berger

Managing Director
Standards
ASME
2 Park Avenue, 6th Floor
New York, NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: mike.israni@dot.gov [<mailto:mike.israni@dot.gov>]
Sent: Wednesday, February 25, 2015 4:07 PM
To: William Berger; Gerald M. Eisenberg
Cc: mike.israni@dot.gov
Subject: RE: ASME Compendium PTB-9-2014

Bill, Gerry,

As I indicated on Monday, PHMSA would like to have a broader discussion (about an hour) on ASME Compendium and Section 24 of 2011 Pipeline Safety Act.

The following dates would work for PHMSA:

March 5 (any time between 9 am to 3 pm)
March 12 (any time between 9 am to 3 pm)

Other possible date with smaller audience is :
March 11

PHMSA Attendees:

John Gale (Director- Regulations)
Mike Israni (Senior Technical Advisor)
Ken Lee (Director- Engineering)
Max Kieba (Engineer)
Larry White (Senior Attorney)
Jim Pates (Asst. Chief Counsel) (Tentative)

Mike Israni
Senior Technical Advisor
Manager- Standards & Committees
PHMSA/OPS
202-366-4571
mike.israni@dot.gov

From: William Berger [<mailto:BergerW@asme.org>]
Sent: Tuesday, February 24, 2015 8:39 AM
To: Israni, Mike (PHMSA); Gerald M. Eisenberg
Cc: Smith, Robert (PHMSA)
Subject: RE: ASME Compendium PTB-9-2014

Thanks for the summary of the meeting, Mike. I look forward to getting suggested dates for a broader teleconference and identification of the PHMSA staff who will be participating.

Regards,

Bill



William Berger

Managing Director
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ASME
2 Park Avenue, 6th Floor
New York, NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: mike.israni@dot.gov [mailto:mike.israni@dot.gov]

Sent: Monday, February 23, 2015 4:32 PM

To: William Berger; Gerald M. Eisenberg

Cc: mike.israni@dot.gov; Robert.W.Smith@dot.gov

Subject: ASME Compendium PTB-9-2014

Gerry, Bill,

It was good talking with you today. Here is quick summary of what we discussed earlier:

- 1) PHMSA would like ASME to walk us through the Compendium (hi level) sometime in early March. We want to know how Compendium is organized and how it covers the ASME codes currently incorporated in the Pipeline Safety Regulations 49 CFR 192, 193 and 195. And please explain how Compendium can satisfy 2011 Pipeline Safety Act- Section 24 requirement of standards incorporated in 49 CFR 192-195 are freely available.
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Hope that covers gist of what we discussed today.

Regards,

Mike Israni
Senior Technical Advisor
Manager- Standards & Committees
PHMSA/OPS
202-366-4571
mike.israni@dot.gov

From: [Satterthwaite, Cameron \(PHMSA\)](#)
To: ["Korniliev, Arseniy"](#)
Subject: RE: astm f1973
Date: Friday, June 12, 2015 10:54:00 AM
Attachments: [image004.png](#)

Arseniy,

Has the issue been resolved?

(Can the public access the documents relative to the proposed rule?)

Cameron H. Satterthwaite
Transportation Regulations Specialist
Standards and Rulemaking
East Building, PHP 30
1200 New Jersey Avenue, SE
Washington, DC 20590
(o) 202-366-1319

From: DeWitt Burdeaux [<mailto:dewitt.burdeaux@flexsteelpipe.com>]
Sent: Tuesday, June 09, 2015 3:48 PM
To: Korniliev, Arseniy
Cc: Satterthwaite, Cameron (PHMSA)
Subject: RE: astm f1973

Arseniy,

Thanks for the response. I tried the steps you provided below and got a new interesting twist when I hit the "trust document one time" (had tried "trust always" first) I got this!!



From: Korniliev, Arseniy [<mailto:akorniliev@astm.org>]
Sent: Tuesday, June 09, 2015 2:10 PM
To: DeWitt Burdeaux
Cc: 'cameron.satterthwaite@dot.gov'
Subject: RE: astm f1973

DeWitt,

Here is what worked for me:

From Firefox:

1. Select the standard from your view-only site in Firefox. Click “open with a different viewer” after the page loads. (button in top right)
2. The prompt to open or save will appear. Select “open with Adobe Reader”
3. The yellow “enable features” security message will appear. (yellow bar on top)
4. Select “options” and “trust this document one time” or “Trust this document always”.
5. If “Trust this document always” is selected Reader will ask if you’d like to add this to your list of privileged locations. Select “ok”.

The first time I did this I got an error (message box saying “this is restricted content”). I went back and did it again, selecting “trust document one time” – and it showed up!

From: DeWitt Burdeaux [<mailto:dewitt.burdeaux@flexsteelpipe.com>]
Sent: Tuesday, June 09, 2015 2:29 PM
To: Korniliev, Arseniy
Subject: RE: astm f1973

Thanks

DeWitt Burdeaux
Regulatory Compliance Specialist

FlexSteel Pipeline Technologies, Inc.

500 Dallas St.

Suite 500

Houston, TX 77002

MOBILE 817.739-4142

Dewitt.burdeaux@flexsteelpipe.com



www.flexsteelpipe.com

From: Korniliev, Arseniy [<mailto:akorniliev@astm.org>]
Sent: Tuesday, June 09, 2015 1:29 PM
To: DeWitt Burdeaux
Subject: astm f1973

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From: [William Berger](#)
To: [Satterthwaite, Cameron \(PHMSA\)](#)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008
Date: Tuesday, May 19, 2015 4:13:55 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Got it, thanks.

Bill

asmeLogo_Link



William Berger

Managing Director
Standards
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2 Park Avenue, 6th Floor
New York, NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Cameron.Satterthwaite@dot.gov [mailto:Cameron.Satterthwaite@dot.gov]
Sent: Tuesday, May 19, 2015 4:11 PM
To: William Berger
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

You are correct. The comment period will be open up to and including Friday, July 31, 2015.

I will let you know if we issue an extension to the comment period.

Cameron H. Satterthwaite
Transportation Regulations Specialist
Standards and Rulemaking
East Building, PHP 30
1200 New Jersey Avenue, SE
Washington, DC 20590
(o) 202-366-1319

From: William Berger [<mailto:BergerW@asme.org>]
Sent: Tuesday, May 19, 2015 4:06 PM
To: Satterthwaite, Cameron (PHMSA)
Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Thank you, Cameron, I will advise our Publishing staff. I assume July 31 is still the comment deadline.

asmeLogo_Link



William Berger

Managing Director
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Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Cameron.Satterthwaite@dot.gov [<mailto:Cameron.Satterthwaite@dot.gov>]

Sent: Tuesday, May 19, 2015 4:01 PM

To: William Berger

Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Good afternoon Bill,

The Plastic Pipe NPRM is scheduled to publish on Thursday, May 21, 2015.

It will be on public display tomorrow, Wednesday, May 20, 2015.

Please let me know if you have any problems posting the standard.

Thanks again,

Cameron H. Satterthwaite
Transportation Regulations Specialist
Standards and Rulemaking
East Building, PHP 30
1200 New Jersey Avenue, SE
Washington, DC 20590
(o) 202-366-1319

From: William Berger [<mailto:BergerW@asme.org>]

Sent: Thursday, May 14, 2015 1:14 PM

To: Satterthwaite, Cameron (PHMSA)

Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Thank you.

asmeLogo_Link



William Berger

Managing Director

Standards
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New York, NY 10016-5990
Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Cameron.Satterthwaite@dot.gov [<mailto:Cameron.Satterthwaite@dot.gov>]

Sent: Thursday, May 14, 2015 12:55 PM

To: William Berger

Subject: FW: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Disregard my voice mail. I just realized that you already provided link below.

I will let you know when we have a publication date for the proposed rule. We plan to close the comment period on July 31, 2015.

Cameron H. Satterthwaite
Transportation Regulations Specialist
Standards and Rulemaking
East Building, PHP 30
1200 New Jersey Avenue, SE
Washington, DC 20590
(o) 202-366-1319

From: Kieba, Max (PHMSA)

Sent: Thursday, May 14, 2015 10:00 AM

To: Satterthwaite, Cameron (PHMSA)

Subject: FW: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

This should be link the for the ASME doc.

From: William Berger [<mailto:BergerW@asme.org>]

Sent: Friday, April 03, 2015 12:58 PM

To: Kieba, Max (PHMSA)

Cc: Satterthwaite, Cameron (PHMSA); Israni, Mike (PHMSA)

Subject: RE: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Max:

Here is the link to use in your NPRM that will be incorporating by reference ASME B16.40:

<https://shop.asme.org/PublicReview/PHMSA/B16-4-2008>

It's not completely ready to go yet, we're finalizing work on an issue with the pdf; it should be ready to go by early next week.

To help us set the time period for which the document will be posted, do you have a more definitive idea of when the NPRM will be issued, and the time frame for the public comment period?

Thanks.

asmeLogo_Link



William Berger

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Tel 1.212.591.8520
Fax 1.212.591.8502
bergerw@asme.org

From: Max.Kieba@dot.gov [<mailto:Max.Kieba@dot.gov>]

Sent: Wednesday, March 18, 2015 4:04 PM

To: William Berger

Cc: Cameron.Satterthwaite@dot.gov; mike.israni@dot.gov

Subject: PHMSA Plastic Pipe NPRM - ASME B16.40-2008

Hi Bill,

Mike asked me to reach out to address questions on anticipated timing and comment period for the Plastic Pipe NPRM which will include the proposal to incorporate ASME B16.40-2008 "Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems."

Exact timing is TBD, but there's a chance we could have the NPRM published within 2 weeks. Is that timing doable on ASME's end to get a link set-up for the NPRM comment period? If not, let us know.

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is that also something you can also adjust on your end?

I'm cc:ing Cameron in our Standards and Rulemaking group who is the best point of contact for process and timing for this particular rule. The two of us will be listed as the points of contact for further info... Cameron for general information, and me for technical questions.

Max

P.S. And by the way, yes I know there is a 2013 version out for B16.40, but the 2008 version is what was petitioned to us and what we're planning to propose for now. With any of the standards and versions we're proposing, I wouldn't be surprised if we do get comments to propose a later version.

Max Kieba
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