



PROPANE EXCHANGE

July 2013 * West Virginia Propane Gas Association

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DATES TO REMEMBER

Sept 18, 2013

Fall Annual Mtg
Waterfront Place
Hotel
Morgantown, WV



[New Guidance Issued](#)

Hours of Service Changes

GUIDANCE ON OFF-DUTY TIME

On July 12, 2013, the Federal Motor Carrier Safety Administration (FMCSA) published new guidance regarding Off-Duty Time in reference to Hours of Service.

Specifically, FMCSA updated its "*Regulatory Guidance for the Federal Motor Carrier Safety Regulations*" as it pertains to Off-Duty time that was last published in 1997.

The update addresses Question 2 from the guidance, which states: "*What conditions must be met for a commercial motor vehicle (CMV) driver to record meal and other routine stops made during a work shift as off-duty time?*"

The Guidance now states: Drivers may record meal and other routine stops, including a rest break of at least 30 minutes intended to satisfy 49 CFR 395.3(a)(3)(ii), as off-duty time provided:

1. The driver is relieved of all duty and responsibility for the care and custody of the vehicle, its accessories, and any cargo or passengers it may be carrying.
2. During the stop, and for the duration of the stop, the driver must be at liberty to pursue activities of his/her own choosing.

The guidance also notes that the motor carrier is not required to provide formal guidance to drivers with reference to times or locations where rest breaks may be taken. Finally, off-duty time may be counted regardless of whether the driver has the means or opportunity to leave the location where the vehicle is situated.

The guidance became effective July 12, 2012, and it supersedes the previously issued guidance on this matter.

For further information, please contact Robert Helminiak, Director, Regulatory Affairs at rhelminiak@npga.org or 202.355.1321. **Note:** **More info available at Fall Annual Mtg on September 18, 2013.**



Ralph Rooney
Suburban Gas Inc.
Past NPGA President

"We were confident that ThompsonGas would be able to provide a level of service and attention to detail commensurate with ours, and at the same time because of their size and corporate culture, would provide our employees and customers the security of a promising future, stability of supply, a broad mix of propane equipment, and a "down home" place to work and do business ... It provided us tremendous peace of mind."

THOMPSON
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CONTINUE YOUR HERITAGE.**

We're family, and since 1946, we have understood the importance of great customers and great employees. When the time is right to consider selling your business, you owe it to yourself, your customers, and your employees to call for a confidential meeting.

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Free Stuff
to Grow Your
Business

LAST CALL TO HELP WV

Where does West Virginia get funds to help offset the costs of training each year? It comes from YOU...when you complete the annual *Sales of Propane* survey sent out by the American Petroleum Institute (API).

This confidential survey is authorized by the Propane Education & Research Council (PERC). The results that each propane marketer submits form the basis for the funds West Virginia is eligible to receive for safety and propane emergencies training.

Want to see more classes around the state? Then fill out the survey which was sent to every company engaged primarily in the sale of odorized propane to ultimate consumers or to dispenser operators a month ago. Many forms have not been returned as of yet!

It is imperative for you to complete and return the survey ASAP so that WV does not lose dollars. If you have questions or need another survey, contact Pamela Gibson at 202-682-8528 or Gibson@api.org.

The deadline to complete the survey is here!
Thanks for your help and participation.

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Free Customizable Safety Modules Available

Marketers can now customize for free propane safety modules with a company logo, contact information, and a brief message, and email the modules to customers and post them on company websites.

This new program — the *Consumer E-learning Custom Module Center* — can supplement a marketer's safety and duty-to-warn program while also providing a concise brand message.



The 16 modules cover topics like what to do if you smell gas, to carbon monoxide safety, and hurricane preparedness, and can be accessed on the website of the Propane Education & Research Council.

Once a module is chosen, the program provides a quick walk-thru explaining how to post information and a message. There is also a brief demonstration video that provides step-by-step instructions on customizing a module. Visit the *Consumer E-learning Custom Module Center* at <http://www.propanecustommodulecenter.com/>



New Fact Sheets for the Residential Market

The Propane Education & Research Council has developed seven new fact sheets for the residential market. Each of the brief, full-color handouts can be downloaded for free from the Propane MaRC and shared with builders and customers.

The fact sheets cover high-efficiency propane furnaces, hybrid heating systems, tankless water heaters, storage tank water heaters, ranges & ovens, clothes dryers, and fireplaces. Visit the Residential home page on the MaRC to view the handouts.

Propane Participates in WV Clean State Mtg

Thanks to Blue Flame Inc of Berkeley Springs & Fairmont, a propane-powered vehicle was on hand at this month's meeting of the WV Clean State organization.

A variety of alternative fueled vehicles were on display at the event held at the National Alternative Fuels Training Consortium.

Note: More about what is going on with these 2 groups can be discovered at the Fall Annual Meeting on Sept 18, 2013 in Morgantown.



Success on Bobtail Requalification



PHMSA Accepts NPGA Bobtail Requalification Petition

NPGA is pleased to report that earlier this month, the DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) informed NPGA that they had accepted our petition for a rulemaking to extend the pressure test requalification period for certain types of bobtails from 5 years to 10 years.

Specifically, **the petition applied to MC-331 cargo tanks** in dedicated propane service that are less than 3500 gallons water capacity and constructed of certain types (grades) of steel.

NPGA originally met with PHMSA in January 2012 to present the petition that was backed by the results of an extensive research project performed by Battelle and funded by PERC. Battelle's research focused on the technical elements and the safety implications of extending the requalification period from 5 years to 10 years.



"...had accepted our petition for a rulemaking to extend the pressure test requalification period for certain types of bobtails from 5 years to 10 years.

The final project report supported the timeframe extension and was used as the basis for our recommendation to PHMSA, which also included proposed regulatory text.

PHMSA's action means it has assessed our petition and determined that it merits a rulemaking. In doing so, the agency stated that it will be considered for inclusion in a future rulemaking, though no date was established as to when this might occur.

Nevertheless, this action represents a major, positive step forward in NPGA's efforts to reduce the industry's operating expense burdens with potential industry savings of \$25 million dollars over the ten year period.

For further information, please contact Robert F. Helminiak, Director, Regulatory Affairs at rhelminiak@npga.org or 202.355.1321.