as a source of assistance on customer piping.

## J. Other Helpful Information

### 1. General

The mandate requires that operators provide information the operator has on operating and maintaining its lines that could assist customers. In turn, we proposed that operators notify customers of "any information that the operator has concerning the operation and maintenance of the customerowned service line that could aid the customer, such as information on excavation damage prevention, local codes and standards (when applicable), and the age, location, and material of the customer-owned service line" (proposed § 192.16(a)(4)).

# 2. Age, Location, and Material

TPSSC and about a third of commenters urged us not to require operators to provide information about the age, location, and material of customer piping. Several commenters said that because the information was site specific, operators could not use a notice generally applicable to all customers, as contemplated in the NPRM. Others said operators typically do not have the proposed information about customer piping, and it would be an undue burden to get it. A number of commenters also pointed out that the age of customer piping may not correspond to the date the operator established gas service, because the customer may have replaced or altered the piping since that date.

We agree that operators may not have the proposed information about customer piping, since they are not required by Part 192 to maintain the piping. Also, obtaining the information would be a significant burden that Congress did not intend operators to assume. The mandate requires operators to give customers helpful information based on the operation and maintenance of the operator's pipelines. The mandate does not require operators to gather information about customer piping. Even when operators do have some information about customer piping, requiring them to add the information to notices might not allow the operators to use a general notice to meet the notification rule. Therefore, this final rule does not require operators to notify customers of the age, location, and material of customer piping.

As a result, operators may send each customer a notice on the proper maintenance of customer piping in general. Notices need not be tailored to meet specific customer situations.

However, operators who have specific information about customer piping and wish to include it in notices are encouraged to do so.

### 3. Local Laws

For reasons discussed above concerning proposed § 192.16(a)(2), several commenters suggested that the final rule not make operators responsible for advising customers about local laws. Since local building codes would be burdensome for operators to track, are the responsibility of local agencies to enforce, and are unlikely to contain instructions on how to carry out piping maintenance, the final rule does not require notice of local laws.

# 4. Excavation Damage Prevention

Two operators asked us to clarify the information they would have to provide about excavation damage. They suggested the notice stress the need to locate piping before excavating and to dig with care.

We agree that this information would be helpful to customers, because of the large number of gas pipeline accidents attributable to excavation damage. The final rule (§ 192.16(b)(4)) reflects these comments. However, operators are not required to notify customers to contact "one-call" systems to learn the location of buried customer piping before excavating. One-call systems provide such service only for piping of companies that are members of the system. One-call systems generally have no information regarding customer piping.

Apart from the maintenance requirements discussed above, information about preventing excavation damage is probably the most significant information operators have about operating and maintaining their own pipelines that would be helpful to customers. In the interest of producing a general notice limited to basic advice, the final rule does not require notice of any other information related to operation and maintenance of the operator's pipelines. However, operators may supplement the required information as they deem appropriate.

#### K. Potential Hazards

The mandate requires that operators notify customers about the potential hazards of not maintaining customer piping. As proposed in the NPRM and SNPRM, operators would have to advise customers of "the potential hazards of not maintaining the customer-owned service line, such as corrosion and gas leakage" (proposed § 192.16(a)(5)).

Only a few commenters addressed this proposal. Two commenters thought it would be unfair if operators had to warn their customers that gas piping can be hazardous, while their competitors, fuel oil and electric companies, do not have to give a similar warning. One commenter said that sending notices about potential hazards would not be compatible with the goal of market expansion. Another commenter requested that in the final rule, we insert "reasonably foreseeable" before "potential hazard."

Although we do not have discretion under the mandate not to require notice of potential hazards, we did not find the arguments against such notice persuasive. The risks involved in using fuel oil and electricity have not demanded the same level of public attention as gas pipeline risks. So, from a public policy standpoint, it is not unfair if only gas pipeline operators must warn their customers of risks. Also, we do not agree that warning customers of potential hazards is incompatible with business expansion. Part 192 already requires operators to post signs over their pipelines warning of potential danger (§ 192.707), and to educate the public to recognize gas pipeline emergencies (§ 192.615). These programs and the abundant advertisements about using "one call" systems to guard against the hazards of excavation damage have, to our knowledge, not adversely affected the growth of business. Indeed, we believe people prefer to do business with socially responsible companies that do not hesitate to publicize information that could help prevent accidents. Finally, to qualify "potential hazard" the way one commenter suggested

final rule. The proposal concerning notice of potential hazards is adopted in this final rule as § 192.16(b)(2)—the second item in the list of information to be provided, rather than the last item, as proposed. This rearrangement encourages operators to warn customers of potential hazards at the beginning of notices instead of at the end. A notice may mention just two potential hazards: corrosion and leaks. Most commenters referred to these potential hazards in response to the proposal, and service line accidents generally involve these hazards.

would not enhance the clarity of the

## L. Frequency and Time of Notification

### 1. General

The mandate does not specify how often operators must give their customers maintenance advice or when