they must give them the advice. To clarify these points, we proposed that operators notify existing customers within 6 months after publication of the final rule, and new customers within that time or within 30 days after the service line is placed in service, whichever is later (proposed § 192.16(b)).

2. Number of Notices

Several commenters thought the final rule should clearly state whether operators must notify a customer more than once. Other commenters, including NTSB, felt a single notice to each customer would not be sufficient. They recommended that operators send notices annually (to refresh customer memory), every 2 years, every 5 years, or occasionally.

A single notice sent to each present and future customer would satisfy the mandate. None of the advocates for more frequent notification showed that additional notices would significantly improve safety. Furthermore, the cost of periodic notices would be high, and the effect of customer notification on accident prevention is uncertain. There is also an absence of accumulated accident data on customer piping from which to project the benefits of sending multiple notices to the same customers. Consequently, the final rule expressly states that operators must notify each customer only once.

3. New Customers

Three commenters said the proposed rule was unclear whether "new customers" meant new customers on new service lines or new customers on existing service lines. A few operators said it would be a tremendous burden to notify every new customer on an existing service line because of the large changeover in customers. One operator said it has over 100,000 of such new customers annually. These operators would prefer to notify only the first customer on a new service line or to send notices to all customers periodically.

For the mandate to have a continuing effect on customer safety, each present and future customer must receive a maintenance notice if the operator does not maintain covered piping. There would be no continuing effect if operators were to notify just existing customers and the first customers on new service lines. As these customers leave, their successors might lack necessary maintenance information, and the safety of customer piping might decline. So the final rule applies to all new customers. Operators can mitigate the burden of notifying large numbers of

customers by inserting general notices in billing envelopes.

To avoid confusion, the final rule does not distinguish new customers from existing customers. Instead, the rule (§ 192.16(c)) requires operators to notify each customer by a certain date, as discussed next.

4. Time of Notification

AGA and several operators recommended a compliance time of 1 year to notify existing customers, instead of 6 months as proposed. They argued that operators would need more time to learn which customers to notify, to draft and send notices, and to instruct personnel to handle inquiries. These commenters also said more time would ease the burden on staff by allowing operators to spread notifications over a longer period.

For new customers, one operator advised that sending notices within 30 days after the customer's service begins would not fit the company's billing cycle. AGA and INGAA suggested an appropriate time to notify new customers would be the time of first billing, rather than when a service line is placed in service.

We proposed a 6-month compliance period to notify existing customers based primarily on our estimate of the time needed to prepare and send out notices. However, in view of the additional information commenters provided, 1 year now seems more appropriate. Further, because service lines are often left in service during customer changeover, the suggestion to notify new customers upon first billing seems reasonable. However, some operators may not choose billing as the method of notification. And, as one commenter remarked, many farm tap customers who receive gas under a right-of-way agreement are not billed. Considering the variations among billing cycles and the alternative means of distributing notices, we believe 90 days after first receipt of gas at a particular location would be a reasonable deadline by which to notify new customers. Therefore, the final rule requires operators to notify each customer not later than 1 year from today or 90 days after the customer first receives gas at a particular location, whichever is later (§ 192.16(c)).

M. Records

The mandate does not require that operators keep records of the advice they give customers. However, as a way to check compliance, we proposed that "each operator must keep a record of the written notifications" (proposed § 192.16(c)).

AGA and several operators said the type of record and the retention time were unclear under the proposed rule. Maryland suggested that to see if operators have notified customers, inspectors would have to inspect a record of the date a notice was sent, the name of the customer, and a copy of the notice. In contrast, several operators thought keeping a list of notified customers and the dates they were notified would be too burdensome. Three operators suggested the final rule just require maintenance of a copy of the notice being sent to customers.

To check compliance, RSPA and State inspectors will need to view a copy of the notice operators send customers and evidence that notices have been sent to customers. This evidence may relate to the overall notification process, and need not be customer-specific. For example, a record showing the approximate dates notices are mailed or a written procedure for the notification process would be evidence notices have been sent. More in depth checks on compliance could be conducted where warranted without requiring more detailed records. Therefore, we clarified the final rule to provide that operators must maintain a copy of the notice currently in use and evidence that the notices have been sent to customers as required (§ 192.16(d)). Evidence of notifications more than 3 years old may be discarded.

N. Master Meter Operators

One commenter recommended that we specifically exempt operators of master meter systems from the final rule. Operators of master meter systems purchase gas from pipeline companies through master meters, and then resell and distribute the gas to customers. The customers are usually residents of mobilehome parks or housing projects, the operator's primary enterprise.

In developing the NPRM, we assumed the proposed rules would not affect many master meter operators because they generally own all gas distribution piping up to each customer's dwelling. However, as stated above, WMPA advised that the proposed rules would affect mobilehome parks in California because of customer-owned short sections of connector piping. Although that piping was aboveground and would not come under the final rule, it is reasonable to assume that buried connector piping may occur in some master meter systems. So the proposed rule may have affected small entities to a larger extent than we first pictured.

To mitigate this impact, the final rule (§ 192.16(c)) allows master meter operators to continuously post a general