



March 8, 2017

The Honorable Elaine Chao
Secretary, U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, D.C. 20590

RE: Request for an Extension of the Public Comment Period for Hazardous Materials: Volatility of Unrefined Petroleum Products and Class 3 Materials: Docket ID No. PHMSA-2016-0077 IHM-251D, RIN# 2137-AF24

Dear Secretary Chao:

The American Exploration & Production Council ("AXPC") and the Independent Petroleum Association of America ("IPAA") request that the Pipeline and Hazardous Materials Safety Administration ("PHMSA") extend the March 20, 2017, comment deadline in the above-captioned proceeding for an additional 60 days.

AXPC is a national trade association representing 30 of America's largest and most active independent oil and natural gas exploration and production companies. AXPC members are "independent" in that their operations are limited to exploration for and production of oil and natural gas. Moreover, our members operate autonomously, unlike their fully integrated counterparts, which operate in additional segments of the energy business, such as downstream refining and marketing. AXPC members are leaders in developing and applying innovative and advanced technologies necessary to explore for and produce oil and natural gas, both offshore and onshore, from non-conventional sources.

IPAA represents the thousands of companies that drill 95 percent of America's onshore and offshore oil and natural gas wells. America's independents produce 54 percent of American oil and produce 85 percent of American natural gas. IPAA members rely on a strong, safe network of pipelines to transport natural gas and its associated products to consumers.

The Advance Notice of Proposed Rulemaking ("ANPRM") is in response to a request from the New York State Attorney General, in December 2015. Since that time, the Department of Transportation ("DOT") and the Department of Energy ("DOE") initiated a study, conducted by Sandia Laboratory, to explore whether vapor pressure is a significant factor in the safe transportation of flammable liquids. Until the Sandia study is completed, this ANPR appears premature. The study results would inform PHMSA and the public in its responses to the questions contained in the ANPRM.

As noted in the request for extension by the North Dakota Petroleum Council, extending the comment deadline by 60 days comports with the spirit of the Memorandum for Heads of Executive Departments and Agencies issued by White House Chief of Staff Reince Priebus on January 20, 2017. The additional time would give those potentially affected by the ANPRM the time to better address the questions. This additional time is particularly important to crude oil producers relying on truck transport for moving their product to market. PHMSA made significant changes to its sampling and testing program for truck transport in the context of what appeared to be exclusively a crude-by-rail rulemaking, depriving many smaller producers of the opportunity to provide input on the best way to ensure the safe transport of crude oil. AXPC and IPAA members do not want to be excluded from this opportunity to inform PHMSA of our members' operations and provide recommendations on how best to achieve safety goals without imposing onerous regulations.

AXPC and IPAA look forward to working with PHMSA but strongly urge that PHMSA grant a 60-day extension to allow for more meaningful responses and for Sandia to progress further in its relevant study.

Sincerely,

A handwritten signature in black ink that reads "Lee O. Fuller".

Lee O. Fuller
Executive Vice President
Independent Petroleum Association of America

A handwritten signature in black ink that reads "Bruce Thompson".

Bruce Thompson
President
American Exploration and Production Council