

<<Prev Rule

Texas Administrative Code

Next Rule>>

TITLE 16

ECONOMIC REGULATION

PART 1

RAILROAD COMMISSION OF TEXAS

CHAPTER 7

GAS SERVICES DIVISION

SUBCHAPTER B

SPECIAL PROCEDURAL RULES

RULE §7.74

School Piping Testing

(a) The purpose of this section is to implement the requirements of Texas Utilities Code, §§121.5005 - 121.507, relating to the testing of natural gas piping systems in school facilities.

(b) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Act--Acts 1997, 75th Leg., ch. 1238, §1, as codified by Acts 1999, 76th Leg., ch. 62, §18.14(a), and as amended by Acts 2001, 77th Leg., ch. 1233, §§72-74.

(2) Charter school--An elementary or secondary school operated by an entity created pursuant to Texas Education Code, Chapter 12.

(3) Natural gas supplier--The individual or company selling and delivering the natural gas to a school facility. If more than one individual or company sells and delivers natural gas to a school facility, each individual or company is a natural gas supplier for purposes of this rule.

(4) Person responsible for a school facility--In the case of a public school, the superintendent of the school district as defined in Texas Education Code, §11.201, or the superintendent's designee previously specified in writing to the natural gas supplier. In the case of charter and private schools, the principal of the school or the principal's designee previously specified in writing to the natural gas supplier.

(5) Private school--An elementary or secondary school operated by an entity accredited by the Texas Private School Accreditation Commission.

(6) Public school--An elementary or secondary school operated by an entity created in accordance with the laws of the State of Texas and accredited by the Texas Education Agency pursuant to Texas Education Code, Chapter 39, Subchapter D. The term does not include programs and facilities under the jurisdiction of the Texas Department of Mental Health and Mental Retardation, the Texas Youth Commission, the Texas Department of Human Services, the Texas Department of Criminal Justice or any probation agency, the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf and Regional Day Schools for the Deaf, the Texas Academy of Mathematics & Science, the Texas Academy of Leadership in the Humanities, and home schools or proprietary schools as defined in Texas Education Code, §132.001.

(7) School facility--All piping, buildings and structures operated by a public, charter or private school that are downstream of a meter measuring natural gas service in which students receive instruction or participate in school sponsored extracurricular activities, excluding maintenance or bus facilities, administrative offices, and similar facilities not regularly utilized by students.

(c) Procedures. Natural gas suppliers shall develop procedures for:

(1) receiving written notice from a person responsible for a school facility specifying the date and result of each test as provided by subsection (d) of this section.

(2) terminating natural gas service to a school facility in the event that:

(A) the natural gas supplier receives notification of a hazardous natural gas leak in the school facility piping system pursuant to this rule; or

(B) the natural gas supplier does not receive written notification specifying the date that testing has been completed on a school facility as provided by subsection (d) of this section, and the results of such testing.

(3) A natural gas supplier may rely on a written notification complying with this rule as proof that a school facility is in compliance with the Act and this rule.

(4) A natural gas supplier shall have no duty to inspect a school facility for compliance with the Act.

(d) Testing.

(1) A natural gas piping pressure test performed under a municipal code in compliance with paragraph (4) of this subsection shall satisfy the testing requirements.

(2) A pressure test to determine if the natural gas piping in each school facility will hold at least normal operating pressure shall be performed as follows:

(A) For systems on which the normal operating pressure is less than 0.5 psig, the test pressure shall be 5 psig and the time interval shall be 30 minutes.

(B) For systems on which the normal operating pressure is 0.5 psig or more, the test pressure shall be 1.5 times the normal operating pressure or 5 psig, whichever is greater, and the time interval shall be 30 minutes.

(C) A pressure test using normal operating pressure shall be utilized only on systems operating at 5 psig or greater, and the time interval shall be one hour.

(3) The testing shall be conducted by:

(A) a licensed plumber;

(B) a qualified employee or agent of the school who is regularly employed as or acting as a maintenance person or maintenance engineer; or

(C) a person exempt from the plumbing license law as provided in Texas Civil Statutes, Article 6243-101, §§.

(4) The testing of public school facilities shall occur as follows:

(A) for school facilities tested prior to the beginning of the 1997-1998 school year, at least once every two years thereafter before the beginning of the school year;

(B) for school facilities not tested prior to the beginning of the 1997-1998 school year, as soon as practicable thereafter but prior to the beginning of the 1998-1999 school year and at least once every two years thereafter before the beginning of the school year;

(C) for school facilities operated on a year-round calendar and tested prior to July 1, 1997, at least once every two years thereafter; and

(D) for school facilities operated on a year-round calendar and not tested prior to July 1, 1997, once prior to July 1, 1998, and at least once every two years thereafter.

(5) The testing of charter and private school facilities shall occur at least once every two years and shall be performed before the beginning of the school year, except for school facilities operated on a year-round calendar, which shall be tested not later than July 1 of the year in which the test is performed. The initial test of charter and private school facilities shall occur prior to the beginning of the 2003-2004 school year or by August 31, 2003, whichever is earlier.

(6) The firm or individual conducting the test shall immediately report any hazardous natural gas leak as follows:

(A) in a public school facility, to the board of trustees of the school district and the natural gas supplier; and

(B) in a charter or private school facility, to the person responsible for such school facility and the natural gas supplier.

(7) The school pipe testing shall be recorded on Railroad Commission Form PS-86.

(e) Records. Natural gas suppliers shall maintain for at least two years a listing of the school facilities to which it sells and delivers natural gas as well as copies of the written notification regarding testing, Form PS-86, and hazardous leaks received pursuant to the Act and this rule.

Source Note: The provisions of this §7.74 adopted to be effective September 21, 1998, 23 TexReg 9544; amended to be effective February 25, 2002, 27 TexReg 1318

[Next Page](#)

[Previous Page](#)

[List of Titles](#)

[Back to List](#)

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RAILROAD COMMISSION OF TEXAS

GAS SERVICES DIVISION

December 19, 2001

«Head_Master»
«Campus_Name»
«Street_Address»
«City», «State» «Zip_Code»

RE: School Pipe Testing

Dear «Head_Master»,

In June 1997, a bill was passed by the Texas legislature requiring all public school districts to test their natural gas piping systems. As a result of testing following this legislation, 53% of the school districts reported some type of leakage within their natural gas piping systems. At the present time, most all of the public school districts have completed at least two tests of their natural gas piping systems and facility repairs have been completed.

This past legislative session, the school pipe testing requirements were extended to include private and charter schools supplied with natural gas and all schools supplied with LP gas. Before the start of the 2002/2003 school year, all natural gas supplied private and charter schools along with all LP gas supplied schools are required to conduct pressure tests on their piping systems.

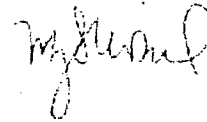
The Railroad Commission has been given the responsibility for insuring compliance with these statewide testing requirements. In an effort to ensure consistency within the testing requirements, we have created a form for each school to use to record their school pipe testing results. As the law requires, the forms must be submitted to the gas supplier each time the school piping is tested. The Commission is providing this form to the schools to provide to their gas supplier to verify compliance with the law. All Commission correspondence related to compliance with the law can then be done through the supplier with no additional burden on the schools.

School Piping
December 19, 2001
Page 2

We appreciate your assistance with the implementation of the new bill requirements and your use of the form. If you have any questions, please do not hesitate to contact our pipeline safety office in Austin. You may contact Mr. Kendall Smith, (512) 463-7047, or myself, (512) 463-7166, to assist you with any questions you may have.

Thank you.

Sincerely,



Mary L. McDaniel