

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Revisions to Landowner Notification) **Docket No. RM07-17-000**
and Blanket Certificate Regulations)

**COMMENTS OF THE
INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA**

Pursuant to the Commission’s Notice of Proposed Rulemaking (“NOPR”) issued in this docket on June 22, 2007, 72 Fed. Reg. 35669 (June 29, 2007), the Interstate Natural Gas Association of America (“INGAA”) submits the following comments on the Commission's proposal to amend Part 157 of the Commission’s Regulations to require a noise survey following the completion of projects involving compressor facilities undertaken pursuant to blanket certificate authority. INGAA is a non-profit trade association that represents the interstate and interprovincial natural gas pipeline industry operating in North America. INGAA’s United States members transport virtually all natural gas transported and sold in domestic interstate commerce, and are regulated by the Commission pursuant to the Natural Gas Act, 15 U.S.C. §§ 717-717w.

In the NOPR, the Commission proposes to add a new blanket certificate regulation that will require a company installing compressor facilities under blanket authority to submit a noise survey within 60 days of placing new or modified facilities in service to demonstrate that noise attributable to the operation of the new facilities does not exceed the standard day-night level (L_{dn}) of 55 dBA at any preexisting noise-sensitive area.

The proposed new regulation, to be codified at 18 CFR § 157.206(b)(5)(ii), reads:

(ii) For each new compressor station, compressor addition, or modification to an existing compressor, the blanket certificate holder must file a noise survey with the Secretary no later than 60 days after the activity is complete and the compressor facility is placed in service. If the noise attributable to the operation of the *facility* at full load exceeds an L_{dn} of 55 dBA at any nearby noise-sensitive areas, the blanket certificate holder shall file a report on what changes are needed and must put in place additional noise controls to meet the 55 dBA level within 1 year of the in-service date. The blanket certificate holder must confirm compliance with this requirement by filing a subsequent noise survey with the Secretary no later than 60 days after installation of the additional noise controls. (Italics added.)

NOPR at p. 15. The new regulation is designed to insure that the same noise standard that applies to case-specific certificate authority -- i.e., “55 dBA at any pre-existing noise-sensitive area (such as schools, hospitals, or residences)”¹ -- will also apply to projects implemented under blanket certificate authority. See NOPR at PP 2-4, 6-7.

As proposed, it is unclear what the Commission means by the term “facility.” It is not clear whether “facility” means a compression unit (*e.g.*, turbine, engine or electric motor) or the entire compressor station or site. Specifically, if a company is using its blanket certificate authority to add to or to modify the compression at a particular compressor site or station (terms that mean essentially the same thing to the industry), does the 55 dBA apply only to the new or modified unit(s) that is being added, or does it apply to the entire compressor station or site, as modified?

¹ See current § 157.206(b)(5)(ii), which is to be redesignated as subsection (iii). As the Commission explains in the NOPR at P 4, it has determined to retain the pre-existing standard which requires that the noise standard for compressor facilities installed under blanket certificate authority be measured at noise-sensitive areas rather than at the site boundary, as originally proposed in RM06-7.

Historically, the Commission has “grandfathered” existing compressor stations, requiring only the added or modified compressor units to meet the noise standard.² INGAA is concerned the phrase “noise attributable to the operation of *the facility at full load*” may require the entire modified compression station or site to meet the 55 dBA noise standard rather than just the new compression unit, and thus indicate an intent to depart from the Commission's historical practice of grandfathering existing compression. From a policy perspective, such a new requirement may discourage otherwise prudent and needed compression upgrades, including those that may provide more efficient operations, and may thwart development of additional interstate capacity.

Accordingly, INGAA requests that the Commission clarify that only new compressor stations or the addition or modification to an existing compression unit are subject to the 55 dBA noise standard and reporting requirements. To that end, INGAA proposes that the Commission amend its proposed regulation text by substituting “new compressor station or the addition or modification to an existing compression unit” in lieu of the word “facility” in line five.

² See *Natural Gas Pipeline Company of America*, Order Authorizing Abandonment and Issuing Certificate, 120 FERC ¶ 61,004 (slip op at p. 15)(2007)(“Natural shall conduct a noise survey at Compressor Stations 302 and 342 to verify that: (a) the noise from all the equipment operated at full capacity does not exceed the previously existing noise levels that are at or above an L_{dn} of 55 dBA at any nearby NSAs; and (b) the noise contribution from the proposed units does not exceed an L_{dn} of 55 dBA at any NSA”) and *Equitrans, L.P.*, Order Issuing Certificate, 117 FERC ¶ 61,184 at 61,917 (2006) (“Equitrans shall file a noise survey at the Big Sandy Compression Station to verify that the noise from all the equipment operated at full capacity does not exceed the previously existing noise levels that are at or above an L_{dn} of 55 dBA at the nearby [NSAs]”).

Respectfully submitted,

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July 30, 2007