

Nov 5 1973

Mr. G. A. Chilcote  
Manager, Engineering & Construction  
Buckeye Pipe Line Company  
P.O. Box 368  
Emmaus, PA 18049

Dear Mr. Chilcote:

This refers to your letter of September 18, 1973, requesting an interpretation of Section 195.248. Specifically, Buckeye is requesting an interpretation of "impracticable" as used in Section 195.248(b)(1) and an interpretation of "equivalent" as used in Section 195.248(b)(2). The interpretation in these two sections are requested to determine whether 48 inches of cover is required pursuant to Sections 195.210(b) and 195.248(a) for approximately half of the 17 miles of a 20-inch products pipeline that Buckeye is preparing to lay across Middlesex County, New Jersey.

The Office of Pipeline Safety considers that the term "impracticable" means the carrier is incapable of complying with the required pipeline cover. You itemized four factors which in your opinion tend to make a 48-inch cover impracticable. The first two items appear to be based on the high cost of constructing this proposed pipeline, without any supporting information on this cost. These two factors are not sufficient reason to support your contention that the 48-inch cover is impracticable. The last two items are based on possible future occurrences and similarly cannot be used to substantiate that the construction of this proposed pipeline is impracticable.

Since the regulations provided for additional protection equivalent to the minimum cover required only when it is impracticable to comply with the minimum cover requirements, the additional protection Buckeye proposes is not applicable in this case.

We trust that this has answered your particular inquiry. If we can be of further assistance, please let us know.

Sincerely,

\signed\

Joseph C. Caldwell  
Director  
Office of Pipeline Safety