

August 3, 1979

Mr. Leo L. Andrews
1511 North 13th
Duncan, Oklahoma 73533

Dear Mr. Andrews:

Your memo on June 12, 1979, asks whether certain oil pipelines constructed prior to 1954 must meet the construction requirements of 49 CFR 195.210 and 195.248.

In accordance with Section 195.200, the provisions of the Federal liquid pipeline safety standards to which you refer are construction standards which apply to "new" pipelines and "existing" pipelines that are relocated, replaced, or otherwise changed. As used in this section, the term "new" means a pipeline upon which construction was begun after March 31, 1970, and "existing" refers to a pipeline in operation or under construction on that date (see Section 195.402(d)).

As construction standards, the "cover" requirements of Sections 195.210 and 195.248 are intended to apply at the time a new pipeline is constructed or an existing pipeline is replaced, relocated, or otherwise changed. The Federal standards do not require that construction burial depths be maintained over the operating life of pipelines.

However, it should be noted that the requirements of Section 195.402(c) call for corrective action by the carrier whenever it discovers any condition that could adversely affect the safe operation of its pipelines. Such a condition could involve insufficient cover over a pipeline to protect it against external loads.

Sincerely,

Cesar DeLeon
Associate Director for
Pipeline Safety Regulation
Materials Transportation Bureau

6/12/79

TO: DIRECTOR, OFFICE OF PIPELINE SAFETY OPERATIONS
SUBJ: COVER FOR HIGH PRESSURE PIPELINES
ATTN: DIRECTOR

I HAVE A WHEAT FARM NEAR A CORP OF ENGINEER LAKE IN WHICH THERE IS 3 BIG PIPELINES CROSSING THAT WERE INSTALLED BEFORE 1954. THESE PIPELINES WERE ONLY BURIED FROM 1 1/2 to 3 feet deep which is not buried deep enough for cultivation with the modern farm equipment being used today. As this lake develops there will be a congestion of people over and around these pipelines. As owner of the land I am concerned about the safety of these shallow buried lines, with regards to people, boats, trailer homes, permanent homes. I HAVE CONTACTED THE OIL COMPANIES OWNERS OF THESE PIPELINES AND THEY ADVISE THAT SINCE THE PIPELINES WERE CONSTRUCTED PRIOR TO 1954 THEY ARE NOT REQUIRED TO CONFORM TO THE SAFETY REGULATIONS FOR THE TRANSPORTATION OF LIQUIDS BY PIPELINE PART 195 TITLE 49 OF THE CODE OF FEDERAL REGULATIONS REVISED AS OF DEC 31, 1976 AND SUBCHAPTER D PIPELINE SAFETY FEDERAL REGISTER, VOL 43 NO. 33 THURSDAY FEB 16, 1978. DOES OLD PIPELINE HAVE TO MEET REGULATIONS 195.248 AND 195.210(b) OF DOT REGULATIONS.

LEO L. ANDREWS
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Duncan, Oklahoma, 73533