

June 27, 1994

Mr. Larry D. Geske  
President & CEO  
Energy West, Incorporated  
No. 1 First Avenue South  
Great Falls, Montana 59403-2229

Dear Mr. Geske:

We have considered your letter of June 9, 1994, to Zach Barrett, regarding application of the safety standard in 49 CFR 193.2155(c) to a proposed 55,000 gallon LNG storage tank that is planned to serve the town of West Yellowstone. Under § 193.2155(c), "if an LNG storage tank is located within a horizontal distance of 6,100 m. (20,000 ft.) from the nearest point of the nearest runway serving large aircraft as defined in 14 CFR Part 1.1, a Class 1 impounding system must be used which is designed to withstand collision by, or explosion of, the heaviest aircraft which can take off or land at the airport."

You estimate that compliance with this standard will cost \$225,000 for construction of a "concrete bunker" around the tank. Because you feel the potential risk of the tank is low, you have asked that we either exempt it from § 193.2155(c) or determine that the airport does not trigger application of the safety standard.

Your letter indicated that the airport is designed to handle large aircraft, and that large aircraft use the airport on occasion. Given these circumstances, we conclude that the airport comes under §193.2155(c) and a Class 1 impounding system (defined in § 193.2153) fortified against aircraft collision or explosion would be required. However, such an impounding system differs from a bunker, primarily because an impounding system does not have to have a cover. In fact, covered impounding systems are prohibited unless they meet the special requirements of § 193.2167. Thus, fortification under § 193.2155(c) applies to the floor and dikes, or walls, of the impounding system.

Because the tank would be an intrastate pipeline facility under the jurisdiction of the Montana Public Service Commission, you would have to apply to that agency to obtain an exemption, or waiver, from § 193.2155(c). Following the statutory procedures (49 App. U.S.C. 1672(d)), we would then review the matter if the Commission grants a waiver.

Sincerely,

Cesar De Leon  
Director, Office of Pipeline Safety  
Regulatory Programs