



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

MAR - 8 2011

Mr. Steven G. Lins
Assistant General Manager - Supply
City of Glendale Water & Power
141 North Glendale Avenue, Level 4
Glendale, CA 91206-4496

Dear Mr. Lins:

In a letter to the Pipeline and Hazardous Materials Safety Administration (PHMSA) dated June 9, 2010, you requested an interpretation regarding the applicability of 49 CFR Part 192 of the Federal Pipeline Safety Regulations to a pipeline used to transport landfill gas in the City of Glendale, California. You described your system as follows:

“At the Scholl Canyon Landfill in Los Angeles, California, landfill gas is collected through a network of extraction wells and suction pipelines, in order to control surface emissions and underground emissions migration in accordance with the requirements of the South Coast Air Quality Management District. Initially the landfill gas was flared. Since 1994 the landfill gas has been compressed and treated at the landfill and sent to the Grayson Power Plant ("GPP") via the Glendale LFG Pipeline. The Glendale LFG Pipeline is approximately 5.5 miles long, is composed of 14-inch high-density polyethylene, and has a hoop stress of approximately 11.38 percent. It originates at the compression plant at the landfill and terminates at the GPP. The GPP uses the landfill gas as fuel to generate electricity.

“The City of Glendale is the primary owner of the Scholl Canyon landfill site, and also owns the wells and suction pipelines, the compressor plant, the Glendale LFG Pipeline, and the GPP.”

For purposes of this letter, the term “suction pipelines” refers to the portion of your pipeline system which transports gas from the extraction wells to the compressor station and the term “Glendale LFG Pipeline” refers to the portion of your pipeline system that transports gas from the treatment station to the Grayson Power Plant.

In your letter, you state that the Glendale LFG Pipeline cannot be a gathering line because it does not terminate at a transmission line or main. You state that because the suction pipelines are exempt from regulation under Part 192 they cannot be gathering lines, and therefore, the Glendale LFG Pipeline cannot be a transmission line because it does not transport gas from a gathering line. You state that the Glendale LFG Pipeline must therefore be a distribution line and ask PHMSA to confirm this interpretation.

As indicated in your letter, the pipeline safety requirements in Part 192 do not apply to the onshore gathering of gas through pipelines such as the suction pipelines which operate at less than 0 psig due to the exemption in § 192.1(b)(4). The definition of gathering lines in § 192.3 is “a pipeline that transports gas from a current production facility to a transmission line or main.” The suction pipelines are unregulated because they satisfy the exemption in § 192.1(b)(4), but they still meet the definition of gathering lines under both § 192.3 and § 192.8.

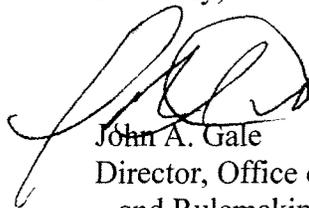
The exception in 49 CFR § 192.1(b)(4) does not apply once the pipeline becomes a transmission line. The point at which the compressor becomes part of the transmission facility, and therefore is regulated by Part 192, will depend upon the nature of the compressor facilities and the definition in API RP80 Section 2.2 (49 CFR § 192.8). The definition of a transmission line under 49 CFR § 192.3 is “a pipeline, other than a gathering line, that... (t)ransports gas from a gathering line or storage facility to a distribution center, storage facility, or large volume customer that is not downstream from a distribution center....”

The Glendale LFG pipeline transports gas from the compressor station to the Grayson Power Plant (GPP). The GPP is a large volume customer of the pipeline because it receives the services of the pipeline. The Glendale LFG Pipeline meets the definition of a gas transmission line because it transports gas from the gathering lines (suction pipelines) to a large volume customer that is not downstream from a distribution center (the GPP). The fact that the pipeline is a transmission line precludes the pipeline from meeting the definition of a distribution line.

In summary, we conclude that (1) the suction pipelines, up to the point where the gas is treated at the compressor station, are unregulated gathering lines under Part 192 and (2) the Glendale LFG Pipeline from the treatment facility to the GPP is a transmission line regulated under Part 192.

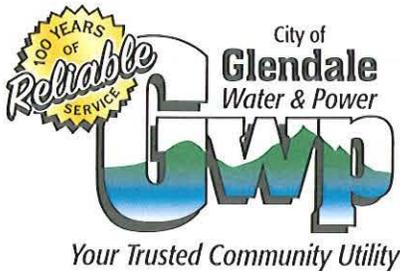
I hope that this information is helpful to you. If I can be of further assistance, please contact me at (202) 366-4046.

Sincerely,



John A. Gale

Director, Office of Standards
and Rulemaking



June 9, 2010

Office of the Chief Counsel
U.S. DOT/PHMSA
East Building, 2nd Floor
1200 New Jersey Avenue, SE
Washington, DC 20590

SUBJECT: Request for Interpretation Regarding Scholl Canyon Landfill Gas Pipeline

The City of Glendale Water and Power ("GWP") seeks an interpretation from the Pipeline and Hazardous Materials Safety Administration ("PHMSA") regarding the characterization of the Scholl Canyon Landfill Gas Pipeline ("Glendale LFG Pipeline") as a distribution line.

Facts

At the Scholl Canyon Landfill in Los Angeles, California, landfill gas is collected through a network of extraction wells and suction pipelines, in order to control surface emissions and underground emissions migration in accordance with the requirements of the South Coast Air Quality Management District. Initially the landfill gas was flared. Since 1994 the landfill gas has been compressed and treated at the landfill and sent to the Grayson Power Plant ("GPP") via the Glendale LFG Pipeline. The Glendale LFG Pipeline is approximately 5.5 miles long, is composed of 14-inch high-density polyethylene, and has a hoop stress of approximately 11.38 percent. It originates at the compression plant at the landfill and terminates at the GPP. The GPP uses the landfill gas as fuel to generate electricity.

The City of Glendale is the primary owner of the Scholl Canyon landfill site, and also owns the wells and suction pipelines, the compressor plant, the Glendale LFG Pipeline, and the GPP.

Characterization of Suction Pipelines

The pipelines at the Scholl Canyon landfill that collect landfill gas and deliver it to the compressor plant operate at negative pressure. Therefore they are exempt from regulation under Part 192 of the Code of Federal Regulations ("CFR"). CFR Section 192.1(b)(4)(i) provides that:

"This part does not apply to: ...
(4) Onshore gathering of gas –
(i) Through a pipeline that operates at less than 0 psig (0 kPa)."

The PHMSA correctly identified this in a letter to Scholl Canyon Landfill Gas, Ltd dated March 2, 2010.

As the suction pipelines are not regulated under Part 192, it follows that they are not gathering lines, transmission lines, or distribution lines, as those lines are regulated under Part 192.

Even if it were appropriate to apply the definitions in Part 192 to the suction pipelines, it appears that the suction pipelines would not satisfy the definition of "gathering line". In order to be a gathering line, a pipeline must transport gas from a "current production facility". This term is not defined in Part 192, but it should not extend to a landfill where the primary purpose of gas collection is to meet local emissions criteria, not to produce fuel.

Characterization of Glendale LFG Pipeline

Part 192 defines and regulates gathering lines, transmission lines and distribution lines. The following table sets out the relevant definitions and discusses the extent to which GWP considers the Glendale LFG Pipeline meets the requirements for each type of pipeline.

Definition in CFRs 192.3

Gathering line means a pipeline that transports gas from a current production facility to a transmission line or main.

Transmission line means a pipeline, other than a gathering line, that:

(1) transports gas from a gathering line or storage facility to a distribution center, storage facility, or large volume customer that is not down-stream from a distribution center;

(2) operates at a hoop stress of 20% or more of SMYS; or

(3) transports gas within a storage field.

Distribution line means a pipeline other than a gathering or transmission line.

Application to Glendale LFG Pipeline

As the Glendale LFG Pipeline does not terminate at a transmission line or main, it does not meet the criteria for a gathering line.

The Glendale LFG Pipeline does not satisfy requirements (2) or (3) of this definition. The pipeline has a hoop stress of less than 20% and does not transport gas within a storage field.

Nor does it appear that the Glendale LFG Pipeline satisfies requirement (1). The Glendale LFG Pipeline does not transport gas from a gathering line. As discussed above, the suction lines at the landfill cannot be characterized as gathering lines. Secondly, the gas is not transported from a storage facility as there is no storage facility at the landfill.

Furthermore, while CFR section 192.3 notes that a power plant may constitute a large volume customer, the GPP is not a customer of the Glendale LFG Pipeline as both are owned by the same entity, the City of Glendale, and there is no change in ownership of the landfill gas. Nor is the GPP a distribution center or storage facility.

As the Glendale LFG Pipeline does not satisfy the definition of a gathering line or of a transmission line, it appears to be a distribution line.

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Request for Interpretation

GWP respectfully requests an interpretation from the PHMSA as to whether, for the reasons set out above or other reasons, the Glendale LFG Pipeline is a distribution line for the purposes of Part 192.

If the PHMSA does not consider that the Glendale LFG Pipeline is a distribution line, GWP requests that PHMSA express an opinion on how the pipeline should be characterized and on what grounds.

If you require further information on the Glendale LFG Pipeline or any other items discussed in this letter in order to reach a conclusion, please contact me at (818) 548-2136.

Sincerely,

A handwritten signature in blue ink that reads "Steven G. Lins". The signature is written in a cursive style.

Steven G. Lins
Assistant General Manager – Supply

SGL/NC:to

c: Chris Hoidal, Western Region Director