

MARTIN OPERATING PARTNERSHIP LP

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Office of Pipeline Safety (PHP-30)
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590-0001
Via email: pipeline_interp_submittal@dot.gov

Re: Request for Regulatory Interpretation—Classification and Jurisdictional Status of Martin's Odessa, Texas, Natural Gas Line

To the Office of Pipeline Safety:

Martin Operating Partnership LP ("Martin") respectfully requests a written regulatory interpretation under 49 CFR § 190.11 concerning the classification of an approximately 1.8-mile natural gas line in Odessa, Texas. The Railroad Commission of Texas ("RRC") presently treats the segment as a transmission line and has directed Martin to obtain PHMSA's interpretation regarding whether the segment is properly treated as customer piping or, alternatively, as a distribution service line rather than a transmission line.

Martin requests application of the current definitions in 49 CFR § 192.3 to the specific facts below. This request does not seek a waiver, special permit, or exemption from an otherwise applicable requirement.

Questions Presented

1. Where natural gas is metered and sold at a farm-tap delivery point connected to a transmission pipeline, and the gas then flows through customer-owned piping solely to the same customer's industrial facility for that customer's own consumption, does the piping downstream of the customer meter constitute customer-owned consumption or fuel piping outside the scope of 49 CFR Part 192?
2. If PHMSA determines that the downstream segment remains subject to Part 192, is the segment properly classified as a distribution service line, rather than a transmission line, where it serves only one customer, operates at 20 psig or less, does not transport gas in a storage field, has not been voluntarily designated by Martin as transmission, and supplies no downstream customer or purchaser?

Material Facts

- The line originates at a farm tap connected to a natural gas transmission pipeline operated by ONEOK.
- The customer sales meter is located at the farm-tap delivery point. It is identified in the available statements as ONEOK meter 543332, "ENG CONTINENTAL SULPHUR." Gas is measured and sold to Martin at that location before entering the approximately 1.8-mile Martin line.
- Downstream of the meter, Martin owns the line and uses the delivered gas solely as fuel at its Odessa industrial facility. Martin does not resell, redeliver, or distribute gas to any tenant, affiliate, residence, business, or other person. There is no other customer meter or delivery point on the line.
- The line is approximately 1.8 miles long and consists of nominal 3-inch PE3408/PE4710 SDR-11 polyethylene pipe.
- The entire 1.8-mile pipeline is situated within a private easement held by Martin across private property and does not cross any public roads, highways, rail lines, or public rights-of-way.

- The segment operates at 20 psig or less. It does not transport gas within a storage field, and Martin has not voluntarily designated it as a transmission pipeline.
- The line is not a common source of supply for multiple service lines and performs no public gas-distribution or utility function.
- Martin has no employees assigned to operate a public gas utility. Specialized inspection, maintenance, and repair work is performed through qualified contractors under Martin oversight.
- Available invoices for January 2023 through August 2024 show total use of 18,144.6 Mcf over 20 months: an average of approximately 907.2 Mcf per month and 29.8 Mcf per day. The highest recorded month was August 2023 at 1,515 Mcf, equivalent to approximately 48.9 Mcf per day for that month.

Martin's Requested Interpretation

The current § 192.3 definition of a service line ends the service line at the outlet of the customer meter or at the connection to customer piping, whichever is farther downstream. Here, the customer meter is at the farm tap, the gas is delivered and sold to Martin there, and the entire questioned segment lies downstream of that meter. The segment is owned by the customer and carries gas only for that customer's consumption.

PHMSA's PI-73-0110 concluded that customer-owned piping downstream of a meter, used by the customer for its own purposes, was not a service line and was not subject to Part 192. PHMSA's recent PI-25-0001 likewise identified customer-owned piping used for the customer's consumption as nonregulated, while treating piping used to redeliver gas to another end user as jurisdictional. Martin makes no downstream sale or delivery. Those interpretations support treating the Martin segment as customer-owned consumption piping, with the customer meter marking the relevant endpoint.

Martin recognizes that a meter does not alone terminate jurisdiction if downstream piping independently satisfies the transmission-line definition. The Odessa segment, however, does not have the characteristics that drove PHMSA's prior industrial-transmission determinations. It is a low-pressure polyethylene line serving one end user at documented average consumption of approximately 0.0298 MMcf/day. It does not serve multiple industrial operations, deliver gas onward, operate at high pressure, transport gas in a storage field, or function like a distribution company.

The Segment Does Not Serve a Large-Volume Customer in the Sense Used by Prior Interpretations

Section 192.3 includes, within the transmission-line definition, a pipeline transporting gas to a large-volume customer that is not downstream from a distribution center, but it does not establish a numerical threshold for "large-volume customer." PHMSA has evaluated actual volumes and system function in its interpretations.

In PI-10-0024, PHMSA found that 1 MMcf/day was a large volume. Martin's documented average of 0.0298 MMcf/day is about three percent of that amount. In PI-12-0005, PHMSA classified an approximately 1.5-mile, 2-inch polyethylene line operating at 18 psi as transmission where it supplied two separate large-scale cattle-feeding operations consuming approximately 113 Mcf/day and volumes similar to a distribution center. Martin's line serves one customer, averages about 29.8 Mcf/day, and performs no distribution-center or resale function. Martin does not suggest that these decisions establish a universal numerical threshold; rather, it asks PHMSA to consider both the much lower actual volume and the segment's single-customer consumption function.

Alternative Classification Under the Current Distribution-Center Definition

If PHMSA determines that Part 192 continues to apply downstream of the customer meter, the segment should be classified as distribution, not transmission. Section 192.3 defines a distribution center as the initial point where gas enters piping used primarily to deliver gas to customers purchasing it for consumption, including a metering location, pressure-reduction location, or point of volume reduction, such as a lateral off a transmission

line. The metered farm-tap lateral is the point where gas leaves the transmission system and enters piping devoted exclusively to delivery to Martin as the sole consuming customer.

PI-25-0001 applied this current definition and treated a pressure-reduction point on an industrial lateral as a distribution center, with downstream piping classified as distribution. Under the same functional approach, the Odessa farm-tap delivery and metering point is a distribution center. The downstream low-pressure segment is therefore downstream of a distribution center and does not satisfy the first transmission criterion. If jurisdictional, it transports gas from a common source to one individual customer and should be treated as a distribution service line.

Requested Response

Martin respectfully requests that PHMSA determine that the approximately 1.8-mile segment downstream of ONEOK meter 543332 is customer-owned piping used solely for Martin's own natural-gas consumption and is not subject to 49 CFR Part 192. In the alternative, Martin requests a determination that the segment is a distribution service line and is not a transmission line under § 192.3.

Martin will provide any additional operating, metering, ownership, consumption, mapping, or facility information PHMSA needs to evaluate this request. Please direct questions to the contact below.

Sincerely,



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