



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Pipeline and Hazardous  
Materials Safety Administration**

**June 15, 2021**

Ms. Charlene B. Wright  
Managing Member  
Wright and Associates PLLC  
3302 Canal Street, Suite 35  
Houston, TX 77003

Dear Ms. Wright:

In a letter to the Pipeline and Hazardous Materials Safety Administration (PHMSA), dated May 21, 2021, you requested an interpretation of 49 CFR Part 195. Specifically, you requested an interpretation as to the applicability of § 195.1 to a physically disconnected pipeline.

You asked if a pipeline has been physically disconnected, cleaned, and purged with nitrogen, does not cross over, under or through a commercially navigable waterway, no longer transports hazardous liquids, and is not intended to be returned to service, then would that pipeline be subject to the 49 CFR Part 195 regulations.

If the pipeline is not an offshore pipeline or is an onshore pipeline that does not cross over, under or through a commercially navigable waterway, is permanently removed from service, safely disconnected from an operating pipeline system, purged of combustibles, and sealed to minimize safety and environmental hazards, then that pipeline is no longer regulated under the 49 CFR Part 195 regulations. Based on the information you provided, the §§ 195.59 and 195.402(c)(10) reporting requirements for abandoned offshore pipelines or onshore pipelines that cross over, under or through a commercially navigable waterway do not apply. However, the pipeline operator may need to confirm with the U.S. Environmental Protection Agency and the respective State regulator for any applicable compliance requirements, including reporting and proof of proper physical disconnection work requirements.

If we can be of further assistance, please contact Tewabe Asebe at 202-366-5523.

Sincerely,

John A. Gale  
Director, Office of Standards  
and Rulemaking

The Pipeline and Hazardous Materials Safety Administration, Office of Pipeline Safety provides written clarifications of the Regulations (49 CFR Parts 190-199) in the form of interpretation letters. These letters reflect the agency's current application of the regulations to the specific facts presented by the person requesting the clarification. Interpretations do not create legally-enforceable rights or obligations and are provided to help the public understand how to comply with the regulations.



May 21, 2021

VIA U.S. mail and e-mail

Mr. John A. Gale  
Director, Office of Standards  
and Rulemaking  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**Re: Request for Written Regulatory Interpretation**

Dear Mr. Gale,

We are requesting a written interpretation on behalf of a client, an operator of hazardous liquid pipelines. A pipeline has been physically disconnected, cleaned, and purged with nitrogen. The pipeline does not cross over, under or through a commercially navigable waterway. The pipeline no longer transports hazardous liquids and is not intended to be returned to service.

Under the facts presented, applying the criteria enumerated in Part 195.1, is the pipeline no longer covered by 49 CFR 195, and therefore no longer subject to requirements contained in therein?

Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink that reads "Charlene B. Wright".

Charlene B. Wright  
Managing Member  
Wright & Associates  
cwright@wrightfirm.law