



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

April 10, 2023

Ms. Jennifer Sebo  
Production Tech  
Riverfront Exploration, LLC  
109 North 6<sup>th</sup> Street  
Fort Smith, AR 72901

Dear Ms. Sebo:

In a letter to the Pipeline and Hazardous Materials Safety Administration (PHMSA), dated November 7, 2022, you requested an interpretation of the Federal pipeline safety regulations in 49 Code of Federal Regulations (CFR) Part 192.8 for the Riverfront Exploration, LLC (Riverfront) Washburn Creek 6-inch diameter and Fort Chaffee 2-inch diameter natural gas pipelines (Riverfront pipelines) in the state of Arkansas.

You stated the Fort Chaffee 2-inch diameter pipeline has a maximum allowable operating pressure (MAOP) of 1,200 pounds per square inch gauge (psig) and operates at 17.57 percent specified minimum yield strength (SMYS). You stated the pipeline is in a Class 1 location and is not in a high consequence area (HCA). You stated the pipeline is 216 feet long from the compressor station to its connection to Blackbear transmission line. You stated the Washburn Creek 6-inch diameter pipeline has an MAOP of 1,000 psig and operates above 20 percent SMYS. You stated the pipeline is in Class 1 location and is not in a HCA. You stated the pipeline is 0.877 miles long from the compressor station to its connection to the Enable Transmission Line. Based on the information you provided, both Riverfront pipelines upstream of the compressor stations are connected to wells as gathering lines. You stated that both Riverfront pipelines are currently regulated as transmission pipelines. However, you ask PHMSA whether the pipelines qualify as Type R gathering pipelines.

In an e-mail dated February 6, 2023, PHMSA asked Riverfront Exploration, “[s]ince the transmission line definition did not change what makes the pipeline gathering of any type? What made the pipeline to be designated as transmission in the first place?”

On the same day you responded to PHMSA stating that both the Fort Chaffee and the Washburn pipelines were designated as transmission lines by previous operators before Riverfront acquired them and, therefore, you could not speak on their behalf of why they determined these pipelines as transmission pipelines.

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 are not generally applicable, do not create legally-enforceable rights or obligations, and are provided to help the specific requestor understand how to comply with the regulations.

Table 1 to Paragraph(c)(2) of § 192.8 in the November 15, 2021[86 FR 63296], Safety of Gas Gathering Pipelines final rule describes Type R pipelines as onshore pipelines in Class 1 and Class 2 locations that do not meet the Type A, Type B or Type C criteria.

Per § 192.8(a)(5), new, replaced, relocated or otherwise changed gas gathering pipelines installed after May 16, 2022, the endpoint of gathering under sections 2.2(a)(1)(E) and 2.2.1.2.6 of API RP 80 (incorporated by reference, see § 192.7)—also known as “‘incidental gathering’”—may not be used if the pipeline terminates 10 or more miles downstream from the furthestmost downstream endpoint as defined in paragraphs 2.2(a)(1)(A) through (a)(1)(D) of API RP 80.

Pursuant to § 192.8(c)(3), a Type R gathering line is subject to reporting requirements under 49 CFR Part 191 and is not considered a regulated onshore gathering line under 49 CFR Part 192.

Based on the information you provided, the Riverfront pipelines are less than 8.625-inches in diameter, operate in Class 1 locations, and are less than 10 miles long from the furthestmost downstream endpoint to the gas transmission pipelines. Therefore, PHMSA agrees with your assessment that the two Riverfront pipelines meet the definition of a Type R gathering pipeline and are subject to the 49 CFR Part 191 reporting 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

Attachments



November 7<sup>th</sup>, 2022

Pipeline and Hazardous Materials Safety Administration  
Office of Standards and Rulemaking  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
United States

Re: Riverfront Exploration, LLC. Request for Written Regulatory Interpretation

Riverfront Exploration, LLC is requesting a written regulatory interpretation on two of its natural gas pipelines in Arkansas being the Washburn Creek 6.625 inch line and the Fort Chaffee 2.375 inch line relative to the following reporting and Regulations:

- 1.) 49 CFR Part 192 Gas Gathering Line Definition for Onshore Gas Gathering lines and Pipeline Safety;
- 2.) Safety of Gas Gathering Pipeline; Extension of Reporting requirement
- 3.) Regulation of Large, High-Pressure Lines, and Other Related Amendments
- 4.) New Safety Standards, Final Rule,
- 5.) Federal Register, Vol 86, No. 217 November 15, 2021,
- 6.) The Latest definitions in API RP 80 March 2020.

Based on the above referenced regulations and according to the definition of API RP 80 The Washburn Creek 6.625 inch line and the Fort Chafee 2.375 inch line both said lines would be considered incidental Gathering Type R reporting lines on May 16<sup>th</sup> 2022.

"As Illustrated in Figure 8 of section 4.3.2.5 of API RP 80 In the case of gas processing or gas treatment, the connection to a transmission line may have to move the gas through a pipeline an additional distance from the outlet of the plant to a transmission pipeline. The pipeline moving the gas from the plant to another pipeline is termed incidental gathering. The incidental gathering begins at the plant outlet and ends at the other pipeline connections. Incidental gathering may also occur when a compressor is a potential end point or when the point of last commingling is the last identified end point. From a functional standpoint, the section of incidental gathering line is no different from the rest of the gathering system. The definition recognizes that gathering may continue downstream from the last end point identified by processing, treatment, commingling, or compression activities to the connection with another pipeline."

Riverfronts Fort Chaffee and Washburn Creek's endpoint is at a compressor station then they both directly connect to a transmission line; the Washburn Creek is under one mile of line and the Fort Chaffee is only 216 feet long.



Figure 8—Incidental Gathering Downstream of an Identified End point

Fort Chaffee's 2-inch line leaves the compressor site and has a .041 miles (216 Feet long) pipeline that has a MAOP of 1200 which then connects to Merits Meter then to Blackbear's Transmission line. This line operates at 17.57% of SMYS. Class 1 with no HCA areas.

Washburn Creek's 6-inch line leaves the compressor site and .877 miles (under 1 mile) away it connects to Enable's Transmission line. The pipeline does operate over 20% of SMYS at 33.88% and has a MAOP of 1000. This line operates at daily pressure of 750 or less. It is a Class 1 line with no HCA's.

Both of these lines based on current and previous PHMSA interpretations (PI-09-008 July 30,2009 and PO-09-002 July 14,2009) incidental gathering designations were permissible due to what was considered a drafting error.

#### PHSMA Final Rule

Vol 86 No 217 provides the following new rule definition / guidelines.

192.8 How are onshore gathering pipelines and regulated onshore gathering pipeline determined?

(a) \* \* \* (5) For new, replaced, relocated, or otherwise changed gas gathering pipelines installed after May 16, 2022, the endpoint of gathering under sections 2.2(a)(1)(E) and 2.2.1.2.6 of API RP 80 (incorporated by reference, see § 192.7)—also known as **“incidental gathering”**—may not be used if the pipeline terminates **10 or more miles downstream** from the furthest downstream endpoint as defined in paragraphs 2.2(a)(1)(A) through (a)(1)(D) of API RP 80 (incorporated by reference, see § 192.7) and this section. If an “incidental gathering” pipeline is 10 miles or more in length, the entire portion of the pipeline that is designated as an incidental gathering line under 2.2(a)(1)(E) and 2.2.1.2.6 of API RP 80 shall be classified as a transmission pipeline subject to all applicable regulations in this chapter for transmission pipelines. (b) Each operator must determine and maintain for the life of the pipeline records documenting the methodology by which it calculated the beginning and end points of each onshore gathering pipeline it operates, as described in the second column of table 1 to paragraph



(c)(2) of this section, by: (1) November 16, 2022, or before the pipeline is placed into operation, whichever is later;

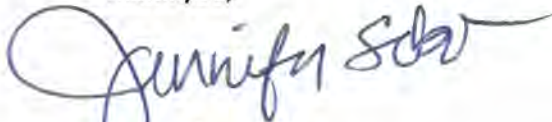
TABLE 1 TO PARAGRAPH (c)(2)

Type	Feature	Area	Additional safety buffer
A	<ul style="list-style-type: none"> <li>—Metallic and the MAOP produces a hoop stress of 20 percent or more of SMYS.</li> <li>—If the stress level is unknown, an operator must determine the stress level according to the applicable provisions in subpart C of this part.</li> <li>—Non-metallic and the MAOP is more than 125 psig (862 kPa).</li> </ul>	Class 2, 3, or 4 location (see § 192.5) ...	None.
B	<ul style="list-style-type: none"> <li>—Metallic and the MAOP produces a hoop stress of less than 20 percent of SMYS. If the stress level is unknown, an operator must determine the stress level according to the applicable provisions in subpart C of this part.</li> <li>—Non-metallic and the MAOP is 125 psig (862 kPa) or less.</li> </ul>	<p>Area 1. Class 3, or 4 location .....</p> <p>Area 2. An area within a Class 2 location the operator determines by using any of the following three methods:</p> <p>(a) A Class 2 location;</p> <p>(b) An area extending 150 feet (45.7 m) on each side of the centerline of any continuous 1 mile (1.6 km) of pipeline and including more than 10 but fewer than 48 dwellings; or</p> <p>(c) An area extending 150 feet (45.7 m) on each side of the centerline of any continuous 1000 feet (305 m) of pipeline and including 5 or more dwellings.</p>	<p>If the gathering pipeline is in Area 2(b) or 2(c), the additional lengths of line extend upstream and downstream from the area to a point where the line is at least 150 feet (45.7 m) from the nearest dwelling in the area.</p> <p>However, if a cluster of dwellings in Area 2(b) or 2(c) qualifies a pipeline as Type B, the Type B classification ends 150 feet (45.7 m) from the nearest dwelling in the cluster.</p>
C	<p>Outside diameter greater than or equal to 8.625 inches and any of the following:</p> <ul style="list-style-type: none"> <li>—Metallic and the MAOP produces a hoop stress of 20 percent or more of SMYS;</li> <li>—If the stress level is unknown, segment is metallic and the MAOP is more than 125 psig (862 kPa); or</li> <li>—Non-metallic and the MAOP is more than 125 psig (862 kPa).</li> </ul>	Class 1 location .....	None.
R	—All other onshore gathering lines .....	Class 1 and Class 2 locations .....	None.

Riverfront is requesting its previously classified transmission lines receive a new interpretation following the guidelines for determination both Class 1 lines that are under 8.625 in diameter and under 10 miles resulting in Reclassing as Type R. Incidental Gathering.

Please give me a call with any questions you may have regarding this request.

Thank you,



Jennifer Sebo

Production Tech

RIVERFRONT EXPLORATION, LLC

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