



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

FEB 27 2017

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

Ms. Mary S. Friend
Director of Public Safety
Public Service Commission of West Virginia
201 Brooks Street
Charleston, WV 25301-1803

PHMSA-2017-0011

Dear Ms. Friend:

On December 30, 2016, the Pipeline and Hazardous Materials Safety Administration (PHMSA) received a notice from the Public Service Commission of West Virginia, (Commission) informing us that it issued a State waiver to Union Carbide Chemicals and Plastics Co Inc., (UCC), granting modification of compliance with 49 CFR 195.116(d), as adopted by SCR24B-2-1 of the West Virginia Administrative Code. Specifically, pursuant to 49 CFR 195.116(d), which references API 6D for pressure tests, the UCC requested the waiver to use API 598 valve seat pressure testing method as an equivalent valve seat testing method.

Under 49 U.S.C. 60118(d), a State authority must give PHMSA written notice of the waiver at least 60 days before its effective date to ensure PHMSA has opportunity to review the proposed waiver and raise any objection should PHMSA have one. PHMSA has no objections to the waiver as written, but requests that if the Commission prepares an additional Final Order for UCC, a copy of that order be sent to PHMSA for review.

My staff would be pleased to discuss this matter or any other regulatory matter with you. Cameron Satterthwaite, Acting Director, Division of Standards and Rulemaking, may be contacted at 202-366-0319, on regulatory matters and Kenneth Lee, Director of Engineering and Research Division, may be contacted at 202-366-2694, on technical matters specific to this waiver.

Sincerely,

Alan K. Mayberry
Associate Administrator for Pipeline Safety