

PI-73-0104

January 10, 1973

M. W. A. Elliott
Senior Vice President
Williams Brothers Pipeline Company
P.O. Drawer 3448
Tulsa, Oklahoma 74101

Dear Mr. Elliott:

This refers to your correspondence dated December 4, 1972, concerning pipeline markers at the residence of Stephen P. and Evelyn V. Stimac.

With exceptions not here pertinent, Section 195.410(a) specifically provides that a marker shall be placed ". . . over each buried line. . ." Therefore, you are correct in your interpretation. When we stated in our previous letter that the Federal regulations on line markers afford necessary flexibility to the carrier in his method of compliance, we had reference to such things as vertical positioning, overall size, or height of markers which are not wavered by the regulations. We were not suggesting that you develop a marking policy that did not comply with Section 195.410. The safety objective will not be met if you are allowed to mark multiple lines with only one line marker. Therefore, we do not agree that using a single marker over multiple lines in residential areas such as the Stimacs' is an acceptable solution.

In our previous letter we referenced the API publication for marking liquid pipelines. In this publication API recognized that different type markers could be used and suggested some alternatives for the operators' consideration.

Please review your policy for marking pipelines in residential areas. We suggest that you consider developing a marking policy that would be more satisfactory to the property owners and still comply with Section 195.410.

If we may be of any further assistance to you in this matter, please advise.

Sincerely,
SIGNED
Joseph C. Caldwell
Director
Office of Pipeline Safety

Williams Brothers Pipeline Company
P.O. Drawer 3448
Tulsa, Oklahoma 74101

December 4, 1972

Mr. Joseph C. Caldwell
Director
Office of Pipeline Safety
Office of the Secretary of Transportation
Washington, D. C. 20590

Dear Mr. Caldwell:

We refer to your letter to me of October 17, 1972 concerning inquiries you had received from Senator Robert Dole and Representative Larry Winn, Jr. concerning pipe line markers at the Stephen P. and Evelyn V. Stimac's residence. The Stimac's live at 2736 North 45th Street, Kansas City, Kansas.

You suggested that we consider developing a marking policy that would be more satisfactory to the property owners and still provide an equivalent degree of safety. We have multiple pipe lines at this location which are patrolled twice a week by helicopter. Adjacent to our pipe lines, the Phillips Petroleum Company has multiple pipe lines. We attempted to mark this line so that the helicopter could exactly determine the location of each line. We admit that we made a mistake in using our Company identification panels, which are 6 inches by 18 inches, and believe that our purpose will be served, by using only the round API recommended sign.

Our interpretation of both DOT and API recommendations indicate that a marker should be over each pipe line. The exceptions literally would not apply since marking is practical and the local Government does not maintain accurate, current substructure records. However, we admit that the multiple marking, at least in this case, is objectionable to the home owner, and as an alternative, believe the only concession that may be acceptable is, to use a single warning sign with a rectangular panel attached below giving the number of pipe lines. At a location where the lines cross streets in an acute angle, the single sign is not as safe as the multiple signs, but will furnish some protection.

Attached are three pictures and a Xerox of a picture showing the pipe line crossings at this location. Pictures 1 and 2 are across the street from the Stimac's property. Pictures 3 and 4 show the Stimac property. In this residential location, we have placed these round warning signs on 2-foot steel stakes. Since the vegetation is kept down, we believe this is adequate. Picture 4 shows the four markers as initially installed at the Stimac's. Someone has pulled up all four of the markers and replaced one of them in the shrub that is just in front of the car.

When this problem initially developed and we discussed it with your office, we understood that there was some hesitancy about granting an exception to a marker over each pipe line. If you are agreeable to our attempting to solve this problem with a single marker and a plate showing the number of pipe lines, we will be agreeable to such a marking, even though some protection is sacrificed.

Incidentally, the neighbors across the street, as indicated in picture 2, have permitted the multiple marking to remain. On Thanksgiving Day, the water main underneath one of our 8-inch pipe lines broke and,

because the line was marked, our people were called before the water main break was excavated. Had this been on the other side of the street, it is questionable that we would have been called because the single warning sign remaining is hidden in the shrub and the lines cross at such an angle that the water line repair crew may not have been aware of them.

Our signs in this residential development are all on city-owned land. However, this strip of grass on each side of the street is maintained by the landowner, and we agree that we must take his wishes into consideration.

I would appreciate being advised if you are agreeable to our using a single marker over multiple lines in congested areas such as this.

Yours very truly,
WILLIAMS BROTHERS PIPE LINE COMPANY
W.A. Elliot

October 17, 1972

Mr. W. A. Elliott
Senior Vice President
Williams Brothers Pipeline Company
P.O. Drawer 3448
Tulsa, Oklahoma 74101

Dear Mr. Elliott

This office recently received inquiries from Senator Robert Dole and Representative Larry Winn, Jr. concerning pipeline markers on the front lawn of Stephen P. and Evelyn V. Stimac's residence.

The Stimac's live at 2736 N. 45th Street, Kansas City, Kansas. They have expressed their grave dissatisfaction with the method that was used to mark the location of the pipeline that crosses 45th street. They have requested a modification as to size and number of these markers in a purely residential area.

The markers you installed do comply with the Federal minimum safety regulations for the Transportation of Liquids by Pipeline, 49 CFR, Part 195, Section 195.410. However, the Federal regulation on line markers is a regulation which affords necessary flexibility to the carrier in his method or compliance. Accordingly, the regulation does not set forth any requirement with regard to vertical positioning, overall size, or height of markers all of which may reasonably vary to meet a local situation. The carrier could utilize one style marker for open county and a completely different style for a residential area and still comply with the minimum Federal safety standard with respect to location, letter size, and color.

The American Petroleum Institute, Division of Transportation, published a recommended Practice for marking Liquid Petroleum Pipeline Facilities, dated October, 1971. In this recommended practice API gives detailed specifications for the type of marker you have apparently utilized on marking the pipelines that cross 45th street. However, in that document API also recognizes that there are certain situations where the conventional marker may not be appropriate. In paragraph 2.8 some alternatives in the type and method of marking a pipeline are suggested.

In the present situation, since Williams Brothers is in compliance with the Federal standards, and therefore meets the safety objective, we believe the matter is one to be resolved between the property owner and the carrier. However, in view of the flexibility afforded by the regulations, the complaint, and the Congressional interest, it is suggested that Williams Brothers review their policy for marking of pipelines in residential areas. We suggest that you consider developing a marking policy that would be more satisfactory to the property owners and still provide an equivalent degree of safety.

If you desire any additional information or wish to further discuss our comments, please contact this office. I would appreciate being advised of any action taken and the final resolution of this problem.

Sincerely,
SIGNED
Joseph C. Caldwell
Director
Office of Pipeline Safety