

PI-73-0114

August 1, 1973

Mr. Joseph Enright, Inspector
Bureau of Fire Prevention
Mehlville Fire Protection District
11020 Mueller Road
St. Louis, MO 63123

Dear Mr. Enright:

This is in response to your letter of July 13, 1973, requesting information pertaining to rights-of-way for existing pipelines.

Section 195.210(a) of the Federal liquid pipeline safety regulations (49 CFR) requires the pipeline right-of-way to be selected "... to avoid, as far as practicable, areas containing private dwellings, industrial buildings, and places of public assembly." Section 195.210(b) further requires that "No pipeline may be located within 50 feet of any private dwelling, or any industrial building or place of public assembly in which persons work, congregate, or assemble, unless it is provided with at least 12 inches of cover in addition to that prescribed in Section 195.248." However, as stated in Section 195.200, these requirements are applicable only to the construction of new pipeline systems with steel pipe, or for relocating, replacing, or otherwise changing pipe. These regulations became effective on April 1, 1970. It is not applicable to the construction of buildings in relation to an existing pipeline. Enclosed is a copy of 49 CFR Part 195, covering the safety regulations for liquid pipeline carriers.

Once the pipeline is in place, these regulations have no limitations on how close surface structures can be placed to the pipeline. The 50-foot restriction in Section 195.210 applies only to installation of the pipeline and does not affect any subsequent encroachment by the surface-holder. The width of the operator's right-of-way would be the only limiting factor. Easements and rights-of-way would be the only limiting factor. Easements and rights-of-way are matters of local law and are not encompassed within the safety jurisdiction of the Department of Transportation. Our regulations apply to pipelines and do not purport to apply to buildings or other constructions.

We hope this information is helpful and if you have any further questions, please do not hesitate to ask.

Sincerely,
Original signed by;
Joseph C. Caldwell
Director
Office of Pipeline Safety

Mehlville Fire Protection District
11020 Mueller Road
St. Louis, MO 63123

July 13, 1973

Department of Transportation
Office of Pipeline Safety
TSA-32
400 Sixth Street S. W.
Washington, D. C. 20590

Gentlemen:

We are interested in receiving any information regarding buildings being built on right-of-ways or directly over the top of flammable liquid pipe lines.

Specifically, we are interested to know how far away buildings should be built from existing flammable liquid pipe lines.

Please forward any information you might have to this office. Thank you!

Very truly yours,
MEHLVILLE FIRE PROTECTION DISTRICT
Joseph Enright
Inspector
Bureau of Fire Prevention