

PI-81-0112

August 18, 1981

Mr. E. L. Schmitt
Nicotine Manufacturing Corporation
1525 Liberty Avenue
Pittsburgh, PA. 15222

Dear Mr. Schmitt:

This refers to your letter of April 16, 1981, in which you requested the advice of this office on what action you should take so that the use of malleable iron covers on your 275 WOG valves will conform to applicable standards in 49 CFR part 192. As you noted in your letter, §192.145 requires that valves meet the minimum requirements, or the equivalent, of the industry standard, API 6A, API 6D, or MSS SP-70, all three of which require steel covers to be used on your 275 WOG valves.

Since §192.145 permits the equivalent of the standard quoted above to be used, you may use a malleable iron cover in complying with §192.145 if it can be demonstrated that the 275 WOG valve constructed with a malleable iron cover would provide at least the same level of safety under expected operating conditions as one constructed with a steel cover. You may use any qualified expertise in making this determination, but one source, of course, would be industry groups responsible for the quoted standards. This office does not make equivalency determinations for manufacturers or operators; however, Federal or State inspection personnel may judge the correctness of any determination as part of their enforcement duties when visiting an operator's facilities.

To answer your question as to whether you should formally request a waiver, if equivalency is demonstrated there is no need for a waiver since §192.145 would be satisfied. Moreover, section 3 of the Natural Gas Pipeline Safety Act of 1968, as amended by Title 1 of the Pipeline Safety Act of 1979, permits the secretary of transportation to grant waivers only to persons engaged in the transportation of gas or the operation of pipeline facilities. Since it appears that you are engaged in the manufacturing of components for gas pipelines and not in the transportation of gas or operation of pipeline facilities, you would not fall into the category of petitioners to whom a waiver could be granted.

If equivalency cannot be demonstrated but there is reason to believe the 275 WOG valve can be used safely under expected operating conditions, you may petition us to amend §192.145 to allow the use of 275 WOG type valves with malleable iron covers in gas pipelines. Such a petition should clearly set forth the reasons why the valve should be permitted even though it does not provide the level of safety now required by §192.145.

Sincerely,
Melvin A. Judah
Acting Associate Director
Pipeline safety regulation
Materials Transportation Bureau

Kerotest Manufacturing Corp
2525 Liberty Avenue
Pittsburgh, PA 15222

April 16, 1981

Director, Office of Pipeline Safety Operations
Department of Transportation
2100 Second Street, S.W.
Washington D.C., 20590

Dear Sir:

Paragraph 192.145 of CFR stipulates that valves must meet the minimum requirements or the equivalent, of API 6A, API 6D, MSS SP-70, etc. Kerotest Mfg. Corp. at the present time has a unique situation regarding this paragraph. We have been manufacturing a line of valves, the Model 1 Valve, which was developed around 1960, exclusively for the natural gas industry. It had to be competitive with cast iron valves and yet have the capabilities of being welded in the line. This was accomplished by making the bodies of steel and the covers of malleable iron. This acceptable combination caused problems when it became necessary to adhere to a specific code.

We make a 275 WOG Series and a 500 WOG Series of valves. The 500 WOG is a cast iron rating (250 Series) and conforms to MSS SP-70 since this specification states you can construct the valve from more qualified material than cast iron. The 275 WOG is a steel rating (150 Series) and when the Federal Code incorporated API 6D, we had to put steel covers on this class of valves for conformance. Prior to this, we sold thousands of these valves with the malleable covers. Our interpretation of the Federal Code is that we are permitted to place a valve rated at 500 WOG with a malleable cover in a pipeline, but the 275 WOG valves, which is lower rated, must have a steel cover. This is not logical and we are looking for a way to justify using malleable covers.

We are requesting your comments on this situation and request you advise us on what action we should take to justify returning to malleable covers on the 275 WOG valves and still conform to the Federal Code. Should we formally request a waiver?

It is requested you give this some thought and notify us of your recommendations. Thank you for your time and effort.

Yours truly,
E. L. Schmitt
Kerotest Manufacturing Corporation