

PI-82-0107

July 28, 1982

Mr. Dale W. Johansen
Assistant Director, Gas Department
Engineering Section
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Dear Mr. Johansen:

We apologize for the lateness of our response to your letter of April 14, 1981, asking whether §192.357(d) requires nonrelief type service regulators, which would release gas only upon failure to have their breather vents vented to the outside atmosphere.

As indicated by the enclosed interpretations (dated October 12, 1973, and November 1, 1976), §192.357(d) does not apply to non-relief type service regulators because they do not release gas during operation. Nevertheless, nonrelief type service regulators that have breather vents are subject to the requirements of §192.355(b)(2) and must be installed so that gas escaping from the vents in the event of diaphragm or other failure is released into the outside atmosphere. We trust that this response will satisfy your concerns.

Sincerely,

SIGNED

Melvin A. Judah

Acting Associate Director for

Pipeline Safety Regulation

Materials Transportation Bureau

U.S. Department of Transportation
Research and Special Programs Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

November 1, 1976

Mr. Leonard M. Coffelt
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65101

Dear Mr. Coffelt:

This responds to your letter dated September 21, 1976, asking that we review a previous interpretation dated October 12, 1973, regarding 49 CFR 192.357(d). You ask whether that interpretation permits "service regulators to be installed within a building without venting the diaphragm breather vent to the outside atmosphere."

Section 192.357(d) reads:

"Each regulator that might release gas in its operation must be vented to the outside atmosphere."

The October 12, 1973, interpretation essentially provides that Section 192.357(d) does not apply to a regulator which does not release gas in its operation.

That interpretation was not intended to permit installation of a regulator with a diaphragm breather vent inside a building without placing the discharge end of the vent outside the building. Sections 192.199(e) and 192.355(b)(2) are clear that the outlet of each regulator vent must be located outside.

Sincerely,
Original Sign By
Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations

Missouri Public service Commission
P.O. Box 360
Jefferson City, Missouri 65102

April 14, 1981

Melvin A. Judah
Acting Associate Director
OPSR-MTB-RSPA-DOT
400 7th Street, S.W.
Washington, D.C. 20590

Dear Mr. Judah:

It is requested that an interpretation be made on the following point of concern related to Part 192.

Question: Is the phrase "in its operation", as contained in 192.357(d), intended to imply "normal" operation?

This interpretation is being requested to help clear up a point as to whether or not non-relief type service regulators, which would release gas only upon failure, are required to have their breather vents vented per 192.357(d).

Should you have questions concerning this request, please feel free to contact me at 314/751-3456.

Sincerely,
Dale W. Johansen, Assistant Director
Gas Department - Engineering Section

U. S. Department of Transportation
Research and Special Programs Administration

MEMORANDUM

Date: JUL - 1 1982 Reply to Attn. of: Fulton/63046

Subject: INFORMATION: Interpretation of Section 192.357(d)

From: Frank E. Fulton
Chief, Pipeline Safety Enforcement Division, DMT-13

To: Melvin A. Judah
Acting Associate Director for Pipeline Safety Regulation, DMT-30

The OOE does not concur with the attached proposed interpretation of Section 192.357(d). It is our opinion that the interpretation is inconsistent with present day industry practice, original intent of the regulation, and previous interpretations dated October 12, 1973, and November 1, 1976 (copies attached). (Also, note that the November 1, 1976, interpretation was to the Missouri PSC.) Several State agencies, Region Chiefs, and gas operators were contacted to confirm present day practices. The opinions expressed were unanimous that all regulator vents should for safety purposes be vented to the outside atmosphere. Past enforcement practices have required that regulator vents be treated in that manner. That practice is being complied with and it is recommended that the interpretation of November 1, 1976, be maintained.

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Attachments

Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

March 16, 1982

Mr. L. D. Santman
Director, Materials Transportation Bureau
Department of Transportation
400 7th street, S.W.
Washington, D.C. 20590

Dear Mr. Santman:

This letter is being written pursuant to what I feel are extremely lengthy delays in receiving answers to requests for interpretations of Part 192 pipeline safety standards submitted to the OPSR.

I currently have two (2) requests for interpretations which I feel are quite overdue for reply. The first was submitted to the OPSR April 14, 1981, and resubmitted through Mr. Frank Fulton November 17, 1981. The second was submitted to the OPSR November 24, 1981, through Dr. Paullin. Both of these requests relate, as do nearly all of my requests, to areas of possible non-compliance discovered during compliance inspections. Answers to these requests are necessary before I can proceed with necessary and proper compliance actions.

While this letter specifically addresses the problems I have had receiving interpretations, I feel it should be pointed out that other states in the Central Region have also experienced the same difficulty and in at least one case the delay has been even more extreme than my worst case cited above.

Copies of the above-referenced requests are enclosed. I will most certainly appreciate any actions you can take to have these answered in the near future as well as actions you can take to keep this problem from occurring in the future. Should you have questions concerning this matter, please feel free to contact me at 314/751-3456.

Sincerely,
Dale W. Johansen, Assistant Director
Gas Department - Engineering Section

MEMORANDUM

To: Melvin Judah through Robert L. Paullin

From: Dale W. Johansen
Pipeline Safety liaison Representative
Missouri Public Service Commission

SUBJECT: Request for interpretation of Section 3(a)(1) of The Natural Gas Pipeline Safety Act.

DATE: November 24, 1981

Pursuant to a recent compliance inspection, Laclede Gas Company has questioned the retroactive application of Subpart I of Part 192. Laclede's contention is that the "design" of cathodic protection systems is included in the "design" standards which Section 3(a)(1) of The Natural Gas Pipeline Safety Act prohibits from being applied to pipeline facilities in existence on the date the standards were adopted.

This position was discussed quite extensively at a recent meeting which was attended by Laclede's Chief Engineer, Ed Ondak, and myself. There was no consensus opinion reached. Laclede has been informed, in writing, that the Missouri PSC Staff does not agree with their position, however, prior to any further compliance actions I feel it is necessary to receive MTB's official position regarding this matter. Enclosed for your information is the most recent correspondence between Laclede and myself regarding this matter.

I will certainly appreciate the most expeditious treatment you can offer in answering the following question:

Do the "design" standards referenced in Section 3(a)(1) of The Natural Gas Pipeline Safety Act include the "design" of cathodic protection/systems as required by Subpart I of Part 192?

Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

November 17, 1981

Mr. Frank Fulton, Chief
Pipeline Safety Enforcement Division
MTB-RSPA-DOT
400 7th Street, S.W.
Washington, D.C. 20590
Dear Mr. Fulton:

Pursuant to a conversation I had with Ed Ondak yesterday, please find enclosed a copy of my letter to Melvin Judah requesting a code interpretation. I would certainly appreciate any help you can give me in getting this interpretation. If you have any questions concerning this matter, please feel free to contact me at 314/751-3456.

Sincerely,
Dale W. Johansen, Assistant Director
Gas Department-Engineering Section