

Mr. L. M. Furrow
U.S. Department of Transportation
Research and Special Programs Administration
400 Seventh Street, SW
Washington, D.C. 20590

Dear Mr. Furrow:

I am on a nine member advisory council to the newly appointed Pipeline Safety Commissioner of the State of Minnesota. My position on this council is that of representing the design and construction portion of the pipeline industry. We met for the first time Wednesday, September 30th. In the course of this meeting, a question was raised concerning the material "included by reference" in the D.O.T. regulations.

Several month ago, I discussed this subject with you at which time you essentially told me that the only matter incorporated by reference is the specific article or paragraph referenced in the D.O.T. regulations. The example I used in my discussion with you was ASME (ANSI) B31.4. Although this document is listed in 195.3, it is my understanding that only those articles or paragraphs specifically called out in the regulations are applicable. In the case of B31.4, for example, I can find only one reference to that standard. This is located in 195.110(a) and refers to B31.4, Section 419. Since this is the only reference I can find in the regulations mentioning B31.4, I understand that to be the only portion of B31.4 that must be followed.

If I have misinterpreted our discussion on this matter, I would certainly like to know. If you could address my concern by way of letter in order that I may pass it on to the Advisory Council, I would be most appreciative. Perhaps there are some prior rulings that have been made on this subject that will be helpful. Also, any history of the formulation of the 192 and 195 regulations would be on interest.

I fear this Advisory Council does not fully understand the existing D.O.T. regulations or their origin. Since these are the regulations on which we hope to offer advise to the pipeline Safety Commissioner, I think we need to have a better understanding of them. Your help in this area would invaluable.

Sincerely,

Ronny C. Davenport
Regulations Compliance Coordinator