

Mr. John Fee
Chairman, Annandale District Council
C/O Supervisor's Office
4414 Holborn Avenue
Annandale, VA 22003

Dear Mr. Fee:

This responds to your petition P-45 dated January 26, 1991, requesting the revision of 49 CFR 195.412(a) to prohibit aerial inspections of pipeline rights-of-way in areas with population densities greater than 1000 people per square mile. You feel that low altitude flights at the required inspection frequency in such populated areas are ineffectual and present noise and other dangers of their own to public safety.

Section 195.412(a) of the Hazardous Liquid Pipeline Safety Regulations states: "Each operator shall, at intervals not exceeding 3 weeks, but at least 26 times each calendar year, inspect the surface conditions on or adjacent to each right-of-way." This standard permits the pipeline operator to select an appropriate method of implementation.

The use of airplanes and helicopters to perform these inspections complies with the regulation. Aerial inspections are an established industry practice and we consider such inspections to be an effectual way to disclose excavation activities on either side of the right-of-way that occasionally extend to the pipelines within the right-of-way. Checking for excavation activities is an important part of the inspection, because excavation activities, or "dig-ins," are the leading cause of damage to underground pipelines.

We have no reports of accidents associated with aerial inspections of pipelines to indicate that aerial inspections have endangered public safety.

For these reasons, we do not have a basis for revising 49 CFR 195.412(a).

Sincerely,

Cesar De Leon

Director of Pipeline Safety
Regulatory Programs