

PI-71-0106

April 23, 1971

Mr. M.U. Bagwell  
Colonial Pipeline Company  
3390 Peachtree Road, N.E.  
Lenox Towers  
Atlanta, Georgia 30326

Dear Mr. Bagwell:

This is in reply to your letter of March 2, 1971, concerning the requirement of 49 CFR, Section 195.262(d)(2) that pumping equipment be installed not less than 50 feet from the pump station boundary.

This requirement is imposed in order to provide adequate clearance from adjacent property so as to minimize the communication of fire from structures on those properties to the pump station or from the pump equipment to nearby structures. Consideration was also given to the necessity for access of emergency equipment such as fire engines.

Therefore, the regulation does not impose a requirement of distance from the centerline of the pump, but from the closest portion of the pump or pumping equipment.

Since the word "boundary" is not defined in the regulation, the ordinary dictionary meaning is to be used in determining the boundary of the station, i.e. the limit of the area over which the carrier has positive physical control.

If Colonial desires to petition for a waiver, as indicated by your letter, then we request that you provide us with the following information:

- (1) The reason for requesting the waiver, including facts which support your contention that compliance with the regulations is not practicable.
- (2) Requirements that will assure that if the waiver is granted there will be no adverse safety consequences either to the public or to the facility.
- (3) The commodity or commodities to be transported.

If we can be of further assistance, please let us know.

Sincerely,  
Carl V. Lyon  
Acting Administrator