

May 9, 1972

Mr. David R. Griffin  
Tenneco, Inc.  
402 Solar Building  
Washington, D.C. 20036

Dear Mr. Griffin:

This will acknowledge receipt of your letter dated April 19, 1972, regarding an interpretation printed in Advisory Bulletin 72-2.

In order to clarify this interpretation, the statements that you indicated appear to conflict could be stated as follows:

"The Occupational and Health regulations apply to the safety of the workers. However, where safety in the transportation of gas demands regulations affecting work conditions of workers then the Department of Transportation assumes jurisdiction." The second sentence expresses an exception to the sentences immediately preceding it. Any regulations developed by the Office of Pipeline Safety of the Department of Transportation affecting work conditions of workers would be based upon the need for safety in the transportation of gas.

Section 4(b)(1) of the Occupational Safety and Health Act (29 U.S.C. 653(b)(1)) delineates the regulatory interface between OSHA and OPS. This section states:

"Nothing in this chapter shall apply to working condition of employees with respect to which other Federal agencies . . . exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health."

Therefore, OSHA regulations will not conflict or overlap with regulations promulgated by the Office of Pipeline Safety.

We trust that this will clarify this matter for you. If we can be of further assistance, please let us know.

Sincerely,

Joseph C. Caldwell

Director  
Office of Pipeline Safety