

PI-72-0116

November 10, 1972

Mr. Jeremiah D. Finnegan
General Counsel
Missouri Public Service Commission
Jefferson Building
Jefferson City, Missouri 65101

Der Mr. Finnegan:

Your letter of October 26, 1972, questions whether 18 U.S.C §§831-835 and 49 USC §1655(e)(4) cover the transportation of anhydrous ammonia in pipelines. You describe the pipelines in question as interstate lines having a pumping station with storage facilities but no terminals within the State.

The statutes to which you refer are the same as we cited in our letter of September 28, 1972. These statutes are the authority under which the Department of Transportation regulates the transportation of hazardous materials, including anhydrous ammonia, by pipeline in interstate commerce.

For your further information, the statutory authority in this regard is implemented in the regulations contained in 49 CFR Part 195 entitled "transportation of Liquids by Pipelines." A copy of Part 195 is enclosed. The scope of Part 195 is set forth in §195.1. since anhydrous ammonia is listed as a hazardous material in Part 172, its transportation by pipeline in interstate commerce is governed by Part 195.

If we may be of further assistance, please call on us.

Sincerely,
SIGNED
Joseph C. Caldwell
Director
Office of Pipeline Safety

Missouri Public Service Commission
Jefferson Building
Jefferson City, Missouri 65101

October 26, 1972

Mr. Joseph C. Cardwell
Director of Pipeline Safety
Office of the Secretary of Transportation
Washington, D. C. 20590

Dear Mr. Cardwell:

In reference to your letter dated September 28, 1972 regarding the transportation of anhydrous ammonia, which was in answer to a letter from this office, there is one other question that I would like clarified at this time. Does the same section which you quoted in your letter, namely, 18 U.S.C. Section 831 through 835 and 49 U.S.C. Section 1655(e)(4), cover the transportation of anhydrous ammonia in pipelines. In other words, the anhydrous ammonia will be transferred through pipelines routed through the State of Missouri with no terminals located within the State of Missouri but will have a pumping station with storage facilities in the state.

Thanking you in advance, I remain

Very truly yours,
Jeremiah D. Finnegan
General Counsel

Mr. Jeremiah D. Finnegan
General Counsel
Missouri Public Service Commission
Jefferson Building
Jefferson City, Missouri 65101

September 28, 1972

Dear Mr. Finnegan:

This is in reply to your letter of September 12, 1972, in which you ask whether the Department of Transportation views the transportation of anhydrous ammonia as coming under the Natural Gas Pipeline Safety Act, 49 USCA, Section 1671 et seq.

You are advised that the transportation of anhydrous ammonia is not considered to come within the provisions of the Natural Gas Pipeline Safety Act. Rather, it is regulated under the authority of 18 USC, Section 831-855 and 49 USC, 1655)(6)(4).

If you have further questions in this regard, we will be pleased to respond.

Sincerely,
Original signed by:
Joseph C. Caldwell
Director
Office of Pipeline Safety