

operators install line markers at certain locations, those areas where the operator and outsiders are participating in a coordinated effort under law to prevent interference with underground pipelines by persons likely to cause damage. The precise role and extent of participation of each party to this program, including appropriate officials where applicable, depends on the nature of the program established by law.

"The requirement of Section 1926.651(a) does not satisfy this purpose for two reasons. First, the requirement is not binding on all persons likely to interfere with underground pipelines. Its scope is limited to persons engaged in construction Secondly, the 'program' contemplated by Section 1926.651(a) is one-sided in that it does not require pipeline operators to provide information or furnish assistance in response to notice by contractors."

Relates to 49 CFR, ?195.302, ?195.304, ?195.308, and ?195.2

Question: Does Section 195.308 require that pipe at tie-ins be hydrostatically tested if a carrier has a manufacturer's certification for the pipe in accordance with Section 195.304?

OPSO Interpretation:... "As a general requirement under Section 195.302, each pipeline system or part thereof which is installed, relocated, or replaced, must be hydrostatically tested by the carrier. The purpose of Section 195.308 is to provide that in hydrostatically testing pipe associated with tie-ins in a pipeline system, the test may be made either with the section to be tied in or separately.

"The exception from the general requirement under Section 195.304, where the manufacturer of a component makes a certification regarding hydrostatic testing at the factory, does not apply to pipe.

"While Section 195.2 includes the term 'pipe' within the definition of the term 'component,' the two terms are used distinctly in Section 195.304 to provide that only components other than pipe need not be hydrostatically tested.

"Under this interpretation, a hydrostatic test performed on pipe at the factory would not meet the requirements of Section 195.302 and 195.308 that pipe at tie-ins be hydrostatically tested by the carrier for at least 24 hours either with the section to be tied in or separately."

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The Secretary of Transportation has determined