

Mr. T. K. Spalding, Director
Gas Pipeline Safety Division
West Virginia Public Service Commission
Charleston, West Virginia 25305

Dear Mr. Spalding:

This refers to your letter of March 8, 1976, discussing problems in enforcing the Federal Gas pipeline safety standards against small operators in West Virginia.

The first problem concerns the requirement of Section 192.457(b) that certain pipelines be cathodically protected "in areas in which active corrosion is found." Section 192.457(c) defines "active corrosion" as "continuing corrosion which, unless controlled, could result in a condition that is detrimental to public safety." The office of Pipeline Safety interpreted the requirement to apply "if the continuing corrosion could at some future time result in a condition that is then detrimental to public safety, even though today such condition does not exist."

The purpose of that interpretation was to explain that an operator must consider whether hazards are likely to arise in the future due to continuing corrosion rather than just consider the immediate circumstances. We believe that it would be incorrect to conclude that the interpretation results in a requirement "to stop corrosion per se" or that "all pipelines regardless of location must be cathodically protected." On the contrary, as you say "stopping corrosion where public safety is involved," with an eye toward the likely future hazard presented by that corrosion, more appropriately states the meaning of the regulation.

Determining whether cathodic protection is mandatory under Section 192.457(b) is a two step process. First, an operator must find areas of continuing corrosion by electrical survey or other allowable methods. If continuing corrosion cannot be found by proper application of those methods, cathodic protection is not required. Secondly, where continuing corrosion is found, the operator must determine whether a condition detrimental to public safety could result therefrom, taking into account the short and long range effect of the corrosion on the pipeline, the pipeline's proximity to people, and all other factors relevant to public safety. If after consideration of all relevant factors, it can reasonably be concluded that a condition detrimental to public safety would not be likely to result, cathodic protection is not required. If a pipeline remains unprotected, Section 192.465(e) requires that it be re-evaluated every 3 years for the existence of "active corrosion."

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The second problem concerns the requirement for cathodically protecting a pipeline which is located so that the bottom portion is buried and the top portion extends above the ground level. You give various reasons why cathodic protection should not be required which apply to leaks occurring on aboveground pipelines. We believe, however, that subjecting a partially buried pipeline to the same cathodic protection requirements applicable to a fully buried pipeline is justifiable. The same electrochemical agents which cause corrosion on underground pipelines are equally active with respect to a partially buried pipeline.

Finally, you suggest that upon request by the Fifty-Two Gas Company for a waiver from compliance with the requirement for periodic testing of odorant level, and after investigation and approval by the Commission, that we should grant the waiver for a specific time period. The limited information which your letter includes as to the natural odor of the gas does not in our opinion justify the granting of a waiver from the periodic testing requirement. Should the Commission decide that a waiver is appropriate, we will of course review the matter in accordance with the procedures set forth in Sec. 3(e) of the Natural Gas Pipeline Safety Act of 1968.

We trust that we have satisfactorily responded to your inquiry.

Sincerely,

Cesar DeLeon
Acting Director
Office Of Pipeline
Safety Operations