

September 15, 1976

Mr. Arthur E. Evans
Executive Director
San Francisco Redevelopment
Agency
P.O. Box 646
San Francisco, California 94101

Dear Mr. Evans:

This refers to your letter of July 28, 1976, requesting that the corrosion control requirements of 49 CFR 192.457(b) be waived or that the deadline for compliance be extended to December 31, 1976, regarding pipelines at the Hunters Point Redevelopment Area. Since compliance with your request would involve the granting of a "waiver" within the meaning of Sec. 3(e) of the Natural Gas Pipeline Safety Act of 1968 (49 USC 1672 (e)), we have assigned the matter Docket No. Pet. 76-20W.

You have stated that it would be "fiscally imprudent" to comply with Section 192.457(b) by the August 1, 1976, deadline because of the "short lifetime of the remaining structures" served by the pipelines. We do not find that the pending demolition of structures is sufficient justification for granting a waiver. The August 1 deadline was established in 1971, allowing operators at least 5 years to make the necessary arrangements for compliance, and your letter does not indicate why you were unable to comply during this period. Also, even though the pipelines involved may have a short lifetime, the Federal standards are intended to provide for public safety whenever a pipeline is used to transport gas to consumers. Accordingly, your request is denied.

It is our policy not to grant waivers except upon a showing of cogent reasons why a general safety standard should not be followed in a particular situation or an alternative standard is more appropriate. In contrast, it appears from your letter that you intend to achieve compliance before the end of 1976. The Office of Pipeline Safety Operations and State agency compliance efforts include the discretionary action to defer imposition of a

penalty or other sanction while an operator executes a plan of compliance.

We have enclosed a copy of our recently published notice on corrosion control which may be helpful to you in complying with the requirements.

Sincerely,

Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations

Enclosure