

PI-76-0102

April 2, 1976

Mr. E. P. Hardin, President
Mobil Pipe Line Company
P.O. Box 900
Dallas, Texas 78222

Dear Mr. Hardin:

This refers to your letter of November 17, 1975, addressed to our Houston office, concerning a 14-mile section of pipeline previously used to transport liquid commodities which Mobil now plans to use for the transportation of ethylene gas. Your letter outlines several planned changeover procedures and indicates that the section will meet the operation, maintenance, and related recordkeeping requirements of 49 CFR Part 192. (Because the line is described as "100% under cathodic protection," we presume that Mobil also intends for it to meet the corrosion control requirements of Part 192.) You ask for our concurrence that the changeover procedures mentioned in your letter will satisfy all requirements of this Department applicable to converting the section from liquid to gas service.

The Department's safety regulations for gas pipeline in 49 CFR Part 192 do not provide specific procedures for converting a pipeline from liquid to gas service. However, Section 192.13(a) provides that "No person may operate a segment of a pipeline that is readied for service after March 12, 1971, unless that pipeline has been designed, installed, constructed, initially inspected and initially tested in accordance with this part." The effect of this regulation is to make Part 192 fully applicable to the 14-mile section as soon as it is placed in operation. Just as if it were a new pipeline, the 14-mile section would have to comply with applicable materials, design, installation, construction, and testing requirements in addition to the corrosion, operation, maintenance, and recordkeeping requirements mentioned above.

We regret that we are unable to give the concurrence which you requested because the procedures outlined in your letter do not indicate that Mobil is taking steps to bring the pipeline into compliance with all applicable requirements of Part 192. The procedures should provide for a complete evaluation of the 14-mile section to determine what actions are necessary to ensure full compliance at the time of operation.

We recognize the difficulty in bringing an existing pipeline into compliance with many of the regulations applicable to new pipelines. Therefore, Mobil may wish to file a petition for a waiver from compliance with one or more of the regulations. Section 3(e) of the Natural Gas Pipeline Safety Act of 1968 (49 USC 1672(e)) provides that "Upon application by any person engaged in the transportation of gas or in the operation of pipeline facilities, the Secretary (of Transportation) may, after notice and opportunity for hearing and under such terms and conditions and to such extent as he deems appropriate, waive in whole or in part compliance with any standard established under this Act, if he determines that a waiver of compliance with such standard is not inconsistent with gas pipeline safety." A petition should state with respect to each regulation for which a waiver is sought, why the regulation is not appropriate, why the public interest would be served by granting the waiver, and why the waiver would not be inconsistent with gas pipeline safety.

We trust that our response is helpful to you.

Sincerely,
Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations