

PI-76-0110

August 30, 1976

Mr. Charles H. Phares
Attorney
Box 335
Central City, NB [sic] 68826

Dear Mr. Phares:

This confirms the telephone conversation between you and Mr. George L. Mocharko of this Office on August 6, 1976.

The Federal safety standards contained in Title 49 Code of Federal Regulations, Part 192, "Transportation of Natural and Other Gas by Pipeline," do not contain restrictions with regard to erecting dwellings on pipeline rights-of-way. However, this does not preclude the fact that local codes or the operator's right-of-way agreement with the landowner may contain restrictions.

Sincerely,

Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations

TO: Mr. Cesar DeLeon, Acting Director
Office of Pipeline Safety Operations
2100 2nd St. S.W.
Washington, D.C. 20590
MTP-1

FROM: Law Offices of
PHARES & TORPIN
Box 335
Central City, Nebraska 68826

DATE: 6 Aug 1976

SUBJECT: Restriction of Construction near Gas Pipeline

MESSAGE

A local builder, Allen D. King, Jr., inquires if you have restrictions concerning erection of single family dwellings within twenty-five (25') of a 250 lb. pressure natural gas line which is located in a 5' wide easement next to the street as shown on the accompanying map. The distribution line in questions serves a dehydrating alfalfa plant East of Central City and is owned by the plant operator, Land O'Lakes, Minneapolis, Minn 55440. The gas is supplied by Kansas-Nebraska Natural Gas Co., Hastings, NE. The line adjacent to the property in question is relatively new steel pipe, painted and wrapped and was installed within the past 2½ years. In a telephone conversation with Mr. Mocharko of your office today, he advised there were no restrictions and we would appreciated [sic] written confirmation of this advice. Thank you.

Signed _____