

PI-77-0101

Mr. Latta W. Cook  
Pipeline Safety Coordinator  
LP Gas Bureau  
Office of State Fire Marshal  
1114 E. Kennedy Boulevard  
Tampa, Florida 33602

Dear Mr. Cook:

Your letter of December 6, 1976, suggests that in referencing NFPA standard No. 58 under 49 CFR 192.11, the "current issue" be referenced, and that the referenced standard be applied to a petroleum gas system "up to the first stage regulator." You indicate that the suggested changes would give regulatory authorities guidance regarding which standard to apply up to the first stage regulator.

Amendment 192-22 to 49 CFR part 192, published in the Federal Register on March 31, 1976 (41 FR 13590), incorporated by reference the 1972 edition of NFPA standard no. 58 under 49 CFR 192.11 and appendix A to part 192. Later editions of the document will be reviewed and, if found acceptable, also proposed for incorporation by reference. We cannot, however, adopt your suggestion that the "current issue" be authorized for use since as a matter of law only a particular edition of a referenced standard can qualify as a Federal regulation. We do recognize the problems created when existing documents incorporated by reference become outdated and, as a consequence, endeavor to keep the references current.

In accordance with the definition of "service line" under 49 CFR 192.3, the Federal safety standards, including those under 192.11 applicable to petroleum gas systems, apply to pipelines up to a customer meter or the connection to a customer's piping, whichever is farther downstream. We believe that this jurisdictional limit is sufficient for all systems and that it would be confusing to establish a different jurisdictional limit, such as "up to the first stage regulator," in the case of petroleum gas systems.

Sincerely,  
Cesar DeLeon  
Acting Director  
Office of Pipelines  
Safety Operations

December 6, 1976

Mr. Cesar DeLeon  
Acting Director  
Office of Pipeline Safety Operations Materials  
Transportation Bureau Washington, D.C. 20590

Re: OPSO Advisory Bulletin No. 76-10 - October 1976 Interpretation of Regulation  
192.11

Dear Mr. DeLeon:

As we previously noted in a letter to Webster B. Todd, Jr., the State of Florida Liquefied Petroleum Gas Bureau considers the petroleum gas tanks connected to distribution systems (10 or more customers) are subject to the National Fire Protection Association Pamphlet 58 standards referenced in 192.11. Since this reference standard is in 192.11 then this becomes the standard applicable to the installation of the tanks and appurtenances.

This Standard is revised periodically and the referenced issue is 1969. Since the revisions are generally more stringent and afford more protection for the public, we suggest the referenced standard National Fire Protection Association Pamphlet 58 be the current issue of that standard.

We suggest to you a clarification to your interpretation would be: that portion of a petroleum gas distribution system up to the first stage regulator is subject to standards set forth in National Fire Protection Association Pamphlet 58 current issue.

This would then give regulatory authorities guidance of which standard to apply to that portion of the system up to the first stage regulator.

Sincerely yours,  
Latta W. Cook  
Pipeline Safety Coordinator