

January 24, 1978

Mr. Richard H. Ruth
Cities Service Gas Company
P.O. Box 25128
Oklahoma City, Oklahoma 73125

Dear Mr. Ruth:

This refers to your letter of January 4, 1978, asking whether Cities Service's Cleveland 4-inch natural gas pipeline was required by the Department's gas pipeline safety regulations (49 CFR Part 192) to be odorized on February 27, 1976, and whether those regulations require odorization of the line at the present time.

The odorization requirements of Part 192 (in effect since June 4, 1975) are contained in Section 192.625. The applicability of those requirements to the Cleveland 4-inch line depends on whether the line is classified under Part 192 as a "distribution line" or a "transmission line."

As defined in Section 192.3, a "distribution line" is "a pipeline other than a gathering line or transmission line." A "transmission line" is defined, in pertinent part, as "a pipeline, other than a gathering line, that...[t]ransports gas from a gathering line or storage facility...." Also, a "gathering line" is "a pipeline that transports gas from a current production facility to a transmission line or main."

Under these definitions, a pipeline is classified according to its function in the transportation of gas. It appears from the information submitted that the primary function of the Cleveland 4-inch line is to transport gas to the City of Cleveland's distribution system. It further appears that the gas being delivered is supplied by a series of interconnected pipelines running from certain gathering fields in Oklahoma. Given these circumstances, we find that the Cleveland 4-inch line is properly classified under the above definitions as a "transmission line."

Under the provisions of Section 192.625, gas in transmission lines was not required to be odorized until January 1, 1977, except for gas in transmission lines in States where odorization was required by the interim standards of Part 190 (see §192.625(g)). Since Oklahoma is not such a State, odorization was not required for gas in the Cleveland 4-inch line on February 27, 1976.

We are unable to determine whether, at the present time, gas in the Cleveland 4-inch line must be odorized. This question is answered by applying the provisions of Section 192.625(b); and your letter does not contain the information needed to apply this Section to the Cleveland line. Specifically, information is needed as to the Class locations along the pipeline, as defined by Section 192.5, and their lengths and relative positions. Under Section 192.5, a pipeline's Class location is defined in terms of the number of "buildings intended for human occupancy" within

220 yards on each side of the line. While we would be happy to offer any additional assistance you consider necessary, it should not be difficult to decide whether the Cleveland line must be odorized once the requisite information is obtained.

We are enclosing your letter, Exhibits A and B attached thereto, and a copy of 49 CFR Part 192 as you have requested.

Sincerely,

Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations

Enclosures

January 4, 1978

Mr. Cesar DeLeon
Office of Pipeline Safety
Department of Transportation
Operations Division
2100 Second Street, Southwest
Washington, D.C. 20590

RE: Request for Regulatory Ruling
and Opinion Concerning Department
of Transportation Odorization
Requirements

Dear Mr. De Leon:

Pursuant to our telephone conversation on January 4, 1978, I now forward to you the information which follows, and request an official ruling and opinion from your office as to the following:

- (1) Whether Department of Transportation regulations required odorization of natural gas within Cities Service's Cleveland 4-inch natural gas pipeline as of February 27, 1976, and;
- (2) Whether Department of Transportation regulations presently require odorization of said gas in said pipeline.

The opinion which we request is to be used in civil litigation in the District Court of Pawnee County, Oklahoma, on January 23, 1978 in the case of Margie Davis v. City of Cleveland, Oklahoma, and Cities Service Gas Company, No. C-76-146 and No. C-77-190, wherein Cities Service Gas Company is charged with negligence in failure to odorize its gas in its aforesaid Cleveland 4-inch pipeline.

The small map attached to this letter and marked as Exhibit A depicts the entire pipeline system of Cities Service Gas Company. Cities Service's Cleveland 4-inch pipeline is encircled on Exhibit A in red ink. The large map attached to this letter as Exhibit B is a more detailed map depicting the Cleveland 4-inch pipeline and other facilities in its vicinity. The Cleveland 4-inch pipeline is marked in yellow on Exhibit B.

The primary purpose of the Cleveland 4-inch pipeline is to transport natural gas from Cities Service's 16-inch pipeline to a delivery point at the north end of the Cleveland 4-inch line for delivery and sale to the municipal gas distribution system owned by the City of Cleveland, Oklahoma. This delivery point is referred to as the Cleveland Town Border.

At all times pertinent hereto eleven rural domestic farm tap customers received natural gas service from taps located on the Cleveland 4-inch line. In addition, two taps on this line serve oil companies with natural gas for use in oil pumping engines. Although the natural gas within the Cleveland 4-inch pipeline itself is not and was not odorized, the natural gas served to the domestic customers is odorized at the respective taps. Otherwise, the natural gas flowing in the Cleveland 4-inch pipeline is not odorized, and is delivered to the municipal distribution system in the City of Cleveland, Oklahoma at the Cleveland Town Border in an unodorized state. After this delivery the natural gas enters facilities owned by the City of Cleveland, and title thereto passes to the City.

The total length of the Cleveland 4-inch natural gas pipeline is 30,232 feet. Field surveys current as of February 27, 1976 indicate that 14,768 feet of this line had a population of ten or less per mile within 660 feet each side of the pipeline, 3,919 feet of this line had a population between ten and forty-six per mile 660 feet each side of the pipeline, and 11,545 feet of this line having a population of forty-six or more with no multi-story buildings 660 feet each side of the pipeline. Presently, 11,200 feet of this pipeline has a population of ten or less per mile within 660 feet each side of the pipeline, 5,987 feet of this line has a population between ten and forty-six per mile 660 feet each side of the pipeline and 13,045 feet of this line has a population of forty-six or more with no multi-story building 660 feet each side of this pipeline.

I request that your opinion as to Department of Transportation regulatory requirements for odorization of gas within the Cleveland 4-inch pipeline itself include a determination of whether this line is a distribution line, transmission line, or gathering line within the meaning of your regulations. I further request that you attach this letter and exhibits, to your rules and opinion and that you incorporate these by reference into your ruling and opinion.

I sincerely appreciate your cooperation in this matter. If you desire any further information in order to issue your ruling and opinion so as to reach me before January 23, 1978, please feel free to call me collect at 405/236-0601.

Very truly yours,

Richard H. Ruth