

January 31, 1980

Mr. O. Gordon Oldham
Secretary and Attorney for
West Texas Gulf Pipeline Company
P.O. Box 3725
Houston, Texas 77001

Dear Mr. Oldham:

In further response to your letter of December 5, 1979, we are enclosing the interpretation of section 195.10.

I trust that this will clarify this regulation and adequately respond to your inquiry.

Sincerely,

Cesar DeLeon
Associate Director for
Pipeline Safety Regulation
Materials Transportation Bureau

Enclosure

No. 80-3
Date: January 31

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
MATERIALS TRANSPORTATION BUREAU

PIPELINE SAFETY REGULATORY INTERPRETATION

Note: A pipeline safety regulatory interpretation applies a particular rule to a particular set of facts and circumstances, and, as such, may be relied upon only by those persons to whom the interpretation is specifically addressed.

SECTION: 49 CFR 195.10

SUBJECT: Responsibility of Carrier for Compliance with this Part.

FACTS: --

QUESTION: Does the language of this section or any other section or policy of the Department have the effect of holding a carrier liable to private citizens for injuries arising from operation of the carrier's pipeline, regardless of the fact that the carrier has contracted with another entity which operates the carrier's system with the operator's own employees?

INTERPR: Neither this section nor any other section or policy of the Department holds the carrier liable to private citizens in the situation you have described.

REFERNCE: Letter from O. Gordon Oldham, West Texas Gulf Pipeline Company, dated December 5, 1979.

Cesar DeLeon
Associate Director for
Pipeline Safety Regulation
Materials Transportation Bureau

