

FEB 24 1981

James L. Stanton, Esq.  
517 1/2 North Main Street  
Carroll, Iowa 51401

Dear Mr. Stanton:

This is in response to your recent letter as well as to your telephone conversation with Mr. Langley of our staff.

Gas pipeline safety standards are in 49 CFR Part 192. Section 192.11 governs petroleum gas systems. When a petroleum gas system, such as you describe, has fewer than 10 customers and no portion of the system is in a public place, it is not subject to the requirements of Part 192 nor the industry standards (National Fire Protection Association standards No. 58 and No. 59) referenced in section 192.11. Also, we have previously interpreted section 192.11 as not applying to single-tank-single-customer systems located on the customer's property, even though the system may cross part of the customer's property that is a public place.

Although it appears that Federal regulations do not apply, there may be Iowa State regulations, as Mr. Langley pointed out in your telephone conversation, that do apply.

A copy of Part 192, which you requested, is enclosed.

Sincerely,

Melvin A. Judah  
Acting Associate Director  
Pipeline Safety Regulation  
Materials Transportation Bureau

JAMES L. STANTON

ATTORNEY AT LAW  
517 ? NORTH MAIN STREET  
CARROLL, IOWA 51401  
????  
PHONE 712-792-9288

December 29, 1980

U. S. Department of Transportation  
Research & Special Programs Admin.  
Washington, D. C. 20590

Request for Information-Natural Gas Pipeline Act of 1968

Greetings:

Presently I am involved in trying to resolve a dispute over the installation of a replacement gas pipeline from an LP gas tank located on the same property in which my client installed the gas line from the LP tank to a building located on the same property. While I doubt very much that any federal regulation applies to this project since we are not dealing with "interstate commerce", I am advised that there might be certain federal regulations which might be applicable. In particular, I would like to have a copy of the regulations of the office of the Secretary of Transportation, (49 CFR Part 192).

I would appreciate your sending me copies of the above regulations and any other documents or regulations which, in your opinion, might be applicable to the above situation. As I stated above, I do not see how the federal regulations would cover a purely "in house" project in which the source of gas (LP tank) and the facility using the gas are connected by a pipeline all of which is on the owner's property. Your comments in this regard would also be appreciated.

Very truly yours,

JLS/mb

James L. Stanton

(See sketch over)

Certification with application form, contact the Qualification-Certification Manager in Miami: American Welding Society, 2501 Northwest 7th Street, Miami, Florida 33125, telephone (305) 642-7090.

THE READING RACK . . . Technical information relating to pipeline safety appears in the following industry publications (Note--copies of these articles are not available from OPSO, and inclusion here does not necessarily indicate that content is consistent with current Federal regulations).

GAS INDUSTRIES, Natural Gas Edition, April 1976, "The OPSO Odorization Requirements for Gas in Transmission Lines," Staff Report; May 1976, "Reminder Issued by OPSO on Corrosion Control Deadlines," Cesar DeLeon, Office of Pipeline Safety Operations; "Conclusions Announced in Study of Plastic Pipe Use," Jack W. Pierce, formerly with Toups Corp.  
GAS DIGEST, March 1976, "Monitoring Cathodic Protection of Isolated Services," George Hendrick, Southern California Gas Co.; "Intermountain Gas Updates System Odorization Operations," Oscar Kash, Intermountain Gas Co.  
EXCAVATING CONTRACTOR, May 1976, "Utility Alert Networks," Staff Report.  
PIPELINE AND UNDERGROUND UTILITIES CONSTRUCTION, April 1976, "Miss Dig Program Now Covers Upper Michigan," Staff Report.  
PIPELINE & GAS JOURNAL, May 1976, "Put Corrosion Control in Your Design Plans," William McGary, Henkels & McCoy, Inc.  
PIPE LINE INDUSTRY, May 1976, "Status of Automatic Welding for Onshore/Offshore Lines, Part 1," Harry C. Cotton, The British Petroleum Co. Ltd.  
OIL & GAS JOURNAL, May 10, 1976, "Improved Pipeline Coatings Emerge," J. R. Hancock, H. C. Price Co.; "Pipelining Plunges Into Deeper Water," Staff Report.

#### INTERPRETATION OF REGULATIONS

Relates  
to 49 CFR,  
§192.3

Question: Under the Natural Gas Pipeline Safety Act of 1968, at what point in a propane air peak-shaving facility does jurisdiction begin?

OPSO Interpretation: . . . "In a propane air peak-shaving facility, liquid propane is vaporized and mixed with air to supplement natural gas supplies during peak shaving. All 'pipeline facilities' are within the jurisdiction of the Act. 'Pipeline facilities' are defined in the Act to include 'without limitation . . . any equipment, facility, or building used in the transportation of gas or the treatment of gas during the course of transportation' (49 USC 1671 (4)). Peak-shaving facilities are an interrelated and often essential part of a gas distribution system and fall within the intended coverage of the term 'pipeline facilities.' Consequently, a propane air peak-shaving facility is in its entirety subject to the jurisdiction of the Act."

Cesar DeLeon  
Acting Director  
Office of Pipeline  
Safety Operations

The Secretary of Transportation has determined that publication of this periodical is necessary in the transaction of the public business required by law of this Department. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through November 30, 1976.