

PI-81-0100

February 24, 1981

James L. Stanton, Esq.  
517 ½ 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 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,

SIGNED

Melvin A. Judah

Acting Associate Director

Pipeline Safety Regulation

Materials Transportation Bureau

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."

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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 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 I) and the Delegation of Authority to Director, Office of Pipeline Safety, 133 F.R. 16468).

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 regulation 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,  
James L. Stanton