

Mr. Fred B. Adam, Director
Utilities Division, Kansas State
Corporation Commission
State Office Building
Topeka, Kansas 66612

This refers to your letter of February 23, 1982, to John McLellan, in which you authorized the Peoples Natural Gas Company to use plastic pipe material designated as PE3408, with a long term hydrostatic design basis of 1600 psi at 23°C, to serve irrigation customers in Class 1 areas.

Since your letter waived the design requirements of 49 CFR 192.121 for plastic pipe, the action is subject to the State agency waiver provisions of 49 U.S.C. 1671(d), which require that the Secretary of Transportation be given at least 60 days to review the matter before the Effective date of the waiver. Inasmuch as we have previously authorized a similar waiver action by the Tennessee Public Service Commission for the use of Driscopipe 8000 materials by the Memphis Light Gas, and Water Division, and the new PE3408 material is authorized for use under the 1981 edition of the ASTM D2513 specification for plastic pipe (as earlier edition of which is incorporated by reference in Part 192), we have no objection to the waiver. Accordingly, the waiver may become effective as planned.

Sincerely,

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