

June 30, 1982

Mr. Dale W. Johansen  
Assistant Director, Gas Department  
Engineering Section  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

Dear Mr. Johansen:

We regret the delay in answering your letter about a compliance issue involving the Laclede Gas Company.

As we understand your inquiry, it is whether Section 3(a)(1) of the Natural Gas Pipeline Safety Act of 1968, as amended (49 USC 1672(a)(1)), permits retroactive application of the cathodic protection standards in Subpart I of Part 192 to pipeline facilities in existence when the standards were adopted.

Section 3(a)(1) provides that standards applying to emergency plans and procedures, extension, operation, replacement, maintenance, subsequent inspection, or subsequent testing may be applied to pipeline facilities in existence when the standards are adopted. With respect to existing facilities (installed before August 1, 1971), Subpart I requires the determination of areas of active corrosion and the application of cathodic protection to these areas and to any repaired or replaced areas, with subsequent inspection and testing to ascertain whether the cathodic protection is working properly. These requirements are examples of standards specifically permitted by Section 3(a)(1) for replacement, maintenance, inspection, and testing of existing pipeline facilities. They are not standards which would require modification of a pipeline's design to achieve compliance; and we agree that such standards would be forbidden by Section 3(a)(1).

Sincerely,

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