

September 8, 1983

Mr. Donald R. Burleson
Chief, Eastern Region
Gas Utilities Division
Railroad Commission of Texas
Capitol Station - P.O. Drawer 12967
Austin, Texas 78711

Dear Mr. Burleson:

This responds to your letter of August 10, 1983, requesting an interpretation of 49 CFR §192.181(b) as it relates to your safety evaluation 83-II63, 83-II64, and 83-II65 on pipeline facilities owned and operated by Arkansas Louisiana Gas Company. We do not believe an interpretation is necessary to answer your questions; however, we are providing the following comments to assist you in your enforcement efforts.

Question 1: Is a distribution line valve, as described in 49 CFR 192.181(b), required on the inlet piping to a regulator station which is located at a tap on a transmission line? The regulator station in question was constructed after March 12, 1971, and controls the flow of gas into a distribution system.

OPSR Comment: Section 192.181(b) requires an emergency valve for each regulator station that controls the flow or pressure of gas in a distribution system. Since the regulator station in question controls the flow of gas in a distribution system, a valve is required by §192.181(b).

Question 2: If a valve is required in Question #1, would sectionalizing block valves installed in the transmission line as required by 49 CFR 192.179 satisfy the requirement in 192.181(b) for "...a valve installed on the inlet piping..." at a regulator station?

OPSR Comment: As long as the requirements of §192.181(b) are met, the fact that the valve meeting those requirements is also a sectionalizing block valve does not disqualify it under §192.181(b). There is not enough information for us to judge whether any particular valve you may have in mind meets §192.181(b).

Question 3: In a case where an interstate transmission pipeline is tapped for distribution system gas, at what point downstream of the tap does the pipeline become subject to state rules and enforcement? See the attached Arkansas Louisiana Gas Company letter for other options surrounding this question.

OPSR Comment: State jurisdiction begins where the line is no longer an "interstate transmission facility" as defined by 49 USC 1671(?). Generally, interstate facilities are those subject to the jurisdiction of the Federal Energy Regulatory Commission under the Natural Gas Act.

In enforcement cases where a question arises concerning jurisdiction, we suggest that the regional offices of the Materials Transportation Bureau (Office of Operations and Enforcement) could best determine the appropriate action on a case by case basis.

We hope that this response adequately answers your questions.

Sincerely,

Richard L. Beam
Associate Director for
Pipeline Safety Regulations
Materials Transportation Bureau