

April 21, 1986

Mr. John M. Stokes
Supervisor, Oil & Gas
Florida Power & Light Company
P.O. Box 029100
Miami, Florida 33102

Dear Mr. Stokes:

In response to your letter of March 24, 1986, to Mr. Cesar DeLeon, Chief, Southern Region, Office of Pipeline Safety, we have reviewed your request for waiver from §192.503(b)(3). This section requires that a hydrostatic test of a natural gas pipeline must be done with a medium that is "Except for natural gas, nonflammable."

Your waiver request states that the intended test medium is No. 6 residual fuel oil having a minimum flash point of 150°F.

In defining the word "nonflammable" we rely upon the definition of "flammable" in 49 CFR Part 173 - Shippers - General Requirements for Shipments and Packagings §173.115(a) Flammable, combustible, and pyrophoric liquids; definitions. This section of the Hazardous Materials regulations defines flammable liquid as follows:

- §173.115 Flammable, combustible, and pyrophoric liquids; definitions. (a) Flammable liquid. (1) For the purposes of this subchapter a flammable liquid means any liquid having a flash point below 100°F. (37.8°C.), with the following exceptions:
- (i) Any liquid meeting one of the definitions specified in §173.300;
 - (ii) Any mixture having one component or more with a flash point of 100°F., (37.8 °C.) or higher, that makes up at least 99 percent of the total volume of the mixture;
- (2) For the purpose of this subchapter, a distilled spirit of 140 proof or lower is considered to have a flash point no lower than 73°F.

As a result, the No.6 fuel oil proposed for the hydrostatic test medium, which has a flash point well above 100°F, is not considered flammable under the meaning of §192.503(b)(3) and may be used, for hydrotesting under this section without waiver.

It is our understanding that Mr. DeLeon informed you of this decision by telephone on April 16, 1986. This letter is intended to confirm that call.

Thank you for your interest in pipeline safety.

Sincerely,

Robert L. Paullin
Director
Pipeline Safety Regulation