

June 19, 1989

Mr. Arnold H. Cook
Chairman
Colorado Public Utilities Commission
1580 Logan Street
Denver, Colorado 80203

Dear Mr. Cook:

We have reviewed the Commission's order dated May 31, 1989, (Docket No. 89A-2239) which granted the Public Service Company of Colorado a waiver from compliance with the odorization requirements of 49 CFR 192.625, subject to certain compensatory safety conditions. The waiver applies to a proposed 800-foot distribution line to be constructed in a Class 3 location in Pueblo, Colorado, between a Colorado Interstate Gas Company transmission line and a B. F. Goodrich facility.

The order states that the Company has proposed to leak survey the 800-foot pipeline twice a year, but we note that a leak survey requirement was not adopted as a condition of the waiver. Under 49 CFR 192.706(b)(1), transmission lines that are allowed to transport odorless or unodorized gas in Class 3 locations must be leak surveyed with leak detector equipment twice a year at intervals not exceeding 7 1/2 months. Although the waiver applies to a distribution line, we believe the Company should be obligated to meet this transmission line requirement with respect to the proposed 800-foot pipeline. Therefore, we object to the waiver unless the Commission's order is amended to make compliance with the twice-a-year leak survey requirement of 49 CFR 192.706(b)(1) a further condition of the waiver.

If our objection is removed by amendment of the order as indicated above, the waiver may take effect as planned. Otherwise, pursuant to 49 App. U.S.C. 1672(d), the Commission's order is stayed, and the Commission may appeal this matter and request a hearing within 90 days.

Sincerely,

Richard L. Beams
Director
Office of Pipeline Safety

July 6, 1989

To: Buck Furrow

Subject:

Class 3 Determination based on Motel within 220 yards of a transmission line.

The situation in Fergus Falls where Great Plains Gas Company has a transmission line near a Holiday Inn was discussed with Furrow. The motel is not within 100 yards of the pipeline, but it may be within 220 yards.

The question is: Should the motel rooms be counted as dwelling units, similar to apartments, or as a single building?

In Furrow's opinion (emphasis) there is probably a distinction between a dwelling unit, which serves as a more permanent place of residence, and a motel room, which is generally occupied for a short term. He does not feel that the motel room would be classified as a dwelling unit for the purposes of the regulations.

A motel alone would have to be within 100 yards of a pipeline and meet the occupancy requirements of 192.5(d)(2) to establish a class 3 location.

NOTE THIS IS AN OPINION, NOT AN INTERPRETATION. IT COULD BE REVERSED.