

The Honorable John C. Danforth  
Committee on Commerce, Science,  
and Transportation  
United States Senate  
Washington, D. C. 20510

Dear Senator Danforth:

Thank you for your letter to Mr. Richard Beam of the Office of Pipeline Safety (OPS) on behalf of Gary O. Schuchardt, Director of the Emergency Management Agency in St. Charles County, Missouri. Mr. Schuchardt is concerned that Department of Transportation pipeline safety regulations do not require maintenance of safe burial depths in flood plains and farms and for pipelines converted to gas service. You asked that OPS consider the adequacy of its depth standards in developing new criteria for inspecting pipelines as required by the Pipeline Safety Reauthorization Act of 1988 (the Act).

The pipeline safety regulations specify the depth to which a pipeline must be buried at the time of construction. Although land erosion may reduce pipeline cover, pipeline operators are required to survey their lines periodically for the presence of unusual operating and maintenance conditions, and to take corrective action if conditions are unsafe. Thus, when an operator learns that a pipeline is unsafe because of potential damage of flooding or a farming activity, it must correct the problem. Remedial action may include lowering the pipeline, adding more cover over the line, or otherwise protecting it against outside force damage.

As you know, sections 108 and 207 of the Act require that we consider certain factors in determining the frequency of pipeline inspections and tests. These factors, which are to be applied on a case-by-case basis, are based on the premise that different pipeline facilities and different operating conditions (i.e., variable risk) require different levels of regulatory control. As such, sections 108 and 207 permit us to consider any factor relevant to pipeline safety. Thus, in implementing these sections, OPS is taking depth of burial into account for these situations in which it is appropriate to do so.

Even though depth of burial is an important safety consideration, we have found that damage prevention programs employing "one-call systems" provide the best protection against excavation damage, including damage by farm implements. Under these programs, pipeline operators temporarily mark and inspect their lines upon request by excavators. Operators of gas pipeline systems are currently required to carry out such a program to prevent damage to pipelines by excavation activities in urban locations. OPS has proposed a rule to extend existing requirements for damage prevention programs for gas pipelines in urban areas to cover gas pipelines in rural areas, as well as to establish similar damage prevention program requirements for hazardous liquid in pipelines. This proposal would apply to the pipelines in St. Charles County cited in the

enclosures to your letter, namely, those of ARCO and the Missouri Pipeline Company. A final rule is expected early next year.

You may be assured that as we carry out the inspections of pipelines required under the Act, we will assess the issue of pipeline burial depths. Should our assessment reveal the need to amend our depth standards, we will act accordingly.

I hope this information is helpful. Please call me if you have any questions.

Sincerely,

Travis P. Dungan