

October 1, 1992

Ms. Brenda Y. Munoz
Regulatory Compliance & Environmental
Coordinator
Arco Oil and Gas Company
P.O. Box 1346
Houston, TX 77251

Dear Ms. Munoz:

Your letter of August 17, 1992, addressed to Richard Rippert of this office describes an offshore LPG pipeline that operates at a stress level of less than 20% of SMYS. You asked whether employees who operator and maintain this pipeline are subject to drug testing under 49 CFR Part 199.

If the line is exempt from Part 195 under ? 195.1(b)(3) because of its operating stress level, then the employees who operate and maintain the line are not subject to drug testing under Part 199 unless they also operate and maintain other pipeline facilities which are regulated.

Please note, though, that we have begun a rulemaking proceeding aimed at bringing hazardous liquid pipelines that operate at less than 20% of SMYS under Part 195 (Docket PS-117; 55 FR 45822; October 31, 1990.) This proceeding affects your LPG pipeline. If it were to become subject to Part 195 as a result of that proceeding, employees who operate and maintain the line would be subject to drug testing under Part 199.

We trust this adequately responds to your inquiry.

Sincerely,

Cesar De Leon
Director, Regulatory Programs
Office of Pipeline Safety