

August 17, 1993

Mr. Chris Bourne
Chairman, New England Pipeline Safety Representatives
Massachusetts Department of Public Utilities
Saltonstall Building
100 Cambridge Street
Boston, MA 02202

Dear Mr. Bourne:

Thank you for your letter of July 12, 1993, commenting on the applicability of 49 CFR Part 193 to mobile LNG plants. You asked us to reconsider our position that such plants are covered by Part 193, and to determine instead that they are subject to the operating and maintenance plan requirements of 49 CFR 192.605. You further asked us to comment on a set of draft guidelines intended either as instructions for enforcement of §192.605 or as conditions under state waivers of Part 193.

After reviewing the matter once more, we do not believe there is sufficient reason to change our position that mobile LNG plants are covered by 49 CFR Part 193 rather than 49 CFR Part 192. However, we believe the draft guidelines are appropriate to use as conditions under state waivers of Part 193. In fact, as you pointed out, one version of the suggested guidelines is already in effect under a waiver granted by New Hampshire. The guidelines could be used as conditions under a single waiver a state agency might grant all jurisdictional operators who apply for a waiver of Part 193 requirements.

Identical letter being sent to Richard Marini and Philip Sher.

Sincerely,

Cesar De Leon
Director, Regulatory Programs
Office of Pipeline Safety