

Mr. Brett Olsen
Montgomery & Andrews
PO Box 2307
Santa Fe, NM 87504-2307

Dear Mr. Olsen:

I am responding to your April 12, 1999, letter asking if a particular metering/transfer station comes under the DOT regulations in 49 CFR Part 195. As you described it, the station consists of piping, tankage, and other equipment used to transfer crude oil from tank trucks to an interstate pipeline.

The Part 195 regulations apply to pipeline facilities used in the transportation of hazardous liquids, such as crude oil. However, truck terminal facilities used exclusively to transfer hazardous liquid between trucks and pipelines are not subject to the regulations, except for any device and associated piping that is necessary to control pipeline pressure (' 195.1(b)(8)(ii)). Your description does not indicate the presence of any such device at the station. Also, your description does not indicate that any of the station facilities provide a breakout tank service for the interstate pipeline. (Breakout tank facilities would come under Part 195 as a pipeline and thus not be excluded under ' 195.1(b)(6). See the Part 195 definitions of a pipeline and a breakout tank.) It appears that none of the facilities on the station grounds is subject to Part 195.

I hope you find this opinion helpful. If you would like to discuss this matter further, please call Mr. Furrow at (202) 366-4559.

Sincerely,

Richard D. Huriaux
Manager, Regulations
Office of Pipeline Safety
LMFurrow:jmd:64046:5/10/99
cc: DPS-1,2,10,Regions,TSI,EMail