

PI-99-0107

U.S. Department Of Transportation
Research and Special Programs Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dec. 17, 1999

Mr. Terry Fronterhouse
Chief of Pipeline Safety
Pipeline Safety Section
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007-2996

Dear Mr. Fronterhouse:

This responds to your letter of October 8, 1999, concerning a request by the City of Phoenix Aviation Department for a finding under 49 CFR 195.120(b)(7). This regulation permits us to find that particular piping is impracticable to design and construct to accommodate the passage of instrumented internal inspection devices.

The request involves a 12-inch hydrant piping system that is under construction around Terminal 4, N-1 Concourse, at the Sky Harbor International Airport. Although you recommended that we grant the request, we believe the request is unnecessary. Fuel distribution systems on airport grounds are akin to in-plant piping systems that are excluded from Part 195 under § 195. 1 (b)(7) or terminal facilities that are excluded under § 195.1(b)(8). Because of the similarity, we do not think such systems come under the safety standards in 49 CFR Part 195.

Also, please note that requests for findings under § 195.120(b)(7) are not handled like waiver requests. Under our procedures in 49 CFR 190.9, after receiving a state agency recommendation on a request for finding involving an intrastate pipeline, we have only 10 business days to change the recommendation or else it becomes the final decision.

Sincerely,

Richard Felder
Associate Administrator for Pipeline Safety