



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

MAY 29 2012

Mr. Kendall Lanningham
American Midstream
8300 FM 1960 West, Suite 225
Houston, TX 77070

Dear Mr. Lanningham:

In a December 15, 2011, letter to the Pipeline and Hazardous Materials Safety Administration (PHMSA), you requested an interpretation as to the applicability of the definition of an "identified site" in 49 CFR 192.903 to the Jetson Correction Center for Youth (Jetson Center). The Jetson Center is a state-run, secure care facility for juveniles in Baton Rouge, Louisiana.¹

Specifically, you state that American Midstream operates pipelines that pass adjacent to the Jetson Center. You further state that as of December 2011, there are dorms on the grounds of the facility that fall within the potential impact radius (PIR) for these pipelines and that the dorms are used to house a maximum of nine occupants. You state that according to a representative of the facility, the occupancy of each dorm has never exceeded 20 persons. You also state that the incarcerated youths are not physically impaired and are able to freely evacuate the facility in the event of an emergency.

You believe that the Jetson Center does not meet the intent of the definition of "identified site" in § 192.903 for the following reasons:

- these dormitories never meet the building occupancy count to qualify as a high consequence area (HCA);
- the detained youths are not physically impaired;
- the youths can freely exit the facility unsupervised;
- the facility is more a sheltered facility rather than a lock down prison type facility and is not listed as an example facility; and
- these dormitories are on the very outer fringe of the PIR for American Midstream's pipelines.

After speaking with your consultant, Mr. Bill Bertges, and Mr. Brad Ballard, Maintenance Director of the Jetson Center, my staff has confirmed that this facility is a correction center (prison) for youth. As described on the Jetson Center's website:

Secure care . . . is reserved for those youth deemed by a judge or by [the Office of Juvenile Justice] to be a risk to public safety and/or not amenable to treatment in a

¹ <http://ojj.la.gov/index.php> (last accessed on Feb. 14, 2012).

The Pipeline and Hazardous Materials Safety Administration, Office of Pipeline Safety provides written clarifications of the Regulations (49 CFR Parts 190-199) in the form of interpretation letters. These letters reflect the agency's current application of the regulations to the specific facts presented by the person requesting the clarification. Interpretations do not create legally-enforceable rights or obligations and are provided to help the public understand how to comply with the regulations.

less restrictive setting. Secure care facilities are characterized by perimeter fences, locked units and high security. Youth are monitored constantly under direct supervision of staff, and are not allowed to come and go freely. . . . Youth are housed in dormitories, or housing units, with populations from 8-24, with an average of 12-15 per dorm.

Accordingly, contrary to the statement in your letter, the occupants of the Jetston Center cannot leave the facility unsupervised.

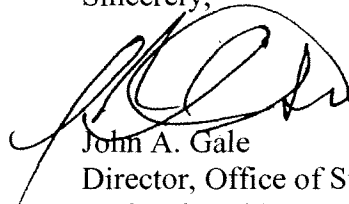
In addition, the definition of identified site in § 192.903 does not specify a building occupancy limit. Section 192.903 states in part:

(c) A facility occupied by persons who are confined, are of impaired mobility, or would be difficult to evacuate. Examples include but are not limited to hospitals, prisons, schools, day-care facilities, retirement facilities or assisted-living facilities.

For these reasons, PHMSA concludes that the Jetson Center meets the definition of an “identified site” in § 192.903, and the area referenced in your letter meet the definition of high consequence area.

I hope that this information is helpful to you. If I can be of further assistance, please contact me at 202-366-4046.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Gale", written over a horizontal line.

John A. Gale
Director, Office of Standards
and Rulemaking



December 15, 2011

Office of Pipeline Safety (PHP-30), PHMSA
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 20590-000

Mr. Jeffrey D. Wiese
Associate Administrator

American Midstream,(Midla), LLC in accordance with 49 CFR § 190.11 (a)(2)(b) requests a regulatory written interpretation of the Federal Pipeline Safety Regulations relating to the definition of an Identified Site as defined in 49 CFR § 192.903 (4)(C). This definition defines an Identified Site as "A facility occupied by persons who are confined, are of impaired mobility, or would be difficult to evacuate. Examples include but are not limited to hospitals, prisons, schools, day-care facilities, retirement facilities, or assisted-living facilities."

Specifically, American Midstream operates pipelines that pass adjacent to the outer most fence of the Jetson Center for Youth, a facility that contains dormitories that house youths that have been detained due to various issues. See the attach PIR schematic depicting the facility consisting of multiple buildings, only four of which are dorms that house youths. The dorms that fall within the potential impact radius (PIR) have been determined to currently house a maximum of 9 occupants per dorm as of December 2011. According to the facility representative talked to in December 2011, occupancy of each dorm has never exceeded 20 persons.

Furthermore, the incarcerated youths are not physically impaired and are able to freely evacuate the facility in the event of an emergency. American Midstream field personnel discussed the proximity of the pipelines and emergency response issues with the Maintenance Director, Mr. Brad Ballard. See attached memo of interview with the facility Director.

American Midstream feels that this particular facility does not meet the intent as an "identified site" under this definition for the following reasons:



American Midstream Partners, LP

- these dormitories never meet the building occupancy count to qualify as an HCA,
- the detained youths are not physically impaired,
- the youths can freely exit the facility unsupervised,
- the facility is more a sheltered facility rather than a lock down prison type facility and is not listed as an example facility, and
- these dormitories are on the very outer fringe of the American Midstream pipeline's PIR

Your prompt consideration of this request is greatly appreciated.

For additional information, please contact:

Mr. Bill Bertges

A handwritten signature in blue ink, appearing to read "Bill Bertges", written over a horizontal line.

American Midstream IMP Consultant
33780 Marion Drive
Denham Springs, LA 70706
Phone : 225-362-9555
Email: bertgesb@cox.net

Mr. Kendall Lanningham

A handwritten signature in blue ink, appearing to read "Kendall Lanningham", written over a horizontal line.

American Midstream
8300 FM 1960 West, Suite 225
Houston, TX 77070
Phone: 281-955-4816
Cell: 832-244-0811

Email: klanningham@americanmidstream.com

Attachments: Proposed HCA PIR Schematic
Internal email interview memo
Photos of pipeline ROW and dormitory buildings

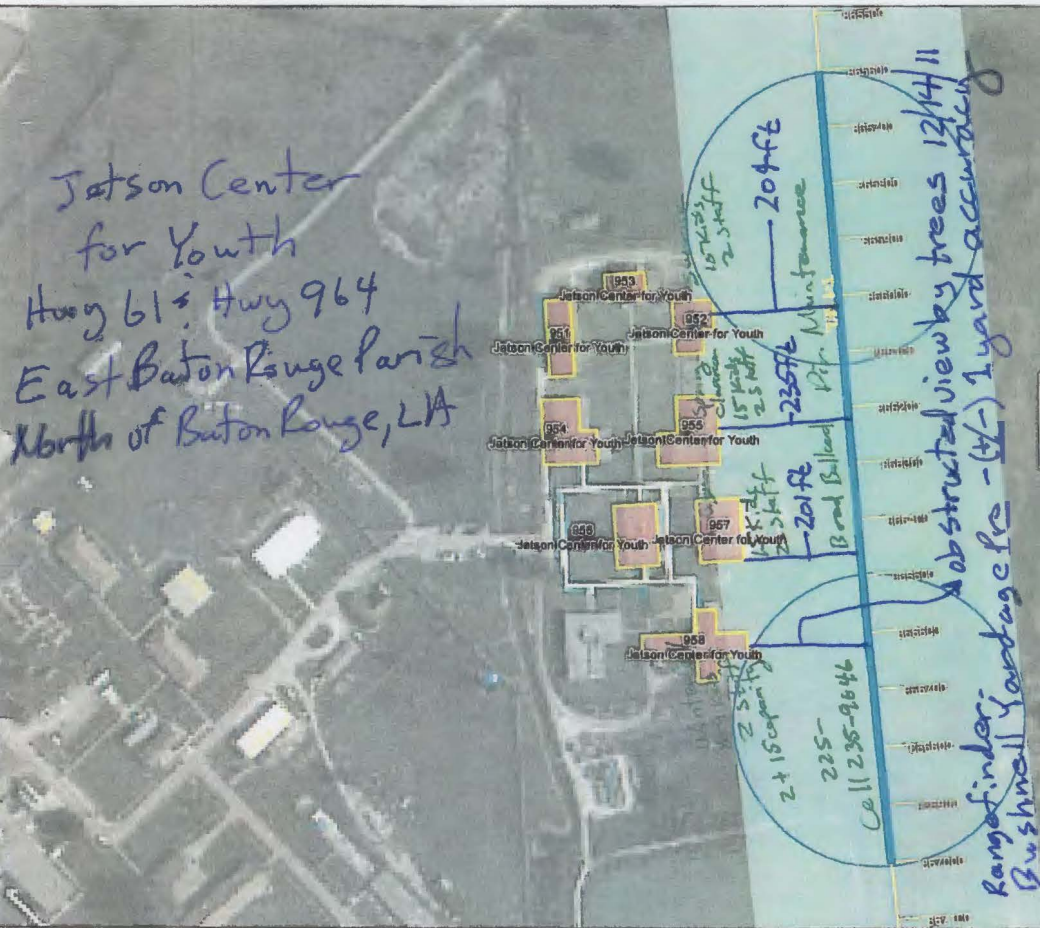
From: Craig Easley
Sent: Wednesday, April 06, 2011 8:58 AM
To: Kendall Lanningham
Subject: Questions about Jetson

Kendall,

I called Brad Ballard on the phone and ask him the questions you emailed to me.

1. Do you have an evacuation plan? He said yes for spills and emergency.
2. Can the inmates leave the building in an emergency without any obstructions? Yes
3. Can the inmates move away from the area in an emergency? Yes, completely out of the area.
4. Does the buildings have sprinklers, fire detection? He said some of the buildings have sprinklers and all have fire detection.

Craig Easley
Field Technician
American Midstream Partners, LP
6155 Sanchez Street | Baton Rouge, La. | 70805
O: 225-356-6161 Ext. 203 | C: 225-907-4195 | F: 225-357-1577

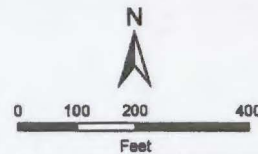


HCA Name: 36_012
 Begin Point: 30.5878N -81.2012W
 End Point: 30.584N -81.2009W
 Station: 865601.9 - 867002.78
 Extended PIR = 241.81 (PIR + 25ft)

Field check
 - K. Lanningham
 Amer. Midstream
 - B. Bortges
 AMP Consultants-IMP



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|--|-----------------------------|----------------|--------------------------|
| HCA Segment | Non HCA Structure | School | Daycare |
| Pipeline | Commercial Building | Church | Retirement Center |
| Extended PIR (Calculated PIR + 25 ft.) | Four or More Story Building | Hospital | HCA Defined Outdoor Area |
| | Multi-Family Dwelling | Prison or Jail | |



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|--|---|
| | |
| Enbridge Energy Company 1100 Louisiana #3300 Houston, TX 77002 | |
| HCA 36_012 Pipeline: T-1 M/L System: Media System | |
| STATION: 865601.90 to 867002.78 DATE: 17 Sep 2008 | PARISH: East Baton Rouge, LA SCALE: 1:2400 |





