

January 27, 1976

Mr. Anthony Creston
Chief, Pipeline Safety
Arkansas Public Service Commission
State Capitol
Justice Building
Little Rock, Arkansas 72201

Dear Mr. Creston:

This refers to your letter of November 10, 1975, requesting guidance on interpretations concerning the Federal gas pipeline safety standards. Your comments have been structured into a question and answer format for clarification purposes.

Question: Under Section 192.709 of Title 49 of the Code of Federal Regulations (49 CFR), is the operator of a transmission system required to make only those transmission line records that have been generated since the adoption of the Federal standards available to inspection officials?

Answer: As a certified State agency, the Arkansas Commission may inspect and copy any records of a pipeline operator as necessary for purposes of enforcing these standards. These records include not only those required by Section 192.709 but also pertinent records which an operator voluntarily maintains.

Question: Is an operator of a transmission gas pipeline system that supplies gas to a customer responsible for overpressure protection of the customer's pipeline or facilities from the point of gas sale?

Answer: One principle expressed in the definition of the term "service line" is that an operator engages in the transportation of gas to a customer to the first point at which both the sale and delivery of gas to the customer have occurred. Likewise, when gas is sold to a customer who is a distribution operator, the transmission operator engages in the transportation of gas, and thus is responsible for compliance with Part 192 regarding pipelines used in that transportation, to the first point at which sale and delivery of the gas have both occurred. Gas is delivered to a customer when it enters the customer's pipeline.

Therefore, a transmission operator is not responsible for compliance with Part 192 regarding a distribution operator's pipeline downstream from the point of sale.

Thank you for your cooperation in matters of pipeline safety.

Sincerely,

Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations

November 10, 1975

Mr. Robert F. Aubry
Chief, Southwest Region
Office of Pipeline Safety
Department of Transportation
6634 Hornwood Drive
Houston, Texas 77036

Dear Mr. Aubry:

Reference telephone conversation between yourself and Cody Stuart regarding an inspection of Texas Eastern Transmission Corporations interstate transmission facilities in Arkansas. This operator interprets paragraph 192.709, Minimum Federal Safety Standards to require each operator to make only those transmission line records that have been generated since the adoption of the federal standards available to inspection officials. This interpretation is based upon paragraph 192.13(c) which requires each operator to follow the plans, procedures, and programs they are required to establish under part 192.

This operator also contends the supplier of gas is not responsible for overpressure protection of a customers pipeline or facilities downstream from the point of gas sale. This interpretation is based upon paragraphs 192.619(a) and 192.621(a) which stipulate that no person may operate a pipeline or distribution system without establishing and maintaining a maximum allowable operating pressure on each segment of pipeline. In essence, the operator contends an operator is responsible for overpressure protection on those facilities the operator owns and operates. The service contract this operator has with each customer provides for the minimum pressure required to maintain customer service and does not provide for the maximum allowable operating pressure.

Request your guidance on these interpretation [sic] and inform the Commission if an official interpretation from Pipeline Safety, Department of Transportation, Washington, D.C. is required.

Sincerely,

Anthony Creston
Chief, Pipeline Safety