

Marty Burke
Burke Energy Corporation
1124 North Main
Hutchinson, Kansas 67501

Dear Mr. Burke:

I have asked the Department of Transportation for an interpretation of a "public place" as the term is used in Section 192.11(a). A copy is enclosed.

With this interpretation, it still places you as a gas operator.

Sincerely,

Mr. Lavern Rinehart
Chief, Deputy Fire Marshal
Pipeline Safety Division
246 South 14th Street
Lincoln, NE 68508

Dear Mr. Rinehart:

This responds to your letter of July 28, 1990, in which you ask for an interpretation of a "public place" as that term is used in Section 192.11(a).

Your letter indicates that your question pertains to a trailer court which is served by a propane gas system with steel mains and services. The main runs from a tank farm across a road and down the middle of another road within the court. The people own the mobile homes and lease the ground from a party who has leased the ground from the Nebraska Public Power District, a public corporation. The lessee permits access to the general public to the lakeside improvement and case on the leased premises. The road on one side of the court has a gas main running underground and is traveled by people coming to and from the lake area. Also, the road is used a federal mail route. In a telephone conversation with a member of my staff, you indicated that the propane system serves seven trailers.

The term "public place" in Section 192.11(a) means a place which is generally open to all persons in a community as opposed to being restricted to specific persons. We consider churches, schools, and commercial building as well as any highway, road or property which is frequented by all persons to be public places under Section 192.11(a).

From your description of the trailer court, it appears that the road where people travel to and from the lake area is a "public place" as set forth in Section 192.11(a) and therefore the entire propane gas system is subject to Part 192.

I trust this has adequately answered your questions.

Sincerely,

George W. Tenley, Jr.
Director
Office of Pipeline Safety

