

January 14, 1993

**TO ALL STATE PIPELINE SAFETY PROGRAM MANAGERS**

Enclosed, for your information, is a copy of correspondence related to the formation of a committee to develop proposals for revising regulations applicable to mobile LNG facilities. This information is being provided to you so that you might use the waiver process to take interim action on these types of facilities.

Also enclosed is a copy of a memorandum from Cesar De Leon regarding the application of regulations to these facilities (this memorandum was sent to you earlier in a pipeline safety information mailing -- SR-92-136).

Sincerely,

G. Tom Fortner  
Office of Pipeline Safety Compliance

Enclosures

1993

TO: Chris Bourne, MA  
Paul Grieco, RI  
Stanley Kastanas, Colonial Gas Company  
Richard Marini, NH  
Philip Sher, CT

This memorandum is in regard to the December 11, 1992, letter from Chris Bourne to Richard Marini about regulation of mobile LNG facilities.

Rather than establishing a moratorium on enforcement of 49 CFR Part 193 with respect to mobile LNG facilities, I believe it would be preferable for those adversely affected by application of Part 193 to mobile LNG facilities to seek relief through the waiver process. For those mobile LNG facilities that are subject to state regulatory authority, the LNG operators must apply for a waiver from the state agency; and if a waiver is granted, the Research and Special Programs Administration (RSPA) would have 60 days to affirm or reject the waiver. For mobile LNG facilities subject to Federal regulatory authority, the LNG operators must apply to RSPA for a waiver.

While we applaud the initiative to form a committee to submit proposals for revisions to the regulations applicable to mobile LNG facilities, we cannot sponsor such a committee and request that it not be characterized as a "DOT LNG Committee." The Federal Advisory Committee Act of 1972 establishes specific requirements for committees to advise government agencies that make it difficult for RSPA to sponsor such a committee. Instead, we suggest that your committee be a state-sponsored effort, and be identified as such.

If you need further advice on this matter, please call Tom Fortner at 202-366-4564.

Sincerely,

George W. Tenley, Jr.  
Associate Administrator for  
Pipeline Safety

Nov 2, 1992

**INFORMATION: Mobile LNG facilities**

Cesar De Leon, Director  
Pipeline Safety Regulatory Programs, DPS-10

Richard Sanders, Manager  
Pipeline Safety Division, DMA-607

Your memo of June 17, 1992, describes a unit consisting of LNG storage cylinders, a vaporizer, and connection devices all mounted on a tractor-trailer. Operators temporarily connect such units to gas pipeline distribution systems to furnish gas when the normal supply is disrupted. You asked whether the unit is a pipeline facility subject to 49 CFR Part 192.

Because the unit is used in the transportation of gas by pipeline that is regulated by Part 192, the unit is an LNG facility subject to the safety standards in 49 CFR Part 193

(?193.2001(a)). Amendments 192-36 and 193-2 (45 FR 70390; October 23, 1990) repealed the application of Part 192 to LNG facilities, except as provided by ?193.2005(C). Under that section, an operator may elect to comply with Part 192 and NFPA 59A (1972 edition), instead of Part 193, with regard to siting, design, installation, and construction of certain existing facilities. So the unit would not be subject to Part 192 unless it's covered by ?193.2005(c) and the operator has elected to comply with Part 192.

We recognize that compliance with the siting requirements of Part 193 may be difficult or overly burdensome for some mobile LNG facilities, considering the temporary nature of their use at particular sites. In this regard, we invite your comments as to how the siting requirements might be changed to lighten the compliance burden without sacrificing safety. Keep in mind that some existing mobile facilities may be except from those requirements to the extent provided by the grandfather provisions of ?193.2005. Also, when mobile LNG facilities are in transit or are otherwise not being used in the pipeline transportation of gas, the Part 193 requirements do not apply.

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