

March 3, 1993

Mr. James Wait
Division Chief, Pipeline Safety
California State Fire Marshal
Suite 600
7171 Bowling Drive
Sacramento, CA 95823-2034

Dear Mr. Wait:

I apologize for not responding sooner to your letter of July 7, 1992, regarding pipelines associated with marine terminals. You asked us to explain the limits of jurisdiction under 49 CFR Part 195 over pipelines in marine terminals shown in drawings attached to your letter, assuming the pipelines operate above 20 percent of SMYS.

Unfortunately, because we lack on-site familiarity with the facilities in your drawings, we cannot definitely state which ones would be covered by the regulations if they were operating above 20 percent of SMYS. However, I believe you will find the "Liquid Drawings" in the Pipeline Safety Regulations manual provided by the Transportation Safety Institute (TSI) useful in answering your questions. TSI used these drawings as guidelines on jurisdictional questions for pipelines operating above 20 percent of SMYS. If you are still uncertain about jurisdiction after reviewing these drawings, please consult the Director of our Western Region Office, Ed Ondak, for further clarification.

Hopefully you will find the drawings beneficial in resolving the enforcement redundancy your agency is apparently experiencing with the U.S. Coast Guard on lines operating at 20 percent or less of SMYS. Should the applicability of Part 195 be expanded to cover these pipeline, we will consider the need for a memorandum of understanding with the Coast Guard as you have suggested.

Sincerely,

Cesar DeLeon
Director, Regulatory Programs
Office of Pipeline Safety