

March 4, 1993

Mr. L. S. Abraham  
Health & Compliance Officer  
BP Oil Pipeline Company  
812 E. National Road  
Vandalia, OH 45377-3016

Dear Mr. Abraham:

This responds to your letter of September 28, 1992, concerning application of the regulations in 49 CFR Parts 195 and 199 to pipelines in marketing terminals. I am sorry the response was delayed so long.

Unfortunately, because we lack on-site familiarity with the facilities in your drawing JRF5-92, we cannot definitely state which ones are covered by the regulations. Nonetheless, we have enclosed eight "Liquid Drawings" that will be of use in answering your questions about Part 195. These drawings are used by our Transportation Safety Institute in Oklahoma City as guidelines on jurisdictional questions. As to Part 199, personnel assigned to perform regulated operating, maintenance, or emergency-response functions on pipeline facilities to which Part 195 applies are subject to drug testing under Part 199.

In our reply to your letter of June 3, 1992, we explained the exception under ?195.1(b)(6) for refineries and associated inplant piping. The reasoning behind that explanation also relates to the interface of jurisdictional pipelines and nonjurisdictional terminal facilities. In a recently issued notice of proposed rulemaking, we proposed to amend Part 195 to clarify these points (Docket PS-127; Notice 1) (copy enclosed).

You may obtain further assistance regarding the application of Parts 195 and 199 by contacting our Central Region office at (816) 426-2654. That office is responsible for inspection of pipeline facilities in Ohio that are subject to Part 195.

Sincerely,

Cesar De Leon  
Director, Regulatory Programs  
Office of Pipeline Safety

Enclosure