



U.S. Department
of Transportation

400 Seventh St. S.W. Room 2103
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

April 21, 2005

Mr. William A. Calders, Attorney
Sempra Energy
101 Ash Street
San Diego, CA 92101-3017

RE: Request for Interpretation of 49 CFR §192.727

Dear Mr. Calders:

Thank you for your letter of March 30, 2005 as addressed to the Pipeline and Hazardous Materials Safety Administration's (PHMSA), Office of Pipeline Safety (OPS). You requested an interpretation of 49 CFR §192.727 on behalf of Southern California Gas Company (SoCalGas) in connection with an active personal injury case presently set for trial. You explain that the plaintiff holds SoCalGas's practice known as "soft close," to be in violation of minimum Federal safety standards, and you ask for interpretations on various components of this regulation. To maintain the DOT's impartiality among private litigants, PHMSA will not comment on any matter in a legal proceeding between private litigants. (See 49 CFR 9.1). We will, however, provide background material on the pipeline safety regulation.

49 CFR Part 192.727¹ reads, in part:

§ 192.727 – Abandonment or deactivation of facilities

(a) Each operator shall conduct abandonment or deactivation of pipelines in accordance with the requirements of this section.

(b) Each pipeline abandoned in place must be disconnected from all sources and supplies of gas; purged of gas; in the case of offshore pipelines, filled with water inert materials; and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.

(c) Except for service lines, each inactive pipeline that is not being maintained under this part must be disconnected from all sources and supplies of gas; purged of gas in the case of offshore pipelines, filled with water or inert materials; and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.

(d) Whenever service to a customer is discontinued, one of the following must be complied with:

(1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator.

(2) A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly.

(3) The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed.

(e) If air is used for purging, the operator shall insure that a combustible mixture is not present after purging.

(f) Each abandoned vault must be filled with a suitable compacted material....

¹ Electronic Code of Federal Regulations as of April 12, 2005, <http://www.gpoaccess.gov/ecfr/>

The applicable regulatory history is:

- (1) Amdt. 192-8, 37 FR 20695, Oct. 3, 1972, as amended by Amdt. 192-27, 41 FR 34607, August 16, 1976;
- (2) Amdt. 192-71, 59 FR 6585, Feb. 11, 1994;
- (3) Amdt. 192-89 65 FR 54443, Sept. 8, 2000;
- (4) 65 FR 57861, Sept. 26, 2000; and
- (5) 70 FR 11139, Mar. 8, 2005

In addition, OPS has issued the following interpretations pertaining to §192.727 which are publicly available:

- I. December 24, 2002 – Atlanta Gas Light Company
- II. July 25, 1990 – Long Island Lighting Company
- III. March 6, 1985 – Streich, Lang, Weeks & Cardon
- IV. February 12, 1985 – Streich, Lang, Weeks & Cardon
- V. July 26, 1984 – Miller W. Parkey
- VI. October 31, 1983 - Utilities Material and Controls Corporation
- VII. January 19, 1982 – South Carolina Public Service Commission
- VIII. December 15, 1981 – Public Utility Commissioner of Oregon
- IX. October 7, 1981 - The Public Service Commission of Columbia South Carolina
- X. June 2, 1981 – Utilities Material & Controls Corporation
- XI. December 14, 1979 Virginia Corporation Commission
- XII. July 3, 1979 – Whitehead and McCoy
- XIII. October 11, 1978 – Arkansas Louisiana Gas Company
- XIV. September 5, 1973 – Honorable J. Glenn Beall, Jr.
- XV. November 20, 1972 – City of Alexandria, Louisiana
- XVI. November 1972 – Piedmont Natural Gas Company
- XVII. July 6, 1971 – Arkansas Western Gas Company

Many interpretations are available at <http://ops.dot.gov/regs/interp/interp8.htm#spM>; others by submitting a Freedom of Information Act written request to Sheila Wright, OPS FOIA officer, (202) 366-4554.

Sincerely,

Florence L. Hamn
Director, Office of Regulations
Office of Pipeline Safety

FH/st

cc: Chris Hoidal, OPS Western Regional Director
Richard Sanders, Transportation Safety Institute