

Jan. 25, 1990

Mr. Les Owen
Manager, Technical and Regulatory
BP Transportation (Alaska) Inc.
PO Box 190848
Anchorage, AK 99519-0848

Dear Mr. Owen:

We have considered your letter of October 6, 1998, requesting a waiver from the 4-hour pressure test requirement of 49 CFR 195.303. The waiver would apply to about 536 feet of piping, 12-inch and smaller in size, located inside Module 58 on the Milne Point Pipeline between the pig launcher and the shipping pumps. Most of this piping is used in recirculating produced oil to separators and metering produced oil.

The piping was tested for only 10 minutes (under the *B31.3 Code*) rather than 4 hours, because, at the time of construction, the jurisdiction of Part 195 over the pipeline was thought to begin at the pig launcher. BP later decided that the beginning of Part 195 jurisdiction was further upstream at the outlet of new shipping pumps, which are capable of exceeding the maximum operating pressure of the pipeline.

With certain exceptions, the regulations in 49 CFR Part 195 apply to the transportation of hazardous liquid and carbon dioxide by pipeline in or affecting interstate or foreign commerce. The exceptions relevant in this case are onshore production facilities with associated in-plant piping (§195.1(b)(6)) and rural gathering lines (§195.1(b)(4)). Based on the definitions of "production facility" and "in-plant piping system" in §195.2 and the system information you provided, we have concluded that the piping upstream from the metering outlets constitutes production and in-plant piping that is excepted under §195.1(b)(6). Also, based on the definition of "gathering line" in §195.2, piping downstream from the metering outlets no larger than 8 5/8 inches in nominal outside diameter is excepted as rural gathering under §195.1(b)(4). Consequently, Part 195 jurisdiction over the system begins at the end of gathering and includes devices necessary to control maximum operating pressure under §195.406(b).

With Part 195 jurisdiction starting at the end of gathering, it appears that only a short piping segment upstream from the launcher needs to be retested to meet the 4-hour requirement. I understand that in a telephone conversation with Mr. Furrow of this office, you said BP would retest this segment to Part 195 standards beginning at a convenient entry point to be agreed upon with our Alaska district office. Given this change in circumstances, there is no need for further consideration of your waiver request.

Sincerely,

Richard B. Felder

Associate Administrator for Pipeline Safety