

APR 12 1996

Ms. Joan M. Korpala
Manager of Regulatory Compliance
Shell Oil Products Company
P.O. Box 2099
Houston, TX 77252-2099

Dear Ms. Korpala:

This is in response to Shell Oil Products Company's (Shell) request for a waiver from the requirements of 49 CFR § 195.412 (b), Inspection of Rights-Of-Way and crossings under navigable waters at nine bored river crossings (Exhibit A). You alleged that, because the subject pipelines were bored and had a depth of cover exceeding 15 feet, the pipelines were too deep to be subject to water related damage.

Section 195.412(b) does not specify any methods for inspecting the condition of the crossings. However, the method employed must be sufficient to verify that the crossing is sound and does not pose a hazard. This must be based upon the parameters of the particular crossing, subject to special circumstances, (i.e., events reasonably expected to alter or disturb the waterway bottom such as flood scour, sand mining, and Corp of Engineers projects) discovered during required biweekly patrols.

Your bored crossings are well documented to demonstrate they are substantially below river bottom. Therefore, the Office of Pipeline Safety concludes that your request for a waiver is unnecessary.

If you have any further questions, please contact me or L.E. Herrick at (202) 366-5523 (online herrickl@rspa.dot.gov).

Sincerely,

Richard B. Felder
Associate Administrator for
Pipeline Safety