

11/19/98

Mr. Tom Jannings
Pipeline Safety and Gas Standards Specialist
Gas Engineering Department
Washington Water Power
PO Box 3727
Spokane, WA 99220-3727

Dear Mr. Jannings:

We have considered your letter of July 10, 1998, requesting a waiver of compliance with 49 CFR 192.321(a) for the installation of plastic pipe above ground. The installation involves insertion of 4-inch PE2406 plastic pipe inside an 8-inch Schedule 40 steel casing under the deck of the Sand Creek bridge on Bronx Road in Bonner County, Idaho. Your letter shows that the plastic pipe will be protected against mechanical damage and ultraviolet radiation, and meet all applicable stress limits for plastic pipe under Part 192.

Because we have approved numerous state waivers for above ground plastic pipe in similar circumstances, we plan to amend 49 CFR 192.321(a) to allow the installation of encased plastic pipe on bridges under appropriate conditions. A notice of proposed rulemaking on this subject is scheduled to be published in the *Federal Register* later this year.

While this rule change is pending, we are deferring action on non-state waiver requests such as yours that may become unnecessary once the rule is changed. In the interim, our Western Region office will not enforce § 192.321(a) against the Sand Creek bridge installation.

Sincerely,

Richard B. Felder
Associate Administrator for Pipeline Safety
LMFurrow:jmd:64046:9-29-98
cc: DPS-1,2,10,20,Regions,TSI,EMail