U.S. Department
of Transportation

Pipeline and Hazardous Materials Safety Administration

1200 New Jersey Avenue, SE
Washington, D.C. 20590

AUG 4 2009

Mr. David Ries
President
MoGas Pipeline LLC
110 Algana Court
Saint Peters, Missouri 63376

Docket No. PHMSA-2008-0286

Dear Mr. Ries:

On October 16, 2008, you wrote to the Pipeline and Hazardous Materials Safety Administration (PHMSA) requesting a special permit to waive compliance from PHMSA's pipeline safety regulations in 49 CFR §§ 192.14(a)(4) and 192.619(a)(2)(ii) for 24.6 miles of the 12-inch MoGas Pipeline natural gas transmission pipeline system located in Pike and Lincoln Counties, Missouri from Mile Post 80.38 to Mile Post 105.69.

Section 192.14(a)(4) requires a steel pipeline previously used in service not subject to Part 192 to be tested in accordance with Part 192 Subpart J to substantiate the maximum allowable operating pressure allowed by Part 192 Subpart L (192.601-192.629). The regulation in § 192.619(a)(2)(ii) for a pipeline converted to service requires a hydrostatic test of 1.25 times the maximum allowable operating pressure (MAOP) for Class 1 and 2 locations and 1.5 times the MAOP in Class 3 locations.

Upon careful consideration, PHMSA is declining to grant a special permit to MoGas Pipeline to operate at a MAOP based upon a hydrostatic test of 1.1 times the MAOP for the reasons set forth in the *Special Permit Analysis and Findings* document enclosed and posted in Docket No. PHMSA-2009-0286, in the Federal Docket Management System (FDMS) located at www.Regulations.gov.

My staff would be pleased to discuss this denial or any other regulatory matter with you. John Gale, Director of Regulations (202-366-0434), may be contacted on regulatory matters and Alan Mayberry, Director of Engineering and Emergency Support (202-366-5124), may be contacted on technical matters specific to this denial.

Sincerely,

Jeffrey D. Wiese
Associate Administrator for Pipeline Safety

Enclosure: Special Permit Analysis & Findings

U.S. DEPARTMENT OF TRANSPORTATION

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)

Special Permit Analysis and Findings

Purpose:

This information is provided to describe the relevant facts of the special permit petition described below, the engineering and safety analysis of the petition completed by the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the findings resulting in the denial of a special permit to MoGas Pipeline LLC.

Special Permit Information:

Docket Number:	PHMSA-2008-0286
Pipeline Operator:	MoGas Pipeline LLC
Date Requested:	October 16, 2008
Code Section(s):	49 CFR § § 192.14(a)(4) and 192.619(a)(2)(ii)

Pipeline System Affected

This special permit request applies to the MoGas Pipeline natural gas transmission pipeline located in Pike and Lincoln Counties, Missouri. This 12-inch pipeline extends for 24.6 miles from Mile Post 80.38 (Curry Creek) to Mile Post 105.69 (Auburn Station).

Special Permit Request

MoGas Pipeline petitioned PHMSA on October 16, 2008, for a special permit seeking relief from the Federal pipeline safety regulations in 49 CFR § § 192.14(a)(4) and 192.619(a)(2)(ii) for pressure testing the pipeline to 1.25 times of the proposed MAOP. MoGas Pipeline requested a special permit to operate at a MAOP based upon a hydrostatic test of 1.1 times MAOP and to perform alternative risk control activities for 24.6 miles of the MoGas Pipeline. The existing pipeline MAOP of 999 psig would be raised to 1138 psig from Mile Post 80.38 to 91.20 and to 1135 psig from Mile Post 91.20 to 105.09 in Pipe and Lincoln Counties, MO.

Public Notice:

On May 28, 2009, PHMSA posted a notice of this special permit request in the Federal Register 74 FR 19264. PHMSA did not receive any comments for or against this special permit request as a result of this notice. The request letter, Federal Register notice and all other pertinent documents are available for review in Docket No. PHMSA-2008-0286 in the Federal Docket Management System (FDMS) located on the internet at www.Regulations.gov.

Findings:

PHMSA has reviewed MoGas Pipeline's request based on the information provided by MoGas Pipeline and we find that MoGas Pipeline does not meet the following 49 CFR Part 192 regulations for increasing the MAOP of the pipeline:

1. **§ 192.619(a)(2)(ii): Maximum allowable operating pressure - requires a hydrostatic test of pipe converted to natural gas service**

   For a MAOP uprate of a pipeline, the Class 1 pipe must be tested to 1.25 times the MAOP, Class 2 pipe must be tested to 1.25 times the MAOP, and Class 3 pipe must be tested to 1.5 times the MAOP. MoGas Pipeline is requesting to operate at a MAOP based upon 1.1 times hydrostatic test pressure in Class 1 locations. The MoGas Pipeline does not meet the hydrostatic test requirements in 192.619 (a)(2)(ii).

2. **§ 192.619(a)(2)(i): Maximum allowable operating pressure**

   Pipe mill test reports showing pipe: manufacturer, yield strength, tensile strength, chemistry, and API edition manufactured are not available to confirm the design pressure of the pipeline. The MoGas Pipeline mill test reports are not available.

3. **§ 192.327 (a): Cover; requires 30-inches of cover in Class 1 locations and 36-inches in drainage ditches.**

   MoGas Pipeline has cover that does not meet § 192.327 (a) such as ditches with 16 inches of cover, a creek crossing exposed, and farm areas with 17 inches of cover.

4. **Others findings concerning the 12-inch pipeline were:**

- No records are available showing that girth welds were non-destructively tested during construction.
- The pipe is 1949 and 1950 vintage low frequency electric resistance welded (LF ERW) pipe.
- MoGas Pipeline has identified 13 homes within 300 feet of the pipeline which in accordance with § 192.505 (a) would require a hydrostatic test to 1.25 times the MAOP in Class 1 and 2 locations.

Findings and Recommendations:

Based on the information submitted by MoGas Pipeline and PHMSA's knowledge of natural gas pipeline safety and operational requirements, PHMSA finds that granting this special permit *to* MoGas Pipeline to operate above the present MAOP of 999 psig to MAOP's of 1138 psig and 1135 psig is inconsistent with pipeline safety. Accordingly, PHMSA denies this special permit request to operate the MoGas Pipeline above the current MAOP of 999 psig.

Completed in Washington, DC on: AUG 4 2009