



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

1200 New Jersey Ave, S.E.  
Washington, D.C. 20590

FEB 12 2015

The Honorable Charlotte E. Brower  
Mayor of North Slope Borough  
Post Office Box 69  
Barrow, Alaska 99723

**Docket No. PHMSA-2013-0146**

Dear Mayor Brower:

On June 10, 2013, the North Slope Borough (NSB) wrote the Pipeline and Hazardous Materials Safety Administration (PHMSA), requesting that PHMSA grant a special permit to waive the requirements of 49 CFR § 192.939 as they apply to the 6-inch transmission pipeline that runs from the NSB processing plant to the Barrow Utilities & Electric Cooperative Inc.

Section 192.939 states requirements for establishing the reassessment interval for pipelines. As detailed in Subpart O of Part 192, these requirements must be included in an operator's integrity management plan. In your application, you noted that the affected pipeline was installed in 1995, is primarily encased in permafrost, operates at less than 30 percent of specified minimum yield strength, that in-line inspection vendors had not responded to NSB's requests for proposals, and that the NSB was operating under the low-stress assessment guidelines allowed by § 192.941. On December 20, 2013, PHMSA issued a Notice of Probable Violation (NOPV) alleging that NSB had failed to continue to assess all of its covered pipeline segments as required by § 192.937 at the intervals specified in § 192.939.

On September 18, 2014, at the request of personnel of the North Slope Borough Public Works, an informal consultation was held to discuss how to correct the items of the NOPV. According to confirmation from documents received on October 13, 2014, by the PHMSA Western Region Office, North Slope Borough has met all the conditions of § 192.939 pertaining to the requirements for establishing the reassessment interval for pipelines. As such the request for a special permit is no longer necessary and is hereby denied.

My staff would be pleased to discuss this matter or any other regulatory matter with you. Mr. John Gale, Director, Office of Standards and Rulemaking Division, may be contacted at 202-366-0434, for regulatory matters and Mr. Kenneth Lee, Director of Engineering and Research Division, may be contacted at 202-366-2694 for technical matters specific to this special permit denial.

Sincerely,

Jeffrey D. Wiese  
Associate Administrator for Pipeline Safety