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**DEPARTMENT OF  
TRANSPORTATION**

**Materials Transportation Bureau**

[Docket No. 76-5W]

**EXPLORER PIPELINE CO.**

**Installation of Pumping Equipment;  
Waiver of Pipeline Safety Standard**

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By letter petition dated February 23, 1976, the Explorer Pipeline Company requested that the Materials Transportation Bureau (MTB) grant a waiver from compliance with 49 CFR 195.262(d)(2) with regard to the proposed installation of pumping equipment at its "Grapevine Meter Station" near Southlake, Texas, as shown on Explorer's Drawing No. 273-MS-1004. Section 195.262(d)(2) requires that pumping equipment be installed at least 50 feet from the boundary of the station. The purpose of this requirement is to protect adjacent property owners from the effects of any incident which might occur at the location of the pumping equipment.

Explorer alleges that the space available at the station does not permit installation of the new equipment in conformity with §195.262(d)(2), and that it has been unable to purchase adjoining land to enlarge the station. Explorer proposes that as an alternate safety requirement, it be permitted to install the new equipment 12 feet from the station boundary.

In support of its proposal, Explorer submitted a statement by the American Petrofina Company, the owner of adjacent land located within 50 feet of the proposed installation, indicating that it has no objection to installation of the equipment 12 feet from the property boundary.

The information presented by Explorer also indicates that the adjacent land owned by American Petrofina is vacant, the area is zoned for industrial use, and that the proposed location of the pumping equipment is accessible in an emergency through the Grapevine Meter Station.

MTB is concerned, however, over the possibility that land within 50 feet of the proposed location may not remain vacant in the future, and if an absolute waiver were granted as requested, persons or property would not be afforded the protection which the existing rule provides. As a consequence, MTB believes that if the proposed installation is to be permit-

ted, Explorer must provide equivalent protection should the vacant land within 50 feet of the installation site outside the station boundary be developed.

In consideration of the foregoing, it appears that the installation of pumping equipment 12 feet from the boundary of the Grapevine Meter Station as shown on Explorer's Drawing No. 273-MS-1004 would be consistent with pipeline safety on condition that protection equivalent to 50 feet of separation is provided as set forth below. Therefore, effective immediately, the Explorer Pipeline Company is hereby granted a waiver from compliance with 49 CFR 195.262(d)(2) for the requested purpose, subject to the following condition:

If the land outside the Grapevine Meter Station within 50 feet of the pumping equipment is developed, Explorer shall provide protection for the development equivalent to a separation of 50 feet from the pumping equipment.

(Sec. 6, Pub. L. 89-670, 80 Stat. 937, 49 USC 1655; 18 USC 831-835; 40 FR 43901, 49 CFR 1.53.)

Issued in Washington, D.C. on June 17, 1976.

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