

Mr. Terry Fronterhouse
Chief, Pipeline Safety
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Dear Mr. Fronterhouse:

We have considered your letter of April 18, 1996, concerning a waiver granted to Black Mountain Gas Company by the Arizona Corporation Commission, Office of Pipeline Safety. Black Mountain requested a waiver from the requirements of 49 CFR 192.707 (c) to place line markers at mains and transmission lines that are located aboveground in areas accessible to the public. Specifically, Black Mountain requested a waiver of the requirements to place line markers at aboveground multi-meter manifolds. Black Mountain's rationale for granting the waiver was "because risers and manifolds are readily recognized as gas pipe by the general public, in contrast to a regulator station, which may be not as easily identified by the general public."

We have conducted an analysis of Docket Number OPS-18 in which paragraph 192.707 (c) was proposed. A notice of proposed rulemaking (NPRM) in Docket Number OPS-18 to amend 49 CFR 192.707, including the addition of paragraph 192.707 (c), was proposed in the May 25, 1972, Federal Register (FR 10578) in order to provide consistency with the hazardous liquid regulations in 49 CFR Part 195 and because the accident reporting system showed a significant number of accidents involving distribution mains and transmission lines had been caused by third party dig-ins. There were 126 comments to the NPRM. The final rule amending 49 CFR 192.707 (Amendment 192-20) was issued in the March 27, 1975, Federal Register (40 FR 13502). The present wording of Section 192.707 (c) is the same as issued in Amendment 192-20.

We agree with Black Mountain's premise that the general public would identify an aboveground installation of a multi-meter manifold as gas pipe. We conducted the analysis of Docket Number OPS-18 to determine if aboveground multi-meter manifolds were addressed during the proceedings. We found no reference to such installations. Based on this analysis and your conclusion that granting the waiver would not jeopardize public safety, we have no objection to the waiver.

Sincerely,

Richard D. Huriaux
Director for Technology and Standards
Office of Pipeline Safety

cc: Terry Binns
Lloyd Ulrich: brw 202-366-4395
cc: DPS-12,10,20
Regions: TSI e-mail Rdg. File
State Mailing
A: Terry Fronterhouse