

**Research and
Special Programs
Administration**

May 30, 1995

Mr. George G. Persyn
Manager, Environmental & Regulatory
Compliance Department
Exxon Pipeline Company
P. O. No. 2220
Houston, TX 77252-2220

Dear Mr. Persyn:

This responds to your letter of April 19, 1995, to the Dockets Branch of the Research and Special Programs Administration, regarding § 195.442 of our Final Rule "Excavation Damage Prevention Programs for Gas and Hazardous Liquid and Carbon Dioxide Pipelines," published on March 20, 1995.

Your concern is with § 195.442(b)(1) requiring operators to "Include [in the damage prevention program of paragraph (a)] the identity, on a current basis, of persons who normally engage in excavation activities in the area in which the pipeline is located." You maintain that identifying such persons is impractical and unrealistic.

During your telephone conversation with this office on May 8, 1995, we suggested that you consider the various sources that operators of gas pipelines have been using to comply with the similar requirement in § 192.614(b)(1), which has been in effect since April 1, 1983. The sources suggested were:

- Offices where contractor licenses or excavation permits are obtained.
- Yellow pages and advertisements in regional newspapers.
- Regional contractor's associations or other entities with contractor registration lists.
- Vendors of excavation equipment.
- One-call systems covering the areas where the pipelines are located.
- Other sources suggested by gas operators with pipelines in the same areas.

Accordingly, you advised that your office is already investigating some of these sources and expects to be able to handle the requirement in this manner.

We trust that this responds to your concerns.

Sincerely,

Cesar DeLeon
Deputy Associate Administrator
for Pipeline Safety

cc: Mr. Jim Thomas, Director
Southwest Region, Office of Pipeline Safety