

Interpretation 192.13 8

January 26, 1973

Mr. Michael A. Duplantier
Special Counsel
State of Louisiana
Department of Justice
194 Supreme Court Building
301 Loyola Avenue
New Orleans, Louisiana 70112

Dear Mr. Duplantier:

This is in further response to your letter of December 29, 1972, to Mr. Marshall W. Taylor of our Houston Office which was referred to this office and acknowledged on January 10, 1973.

In your letter you asked for an evaluation of the situation as to possible violations of Federal gas safety regulations involving the Southern Natural Gas Company's 20-inch natural gas pipeline crossing of the Tangipahoa River above Hammond, Louisiana. You state that the pipeline has been partially exposed due to the erosive actions of the river and, for corrective action, the Company has installed a series of 36 Henson spur jetties extending out into the river.

Your letter suggests that the pipeline may presently be in violation of several of the Federal gas safety regulations. The factual basis for our preliminary evaluation of compliance with the regulations derives from the information contained in your letter, from other information made available through our Houston Office, and from trade journal reports of spur jetty protection of pipeline river crossings. You ask first whether the current erosion prevention efforts make the pipeline subject to the requirements for new pipelines under section 192.13(b). That section, however, refers to segments of pipelines replaced, relocated, or otherwise changed after the given date. In your situation, the Company is employing a rather widely accepted method of restoring the river bank which will cover over the pipeline and thereby maintain physical support for it. Since it does not appear that a pipeline segment is in any way being replaced, relocated, or otherwise changed, that section of the regulations is not considered applicable.

Your next state that section 192.317 would appear to require more stringent precautionary measures than are being applied in this case. The concern to which that section is addressed relates to hazards that may cause the pipe to move or sustain abnormal loads. The rule, therefore, sets forth a general construction requirement rather than an operation or maintenance requirement. In any event, the information furnished would not indicate a violation since the spur jetties are understood to be rebuilding the river bank and protecting the pipeline from accidental damage by river traffic and thereby protecting against pipe movement or abnormal loads.

Section 192.613(b), to which you finally advert, concerns operation of a segment of pipeline determined to be in an unsatisfactory condition. In this regard, the overall requirement of section 192.613 is to

provide for continuing surveillance of an operator's facilities. Paragraph (a) of the section lists the factors to be considered in the surveillance, and these relate to the pipeline itself. We have no factual information at all suggestive that such factors, i.e., change in class location, failures, leakage history, corrosion, substantial changes in cathodic protection requirements or unusual operating or maintenance conditions, are involved. In this situation, therefore, the provisions of section 192.613(b) appear to be inapplicable.

In sum, based on the information available, we are unable to determine that there exist any violations of Federal gas pipeline safety standards on the Southern Natural Gas 20-inch crossing of the Tangipahoa River.

We will be pleased, of course, to review any further information you may care to submit in the matter, and if you have further questions, please call on us.

Sincerely,

Joseph C. Caldwell
Director
Office of Pipeline Safety