



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Avenue SE
Washington DC 20590

JAN 17 2017

Mr. Rich Raiders
Lengert and Raiders LLC
West Penn Avenue
PO Box 223
Robesonia, PA 19551

Dear Mr. Raiders:

In a letter to the Pipeline and Hazardous Materials Safety Administration (PHMSA) dated October 26, 2016, you requested an interpretation of 49 CFR Part 195. Specifically, you asked whether transportation by pipeline of dual phase natural gas liquids (NGL) was governed by 49 CFR Part 195. You believe both Part 192 and Part 195 should apply to NGL transported by pipelines.

You stated that you represent “a group of landowners near a proposed dense phase NGL pipeline and the landowners are concerned about their safety, the safety of nearby schools and public gathering places, and the safety of visitors to their homes and businesses near the proposed pipeline.” You stated that you believe Part 195 is not fully protective of public safety concerning vapor phase hazards that occur during two-phase NGL transportation by pipeline. You stated that “NGLs will stay in liquid form only at certain combinations of pressure and temperature.” Outside of this range, NGLs will be in gaseous phase.” In addition, you provided public literature and other sources to support NGL is transported in two phase where part of the material is in liquid form and the other part in gaseous form.

You believe Part 195 lacks several public protection provisions that PHMSA included in Part 192, such as requirements for high consequence areas, class locations, and odorization. Therefore, you request PHMSA regulate NGLs in mixed gaseous/liquid phase under 49 CFR Parts 192 and 195.

PHMSA’s interpretations reflect current Federal pipeline safety regulations. They do not create legally-enforceable rights or obligations and provide written clarifications of the pipeline safety regulations. These letters reflect the agency’s current application of the regulation to the specific facts presented by the person requesting the clarification.

Part 195 (§ 195.0) prescribes safety standards and reporting requirements for pipeline facilities used in the transportation of hazardous liquids or carbon dioxide. Section 195.1 states that the safety regulations in Part 195 apply to the transportation of hazardous liquids by pipeline, including pipelines that transport highly volatile liquids. Section 195.2 defines hazardous liquid

The Pipeline and Hazardous Materials Safety Administration, Office of Pipeline Safety provides written clarifications of the Regulations (49 CFR Parts 190-199) in the form of interpretation letters. These letters reflect the agency’s current application of the regulations to the specific facts presented by the person requesting the clarification. Interpretations do not create legally-enforceable rights or obligations and are provided to help the public understand how to comply with the regulations.

to include petroleum and petroleum products, such as “crude oil, condensate, natural gasoline, *natural gas liquids*, and liquefied petroleum gas.” Petroleum products are defined, in the same section, as “flammable, toxic, or corrosive products obtained from distilling and processing of crude oil, unfinished oils, *natural gas liquids*, blend stocks and other miscellaneous hydrocarbon compounds.”

Section 195.2 further defines “highly volatile liquid or HVL” as “a hazardous liquid which will form a vapor cloud when released to the atmosphere and which has a vapor pressure exceeding 276 kPa (40 psia) at 37.8 °C (100 °F).” As HVLs, NGLs are regulated by PHMSA under Part 195. If we can be of further assistance, please contact Tewabe Asebe at 202-366-5523.

Sincerely,



Cameron H. Satterthwaite
Acting Director, Office of Standards
and Rulemaking