

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Spire                     )  
Missouri Inc. to Transfer Certain Assets to                 ) Case No. GM-2020-0292  
Saint Louis University   )

**AMENDED APPLICATION OF SPIRE MISSOURI INC.  
FOR AUTHORITY TO TRANSFER ASSETS**

**COMES NOW** Spire Missouri Inc. (“Spire” or “Company”) and, pursuant to Sections 20 CSR 4240-2.060 and 20 CSR 4240-10.105 of the Commission’s rules, files this Amended Application for authority to transfer assets. This Amended Application removes the assets included in Bill of Sale 6 from this Application by making adjustments in paragraphs 6, 8.A., 8.B., 8.D., and Exhibit C, by removing references to Bill of Sale 6, adjusting pipeline footage, updating the fair market value calculation of the assets and updating the amount paid to Spire.<sup>1</sup> The Application filed on March 18, 2020 requested authority to transfer certain assets to Saint Louis University. In a separate filing, in support of the Application as well as this Amended Application, Spire also filed its Request for Waiver from the 60-Day Notice Rule. In support of its Amended Application, Spire respectfully states as follows:

**INTRODUCTION**

1. Spire is a public utility incorporated under the laws of the State of Missouri, with its principal office located at 700 Market Street, St. Louis, Missouri 63101. A Certificate of Good Standing evidencing Spire's standing to do business in Missouri is attached herein as Exhibit A. The information in such Certificate is current and correct.

2. Spire is engaged in the business of distributing and transporting natural gas to customers in Missouri as a gas corporation subject to the jurisdiction of the Commission. It’s

---

<sup>1</sup> Saint Louis University notified Spire that it no longer wanted to proceed with Bill of Sale 6.

operating unit, Spire East, provides gas service in eastern Missouri to customers in the City of St. Louis and the Counties of St. Louis, St. Charles, Crawford, Jefferson, Franklin, Iron, St. Genevieve, St. Francois, Madison, and Butler. Spire is current on its annual report and assessment fee obligations to the Commission, and no such report or assessment fee is overdue.

3        Communications in regard to this Application should be addressed to the persons below:

Matthew Aplington  
General Counsel  
Spire Missouri Inc.  
700 Market Street, 6th Floor  
St. Louis, MO 63101  
314-342-0785 Office  
314-421-1979 Fax  
[matt.aplington@spireenergy.com](mailto:matt.aplington@spireenergy.com)

Goldie T. Bockstruck  
Director, Associate General Counsel  
Spire Missouri Inc.  
700 Market Street  
St. Louis, MO 63101  
314-342-0533 Office  
[Goldie.Bockstruck@spireenergy.com](mailto:Goldie.Bockstruck@spireenergy.com)

4.        Other than cases that have been docketed at the Commission, Spire has no pending action or final unsatisfied judgment or decision against it from any state or federal agency or court which involve customer service or rates within the past three years of the date of this Application.

### **BACKGROUND**

5.        In January 2018, SLU contacted Spire regarding SLU's desire to consolidate the facilities serving it and assume more responsibility for its own gas supply. Essentially, SLU wants

to upgrade from a commercial customer to a transport customer under Spire's tariff so that SLU may purchase its own gas at wholesale rates.

6. Several months of discussions between Spire and SLU ensued regarding the changes that would need to be made to effectuate SLU's proposal. For SLU to serve gas to its own facilities, it needs its own gas distribution system. Rather than SLU build an entirely new gas distribution system on its campus, Spire agreed, pending Commission approval, to transfer to SLU certain segments of Spire's gas distribution system used to serve SLU (the "Assets"). In order to minimize the amount of service disruption on campus, work surrounding the transfer of Assets was divided into five phases. The work for each of these phases has been completed.

7. The transfer of these Assets may be considered subject to Commission jurisdiction. Therefore, Spire is submitting this Application pursuant to 20 CSR 4240-2.060, which governs applications generally, as well as 20 CSR 4240-10.105 ("Rule 10.105"), which governs the filing requirements necessary to request approval for the authority to sell, assign, lease or transfer assets.,.

### **THE PROPOSED TRANSFER**

8. Pursuant to the requirements of Rule 10.105, Spire provides the following information:

A. 10.105(1)(A) Description of the Property to Be Transferred.

Spire seeks authority from the Commission to sell and transfer the Assets to SLU, consisting of five separate sections of its gas distribution system currently owned and operated by Spire in its Spire East service territory. The facilities represent 5,108 feet of pipeline in total, and range in age from two years to over sixty years old. All five sections are located within SLU's property and will only be used to serve the SLU campus. All maintenance associated with the Assets after the transfer will be the responsibility of SLU. A more detailed description of the

Assets, and any associated permits or certificates, is set forth in the bills of sale (Exhibit B), which is attached hereto and incorporated herein for all purposes.

B. 10.105(1)(B)      Sale Agreement

Spire proposes to sell, and SLU has agreed to purchase, in five separate bills of sale, the Assets “for good and valuable consideration.” Although an amount is not set forth in each respective bill of sale, the assets are being transferred to SLU in exchange for \$93,470, which reflects the cost to Spire to cut and cap the mains. The cutting and capping of mains separates SLU’s system from Spire’s, thereby enabling SLU to serve itself. The amount paid by SLU to Spire to cut and cap the mains exceed the fair market value of the assets, which is \$55,511 as calculated in Exhibit C. The bill of sale associated with each asset provide that Spire will transfer its facilities to SLU “as is,” without warranties. SLU accepts all risk with respect to future use.

C. 10.105(1)(C)      Authorizations

The transfer of assets was approved at Spire’s March 9, 2019 Board of Directors Meeting. In addition, verification of proper authority for the proposed sale is set forth in the verified affidavit of Craig Hoeferlin, which is attached hereto and incorporated herein for all purposes.

D. 10.105(1)(D)      Reasons Transfer is not Detrimental to the Public Interest

The proposed transactions are not detrimental to the interest of Spire, SLU or the Company’s other customers. SLU benefits from being able to qualify as a transport customer under Spire’s tariff, enabling SLU to purchase its own gas at wholesale rates SLU is also able to purchase portions of Spire’s distribution system at a cost less expensive than installing a new system. Spire and Spire’s customers benefit from the sale because SLU is covering the costs to cut and cap the mains; this is a cost that Spire would otherwise have to incur if SLU installed its

own system rather than purchase the Assets. In addition, the amount SLU is paying for the Assets equals or exceeds the fair market value of the Assets, which is \$55,511. Spire and its customers will also benefit from having to forego future maintenance costs related to these assets. Spire's distribution charges under the new arrangement are roughly the same as its current distribution charges. Therefore, these transactions will result in no additional costs to ratepayers.

Spire has also taken efforts to make sure that SLU is aware of the responsibilities associated with owning the Assets. Spire has had discussions with representatives of SLU regarding the maintenance associated with the distribution system, and has shared with SLU the relevant Commission safety rules, as exhibited in Exhibit D.

E. 10.105(1)(E) Balance Sheet and Income Statement

SLU is not subject to the Commission's regulatory jurisdiction; therefore, this Application does not include a balance sheet or income statement showing the impact of the proposed purchase on SLU.

F. 10.105(1)(F) Tax Revenue Impact

It is not anticipated that the transfer of the assets will have any material impact on the tax revenues of the political subdivisions in which the assets are located.

9. Spire will furnish any items required under Rule 10.105 that are unavailable prior to requesting final authorization for the sale of the Assets.

WHEREFORE, for the foregoing reasons, Spire respectfully requests that the Commission issue its Order authorizing the sale of its SLU assets on the terms and conditions set forth herein.

Respectfully Submitted,

/s/ Goldie T. Bockstruck

Goldie T. Bockstruck  
Director, Associate General Counsel  
Spire Missouri Inc.

700 Market Street  
St. Louis, MO 63101  
314-342-0533 Office  
[Goldie.Bockstruck@spireenergy.com](mailto:Goldie.Bockstruck@spireenergy.com)

**/s/Matthew Aplington**  
Matthew Aplington #58565  
General Counsel  
Spire Missouri Inc.  
700 Market Street, 6th Floor  
St. Louis, MO 63101  
314-342-0785 Office  
314-421-1979 Fax  
[matt.aplington@spireenergy.com](mailto:matt.aplington@spireenergy.com)

**Certificate of Service**

I hereby certify that copies of the foregoing have been emailed to Staff and Public Counsel on this 8<sup>th</sup> day of May, 2020.

/s/ Goldie T. Bockstruck

In the Matter of the Application of Spire )  
Missouri Inc. to Transfer Certain Assets to ) Case No. GM-2020-0292  
Saint Louis University )

STATE OF MISSOURI )  
 ) SS.  
CITY OF ST. LOUIS )

3. I hereby swear and affirm under penalty of perjury, that the statements contained herein and in the *Amended Application of Spire Missouri Inc. for Authority to Transfer Assets* are true and correct to the best of my knowledge and belief.

Craig R. Hoeflerlin

# STATE OF MISSOURI



**John R. Ashcroft**  
**Secretary of State**

**CORPORATION DIVISION**  
**CERTIFICATE OF GOOD STANDING**

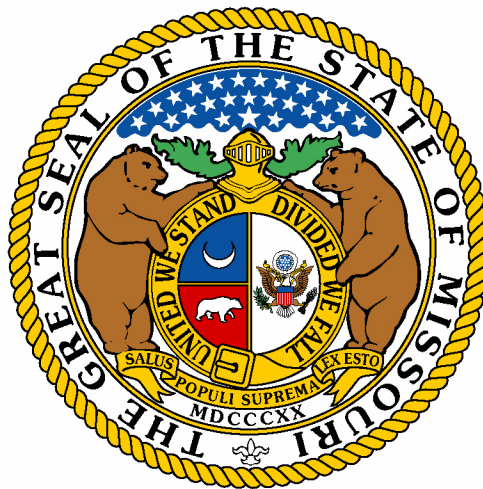
I, JOHN R. ASHCROFT, Secretary of State of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

*Spire Missouri Inc.*  
*00042501*

was created under the laws of this State on the 2nd day of March, 1857, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 24th day of October, 2019.

  
Secretary of State



Certification Number: CERT-10242019-0025



**BILL OF SALE**

This BILL OF SALE (this “*Bill of Sale*”) is made as of \_\_\_\_\_, 20\_\_\_\_ (the “*Effective Date*”) between Spire Missouri Inc., formerly known as Laclede Gas Company (“*Seller*”), and Saint Louis University (“*Buyer*”).

**1. Transfer.** For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and subject to the conditions set forth in this Bill of Sale, Buyer quitclaims, sells, sets over, assigns, transfers, and conveys to Buyer, and Buyer purchases and accepts from Seller, all of Seller’s right, title, and interest in and to the following natural gas distribution facilities, including without limitation, any related regulators and appurtenances (the “*Facilities*”), the exact locations of which are more particularly shown on **Exhibit A** attached hereto:

Approximately 808’ of 2” steel main, 147’ of 0.38” PL service, and 127’ of 0.5” PL service.

**2. Risk of Loss; Warranties.** Risk of loss to the Facilities transfers to Buyer upon the Effective Date. Buyer warrants that, upon transfer, the Facilities will be free and clear of all liens, security interests, and other encumbrances. EXCEPT FOR THIS WARRANTY OF TITLE, SELLER DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE FACILITIES, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHETHER ARISING BY OPERATION OF LAW OR OTHERWISE. BUYER ACCEPTS THE FACILITIES IN THEIR “AS IS, WHERE IS” CONDITION, WITH ALL FAULTS OR DEFECTS, BOTH PATENT AND LATENT, AND ASSUMES ALL RISK WITH RESPECT TO FUTURE USE.

**3. No Reliance.** Buyer acknowledges that Buyer has purchased the Facilities without relying upon any representations by Seller concerning the physical condition of the Facilities. Instead, Buyer has relied solely upon Buyer’s independent investigation and judgment to determine the condition of the Facilities. Buyer recognizes and acknowledges that the Facilities are in “used” condition.

**4. Limitation of Liability.** BUYER HEREBY RELEASES AND DISCHARGES SELLER FROM ANY AND ALL LIABILITY FOR LATENT OR PATENT FAULTS OR DEFECTS IN OR RELATED TO THE FACILITIES, REGARDLESS OF HOW SUCH FAULTS OR DEFECTS WERE CAUSED OR CREATED (WHETHER BY SELLER’S NEGLIGENCE, ACTIONS, OMISSIONS, OR OTHERWISE). IN NO EVENT WILL SELLER BE LIABLE TO BUYER UNDER, AS A RESULT OF, OR ARISING OUT OF THIS BILL OF SALE OR THE FACILITIES FOR ANY LOST OR PROSPECTIVE PROFITS, INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES, INCLUDING WITHOUT LIMITATION, LOST EARNINGS, LOST PROFITS, OR BUSINESS INTERRUPTION, WHETHER OR NOT BASED UPON SELLER’S NEGLIGENCE, BREACH OF WARRANTY, STRICT LIABILITY, IN TORT, OR ANY OTHER CAUSE OF ACTION.

**5. Indemnity.** From and after the Effective Date, Buyer will defend, indemnify, and hold Seller and its affiliates and its and their respective officers, employees and agents from any Loss in any way occurring, incident to, arising out of, or in connection with the Facilities, including Loss relating to personal injuries, death, damage to property, or damage to the environment. The term “*Loss*” means any claim, liability, costs, damages, losses, demands, causes of actions, suits, or other litigation (including without limitation all costs thereof and attorney’s fees) of every kind of character.

**6. Required Approval.** This Bill of Sale is subject to approval of the Missouri Public Service Commission and is subject to all present and future laws, statutes, orders, rules and regulations of the United States of America or the State of Missouri, including without limitation, any regulatory body of the federal government or the State of Missouri.

**7. Governing Law; Venue.** This Bill of Sale shall be construed in accordance with the laws of the State of Missouri, without regard to its conflicts of law rules. Any dispute or proceeding arising out of this Bill of Sale must be commenced and maintained exclusively in the state or federal courts having jurisdiction over the location of the Facilities, and each party submits itself unconditionally and irrevocably to the personal jurisdiction of such courts. EACH PARTY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY SUIT, ACTION, CLAIM, OR PROCEEDING RELATING TO THIS BILL OF SALE.

**8. Entire Agreement; Counterparts.** Exhibit A attached to this Bill of Sale is by this reference incorporated into this Bill of Sale. This Bill of Sale sets forth the entire understanding and agreement, and supersedes any and all prior agreements, written or oral, between the parties with respect to the subject matter hereof. This Bill of Sale may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Bill of Sale and all of which, when taken together, will be deemed to constitute one and the same agreement. This Bill of Sale can be electronically signed, and electronic signatures are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility. Electronic copies of any signed original agreement will be deemed the same as delivery of an original.

IN WITNESS WHEREOF, Buyer and Seller have executed this Bill of Sale as of the Effective Date.

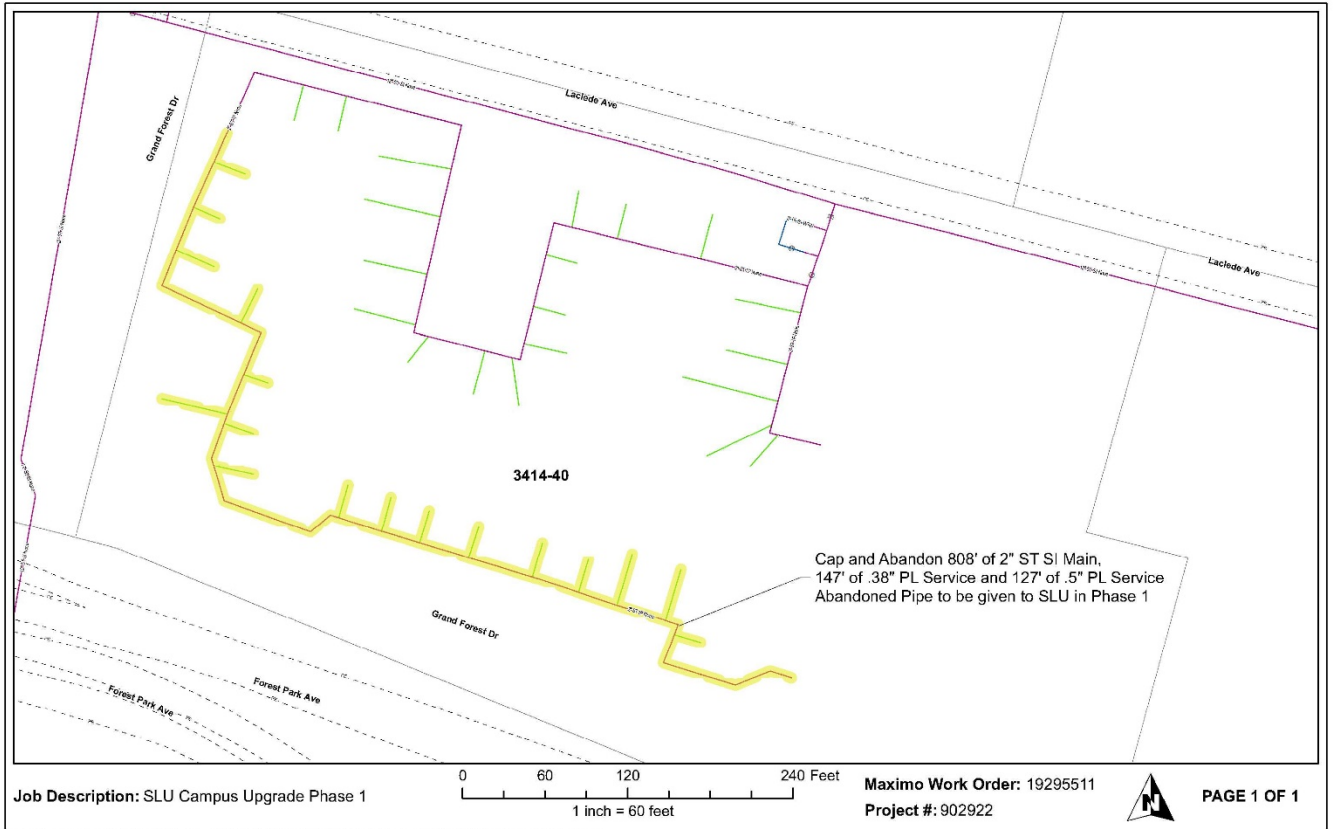
SPIRE MISSOURI INC.

SAINT LOUIS UNIVERSITY

By: \_\_\_\_\_  
Name: Craig R. Hoferlin  
Title: Chief Engineer

By: \_\_\_\_\_  
Name:  
Title:

# **EXHIBIT A** **MAP OF FACILITIES**



PATH: Y:\2019\_19295511\_ABANDON\_SLU\_CAMPUS\_MAIN\_ABANDONMENT\DOCUMENTS\SMXD\EXHIBIT1.MXD, 3:25:21 PM 8/16/2019 09440

## BILL OF SALE

This BILL OF SALE (this “*Bill of Sale*”) is made as of \_\_\_\_\_, 20\_\_\_\_ (the “*Effective Date*”) between Spire Missouri Inc., formerly known as Laclede Gas Company (“*Seller*”), and Saint Louis University (“*Buyer*”).

**1. Transfer.** For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and subject to the conditions set forth in this Bill of Sale, Buyer quitclaims, sells, sets over, assigns, transfers, and conveys to Buyer, and Buyer purchases and accepts from Seller, all of Seller’s right, title, and interest in and to the following natural gas distribution facilities, including without limitation, any related regulators and appurtenances (the “*Facilities*”), the exact locations of which are more particularly shown on **Exhibit A** attached hereto:

Approximately 1936’ of 2” steel main, 129’ of 0.38” PL service, and 197’ of 0.5” PL service.

**2. Risk of Loss; Warranties.** Risk of loss to the Facilities transfers to Buyer upon the Effective Date. Buyer warrants that, upon transfer, the Facilities will be free and clear of all liens, security interests, and other encumbrances. EXCEPT FOR THIS WARRANTY OF TITLE, SELLER DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE FACILITIES, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHETHER ARISING BY OPERATION OF LAW OR OTHERWISE. BUYER ACCEPTS THE FACILITIES IN THEIR “AS IS, WHERE IS” CONDITION, WITH ALL FAULTS OR DEFECTS, BOTH PATENT AND LATENT, AND ASSUMES ALL RISK WITH RESPECT TO FUTURE USE.

**3. No Reliance.** Buyer acknowledges that Buyer has purchased the Facilities without relying upon any representations by Seller concerning the physical condition of the Facilities. Instead, Buyer has relied solely upon Buyer’s independent investigation and judgment to determine the condition of the Facilities. Buyer recognizes and acknowledges that the Facilities are in “used” condition.

**4. Limitation of Liability.** BUYER HEREBY RELEASES AND DISCHARGES SELLER FROM ANY AND ALL LIABILITY FOR LATENT OR PATENT FAULTS OR DEFECTS IN OR RELATED TO THE FACILITIES, REGARDLESS OF HOW SUCH FAULTS OR DEFECTS WERE CAUSED OR CREATED (WHETHER BY SELLER’S NEGLIGENCE, ACTIONS, OMISSIONS, OR OTHERWISE). IN NO EVENT WILL SELLER BE LIABLE TO BUYER UNDER, AS A RESULT OF, OR ARISING OUT OF THIS BILL OF SALE OR THE FACILITIES FOR ANY LOST OR PROSPECTIVE PROFITS, INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES, INCLUDING WITHOUT LIMITATION, LOST EARNINGS, LOST PROFITS, OR BUSINESS INTERRUPTION, WHETHER OR NOT BASED UPON SELLER’S NEGLIGENCE, BREACH OF WARRANTY, STRICT LIABILITY, IN TORT, OR ANY OTHER CAUSE OF ACTION.

**5. Indemnity.** From and after the Effective Date, Buyer will defend, indemnify, and hold Seller and its affiliates and its and their respective officers, employees and agents from any Loss in any way occurring, incident to, arising out of, or in connection with the Facilities, including Loss relating to personal injuries, death, damage to property, or damage to the environment. The term “*Loss*” means any claim, liability, costs, damages, losses, demands, causes of actions, suits, or other litigation (including without limitation all costs thereof and attorney’s fees) of every kind of character.

**6. Required Approval.** This Bill of Sale is subject to approval of the Missouri Public Service Commission and is subject to all present and future laws, statutes, orders, rules and regulations of the United States of America or the State of Missouri, including without limitation, any regulatory body of the federal government or the State of Missouri.

**7. Governing Law; Venue.** This Bill of Sale shall be construed in accordance with the laws of the State of Missouri, without regard to its conflicts of law rules. Any dispute or proceeding arising out of this Bill of Sale must be commenced and maintained exclusively in the state or federal courts having jurisdiction over the location of the Facilities, and each party submits itself unconditionally and irrevocably to the personal jurisdiction of such courts. EACH PARTY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY SUIT, ACTION, CLAIM, OR PROCEEDING RELATING TO THIS BILL OF SALE.

**8. Entire Agreement; Counterparts.** Exhibit A attached to this Bill of Sale is by this reference incorporated into this Bill of Sale. This Bill of Sale sets forth the entire understanding and agreement, and supersedes any and all prior agreements, written or oral, between the parties with respect to the subject matter hereof. This Bill of Sale may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Bill of Sale and all of which, when taken together, will be deemed to constitute one and the same agreement. This Bill of Sale can be electronically signed, and electronic signatures are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility. Electronic copies of any signed original agreement will be deemed the same as delivery of an original.

IN WITNESS WHEREOF, Buyer and Seller have executed this Bill of Sale as of the Effective Date.

SPIRE MISSOURI INC.

SAINT LOUIS UNIVERSITY

By: \_\_\_\_\_  
Name: Craig R. Hoferlin  
Title: Chief Engineer

By: \_\_\_\_\_  
Name:  
Title:

**EXHIBIT A**  
**MAP OF FACILITIES**



PATH: Y:\2015-19295511-ABANDON-SLU-CAMPUS-MAIN-ABANDONMENT\DOCUMENTS\MXD\EXHIBIT2.MXD, 9:35:54 AM 6/20/2015 06440

## BILL OF SALE

This BILL OF SALE (this “*Bill of Sale*”) is made as of \_\_\_\_\_, 20\_\_\_\_ (the “*Effective Date*”) between Spire Missouri Inc., formerly known as Laclede Gas Company (“*Seller*”), and Saint Louis University (“*Buyer*”).

**1. Transfer.** For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and subject to the conditions set forth in this Bill of Sale, Buyer quitclaims, sells, sets over, assigns, transfers, and conveys to Buyer, and Buyer purchases and accepts from Seller, all of Seller’s right, title, and interest in and to the following natural gas distribution facilities, including without limitation, any related regulators and appurtenances (the “*Facilities*”), the exact locations of which are more particularly shown on **Exhibit A** attached hereto:

Approximately 491’ of 6” ST main, 112’ of 2” ST service, and 19’ of 2” ST service.

**2. Risk of Loss; Warranties.** Risk of loss to the Facilities transfers to Buyer upon the Effective Date. Buyer warrants that, upon transfer, the Facilities will be free and clear of all liens, security interests, and other encumbrances. EXCEPT FOR THIS WARRANTY OF TITLE, SELLER DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE FACILITIES, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHETHER ARISING BY OPERATION OF LAW OR OTHERWISE. BUYER ACCEPTS THE FACILITIES IN THEIR “AS IS, WHERE IS” CONDITION, WITH ALL FAULTS OR DEFECTS, BOTH PATENT AND LATENT, AND ASSUMES ALL RISK WITH RESPECT TO FUTURE USE.

**3. No Reliance.** Buyer acknowledges that Buyer has purchased the Facilities without relying upon any representations by Seller concerning the physical condition of the Facilities. Instead, Buyer has relied solely upon Buyer’s independent investigation and judgment to determine the condition of the Facilities. Buyer recognizes and acknowledges that the Facilities are in “used” condition.

**4. Limitation of Liability.** BUYER HEREBY RELEASES AND DISCHARGES SELLER FROM ANY AND ALL LIABILITY FOR LATENT OR PATENT FAULTS OR DEFECTS IN OR RELATED TO THE FACILITIES, REGARDLESS OF HOW SUCH FAULTS OR DEFECTS WERE CAUSED OR CREATED (WHETHER BY SELLER’S NEGLIGENCE, ACTIONS, OMISSIONS, OR OTHERWISE). IN NO EVENT WILL SELLER BE LIABLE TO BUYER UNDER, AS A RESULT OF, OR ARISING OUT OF THIS BILL OF SALE OR THE FACILITIES FOR ANY LOST OR PROSPECTIVE PROFITS, INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES, INCLUDING WITHOUT LIMITATION, LOST EARNINGS, LOST PROFITS, OR BUSINESS INTERRUPTION, WHETHER OR NOT BASED UPON SELLER’S NEGLIGENCE, BREACH OF WARRANTY, STRICT LIABILITY, IN TORT, OR ANY OTHER CAUSE OF ACTION.

**5. Indemnity.** From and after the Effective Date, Buyer will defend, indemnify, and hold Seller and its affiliates and its and their respective officers, employees and agents from any Loss in any way occurring, incident to, arising out of, or in connection with the Facilities, including Loss relating to personal injuries, death, damage to property, or damage to the environment. The term “*Loss*” means any claim, liability, costs, damages, losses, demands, causes of actions, suits, or other litigation (including without limitation all costs thereof and attorney’s fees) of every kind of character.

**6. Required Approval.** This Bill of Sale is subject to approval of the Missouri Public Service Commission and is subject to all present and future laws, statutes, orders, rules and regulations of the United States of America or the State of Missouri, including without limitation, any regulatory body of the federal government or the State of Missouri.

**7. Governing Law; Venue.** This Bill of Sale shall be construed in accordance with the laws of the State of Missouri, without regard to its conflicts of law rules. Any dispute or proceeding arising out of this Bill of Sale must be commenced and maintained exclusively in the state or federal courts having jurisdiction over the location of the Facilities, and each party submits itself unconditionally and irrevocably to the personal jurisdiction of such courts. EACH PARTY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY SUIT, ACTION, CLAIM, OR PROCEEDING RELATING TO THIS BILL OF SALE.

**8. Entire Agreement; Counterparts.** Exhibit A attached to this Bill of Sale is by this reference incorporated into this Bill of Sale. This Bill of Sale sets forth the entire understanding and agreement, and supersedes any and all prior agreements, written or oral, between the parties with respect to the subject matter hereof. This Bill of Sale may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Bill of Sale and all of which, when taken together, will be deemed to constitute one and the same agreement. This Bill of Sale can be electronically signed, and electronic signatures are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility. Electronic copies of any signed original agreement will be deemed the same as delivery of an original.

IN WITNESS WHEREOF, Buyer and Seller have executed this Bill of Sale as of the Effective Date.

SPIRE MISSOURI INC.

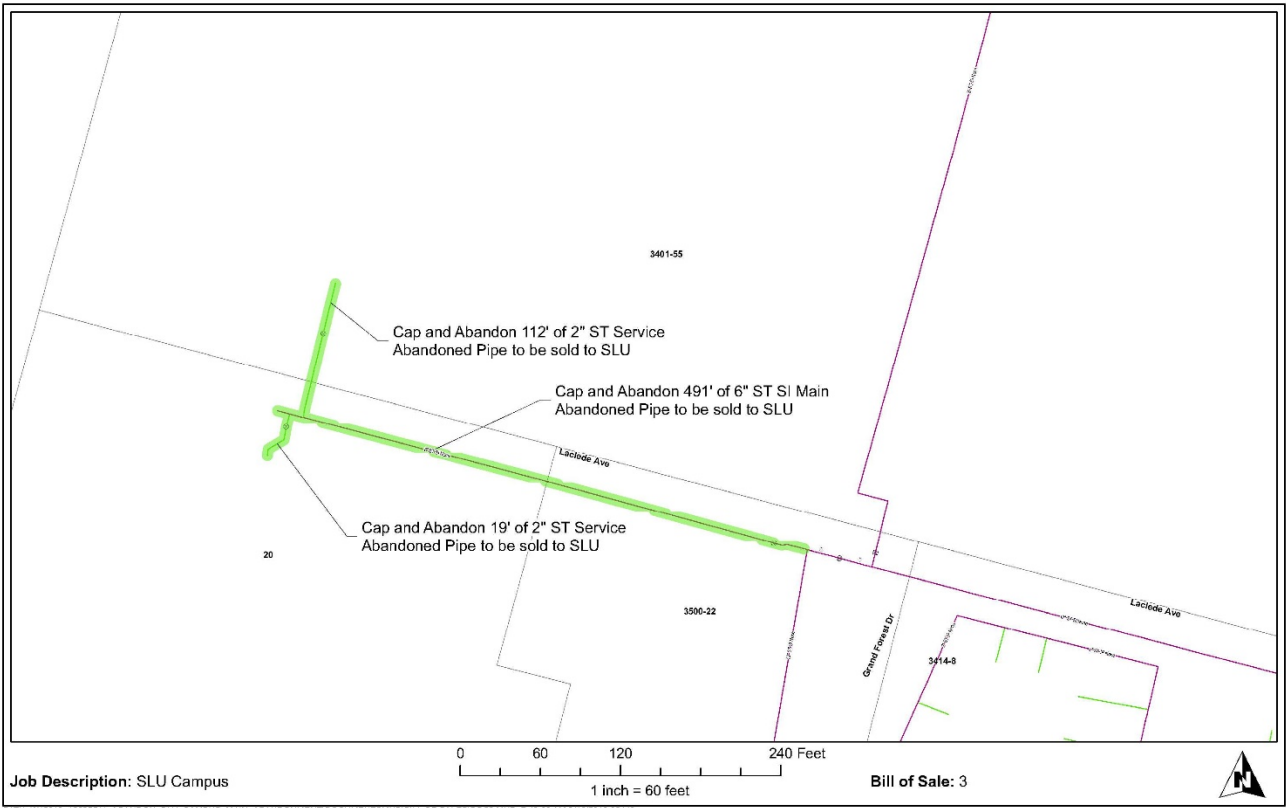
SAINT LOUIS UNIVERSITY

By: \_\_\_\_\_  
Name: Craig R. Hoeflerlin  
Title: Chief Engineer

By: \_\_\_\_\_  
Name:  
Title:



**EXHIBIT A**  
**MAP OF FACILITIES**



## BILL OF SALE

This BILL OF SALE (this “*Bill of Sale*”) is made as of \_\_\_\_\_, 20\_\_\_\_ (the “*Effective Date*”) between Spire Missouri Inc., formerly known as Laclede Gas Company (“*Seller*”), and Saint Louis University (“*Buyer*”).

**1. Transfer.** For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and subject to the conditions set forth in this Bill of Sale, Buyer quitclaims, sells, sets over, assigns, transfers, and conveys to Buyer, and Buyer purchases and accepts from Seller, all of Seller’s right, title, and interest in and to the following natural gas distribution facilities, including without limitation, any related regulators and appurtenances (the “*Facilities*”), the exact locations of which are more particularly shown on **Exhibit A** attached hereto:

Approximately 146’ of 2” PL service.

**2. Risk of Loss; Warranties.** Risk of loss to the Facilities transfers to Buyer upon the Effective Date. Buyer warrants that, upon transfer, the Facilities will be free and clear of all liens, security interests, and other encumbrances. EXCEPT FOR THIS WARRANTY OF TITLE, SELLER DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE FACILITIES, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHETHER ARISING BY OPERATION OF LAW OR OTHERWISE. BUYER ACCEPTS THE FACILITIES IN THEIR “AS IS, WHERE IS” CONDITION, WITH ALL FAULTS OR DEFECTS, BOTH PATENT AND LATENT, AND ASSUMES ALL RISK WITH RESPECT TO FUTURE USE.

**3. No Reliance.** Buyer acknowledges that Buyer has purchased the Facilities without relying upon any representations by Seller concerning the physical condition of the Facilities. Instead, Buyer has relied solely upon Buyer’s independent investigation and judgment to determine the condition of the Facilities. Buyer recognizes and acknowledges that the Facilities are in “used” condition.

**4. Limitation of Liability.** BUYER HEREBY RELEASES AND DISCHARGES SELLER FROM ANY AND ALL LIABILITY FOR LATENT OR PATENT FAULTS OR DEFECTS IN OR RELATED TO THE FACILITIES, REGARDLESS OF HOW SUCH FAULTS OR DEFECTS WERE CAUSED OR CREATED (WHETHER BY SELLER’S NEGLIGENCE, ACTIONS, OMISSIONS, OR OTHERWISE). IN NO EVENT WILL SELLER BE LIABLE TO BUYER UNDER, AS A RESULT OF, OR ARISING OUT OF THIS BILL OF SALE OR THE FACILITIES FOR ANY LOST OR PROSPECTIVE PROFITS, INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES, INCLUDING WITHOUT LIMITATION, LOST EARNINGS, LOST PROFITS, OR BUSINESS INTERRUPTION, WHETHER OR NOT BASED UPON SELLER’S NEGLIGENCE, BREACH OF WARRANTY, STRICT LIABILITY, IN TORT, OR ANY OTHER CAUSE OF ACTION.

**5. Indemnity.** From and after the Effective Date, Buyer will defend, indemnify, and hold Seller and its affiliates and its and their respective officers, employees and agents from any Loss in any way occurring, incident to, arising out of, or in connection with the Facilities, including Loss relating to personal injuries, death, damage to property, or damage to the environment. The term “*Loss*” means any claim, liability, costs, damages, losses, demands, causes of actions, suits, or other litigation (including without limitation all costs thereof and attorney’s fees) of every kind of character.

**6. Required Approval.** This Bill of Sale is subject to approval of the Missouri Public Service Commission and is subject to all present and future laws, statutes, orders, rules and regulations of the

United States of America or the State of Missouri, including without limitation, any regulatory body of the federal government or the State of Missouri.

**7. Governing Law; Venue.** This Bill of Sale shall be construed in accordance with the laws of the State of Missouri, without regard to its conflicts of law rules. Any dispute or proceeding arising out of this Bill of Sale must be commenced and maintained exclusively in the state or federal courts having jurisdiction over the location of the Facilities, and each party submits itself unconditionally and irrevocably to the personal jurisdiction of such courts. EACH PARTY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY SUIT, ACTION, CLAIM, OR PROCEEDING RELATING TO THIS BILL OF SALE.

**8. Entire Agreement; Counterparts.** Exhibit A attached to this Bill of Sale is by this reference incorporated into this Bill of Sale. This Bill of Sale sets forth the entire understanding and agreement, and supersedes any and all prior agreements, written or oral, between the parties with respect to the subject matter hereof. This Bill of Sale may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Bill of Sale and all of which, when taken together, will be deemed to constitute one and the same agreement. This Bill of Sale can be electronically signed, and electronic signatures are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility. Electronic copies of any signed original agreement will be deemed the same as delivery of an original.

IN WITNESS WHEREOF, Buyer and Seller have executed this Bill of Sale as of the Effective Date.

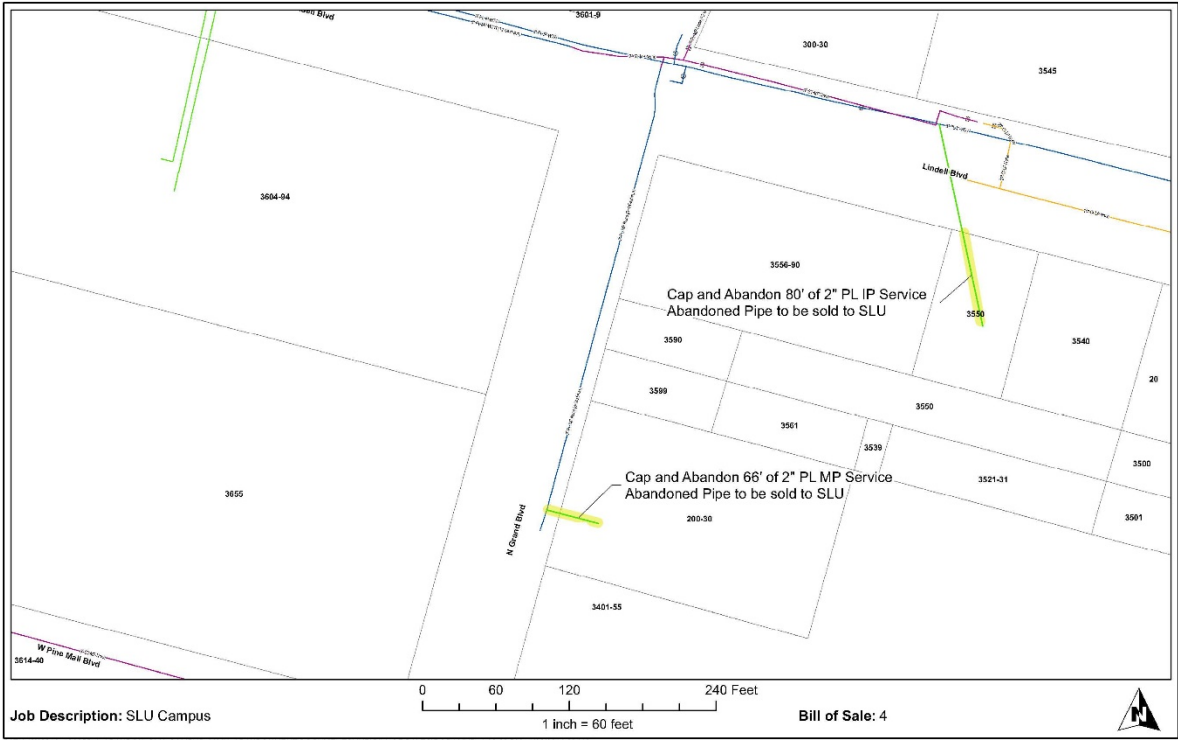
SPIRE MISSOURI INC.

SAINT LOUIS UNIVERSITY

By: \_\_\_\_\_  
Name: Craig R. Hoeflerlin  
Title: Chief Engineer

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT A**  
**MAP OF FACILITIES**



## BILL OF SALE

This BILL OF SALE (this “**Bill of Sale**”) is made as of \_\_\_\_\_, 20\_\_\_\_ (the “**Effective Date**”) between Spire Missouri Inc., formerly known as Laclede Gas Company (“**Seller**”), and Saint Louis University (“**Buyer**”).

**1. Transfer.** For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and subject to the conditions set forth in this Bill of Sale, Buyer quitclaims, sells, sets over, assigns, transfers, and conveys to Buyer, and Buyer purchases and accepts from Seller, all of Seller’s right, title, and interest in and to the following natural gas distribution facilities, including without limitation, any related regulators and appurtenances (the “**Facilities**”), the exact locations of which are more particularly shown on **Exhibit A** attached hereto:

Approximately 155’ of 8” ST main, 408’ of 2” PL service, 227’ of 8” ST service, and 158’ of 0.75” service.

**2. Risk of Loss; Warranties.** Risk of loss to the Facilities transfers to Buyer upon the Effective Date. Buyer warrants that, upon transfer, the Facilities will be free and clear of all liens, security interests, and other encumbrances. EXCEPT FOR THIS WARRANTY OF TITLE, SELLER DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE FACILITIES, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHETHER ARISING BY OPERATION OF LAW OR OTHERWISE. BUYER ACCEPTS THE FACILITIES IN THEIR “AS IS, WHERE IS” CONDITION, WITH ALL FAULTS OR DEFECTS, BOTH PATENT AND LATENT, AND ASSUMES ALL RISK WITH RESPECT TO FUTURE USE.

**3. No Reliance.** Buyer acknowledges that Buyer has purchased the Facilities without relying upon any representations by Seller concerning the physical condition of the Facilities. Instead, Buyer has relied solely upon Buyer’s independent investigation and judgment to determine the condition of the Facilities. Buyer recognizes and acknowledges that the Facilities are in “used” condition.

**4. Limitation of Liability.** BUYER HEREBY RELEASES AND DISCHARGES SELLER FROM ANY AND ALL LIABILITY FOR LATENT OR PATENT FAULTS OR DEFECTS IN OR RELATED TO THE FACILITIES, REGARDLESS OF HOW SUCH FAULTS OR DEFECTS WERE CAUSED OR CREATED (WHETHER BY SELLER’S NEGLIGENCE, ACTIONS, OMISSIONS, OR OTHERWISE). IN NO EVENT WILL SELLER BE LIABLE TO BUYER UNDER, AS A RESULT OF, OR ARISING OUT OF THIS BILL OF SALE OR THE FACILITIES FOR ANY LOST OR PROSPECTIVE PROFITS, INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES, INCLUDING WITHOUT LIMITATION, LOST EARNINGS, LOST PROFITS, OR BUSINESS INTERRUPTION, WHETHER OR NOT BASED UPON SELLER’S NEGLIGENCE, BREACH OF WARRANTY, STRICT LIABILITY, IN TORT, OR ANY OTHER CAUSE OF ACTION.

**5. Indemnity.** From and after the Effective Date, Buyer will defend, indemnify, and hold Seller and its affiliates and its and their respective officers, employees and agents from any Loss in any way occurring, incident to, arising out of, or in connection with the Facilities, including Loss relating to personal injuries, death, damage to property, or damage to the environment. The term “**Loss**” means any claim, liability, costs, damages, losses, demands, causes of actions, suits, or other litigation (including without limitation all costs thereof and attorney’s fees) of every kind of character.

**6. Required Approval.** This Bill of Sale is subject to approval of the Missouri Public Service Commission and is subject to all present and future laws, statutes, orders, rules and regulations of the United States of America or the State of Missouri, including without limitation, any regulatory body of the federal government or the State of Missouri.

**7. Governing Law; Venue.** This Bill of Sale shall be construed in accordance with the laws of the State of Missouri, without regard to its conflicts of law rules. Any dispute or proceeding arising out of this Bill of Sale must be commenced and maintained exclusively in the state or federal courts having jurisdiction over the location of the Facilities, and each party submits itself unconditionally and irrevocably to the personal jurisdiction of such courts. EACH PARTY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY SUIT, ACTION, CLAIM, OR PROCEEDING RELATING TO THIS BILL OF SALE.

**8. Entire Agreement; Counterparts.** Exhibit A attached to this Bill of Sale is by this reference incorporated into this Bill of Sale. This Bill of Sale sets forth the entire understanding and agreement, and supersedes any and all prior agreements, written or oral, between the parties with respect to the subject matter hereof. This Bill of Sale may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Bill of Sale and all of which, when taken together, will be deemed to constitute one and the same agreement. This Bill of Sale can be electronically signed, and electronic signatures are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility. Electronic copies of any signed original agreement will be deemed the same as delivery of an original.

IN WITNESS WHEREOF, Buyer and Seller have executed this Bill of Sale as of the Effective Date.

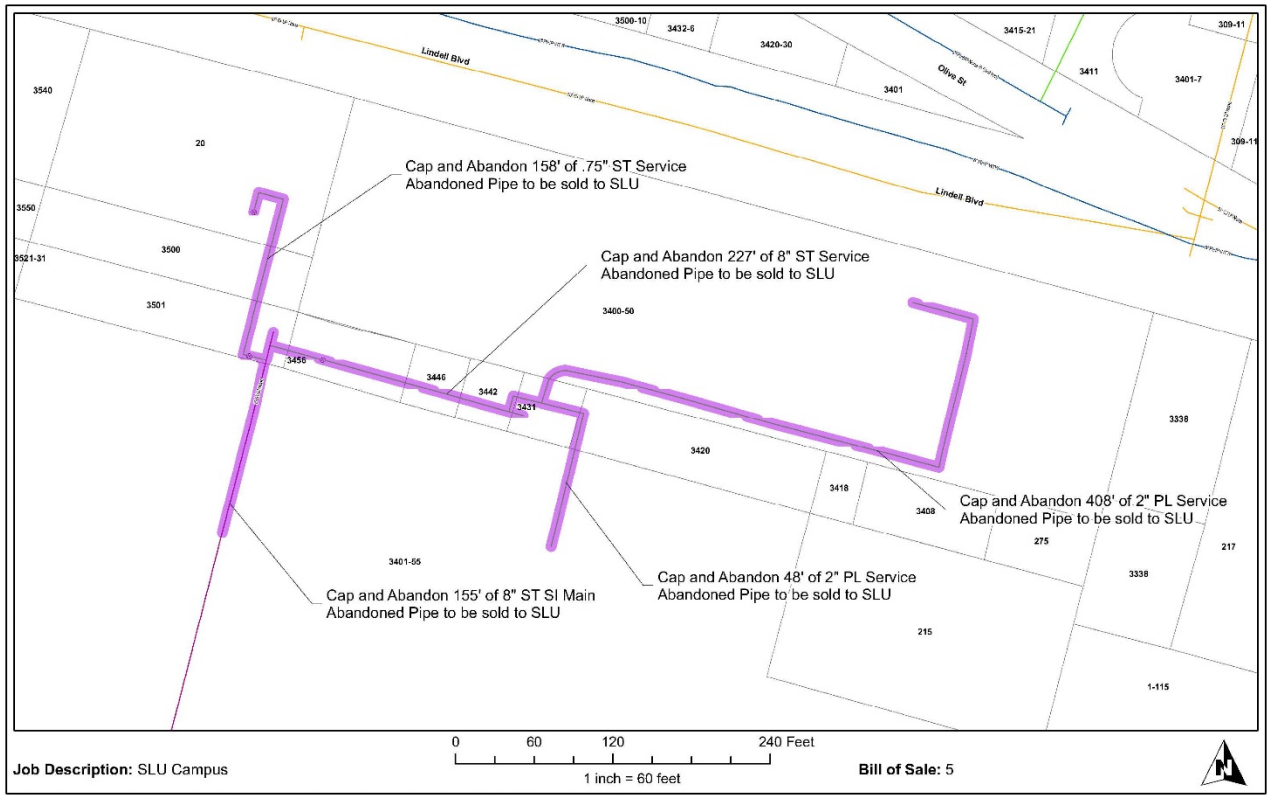
SPIRE MISSOURI INC.

SAINT LOUIS UNIVERSITY

By: \_\_\_\_\_  
Name: Craig R. Hoferlin  
Title: Chief Engineer

By: \_\_\_\_\_  
Name:  
Title:

# **EXHIBIT A** **MAP OF FACILITIES**



## Amended Exhibit C

## Fair Market Calculation

Bill of Sale 1	Ft of Pipe	Size	Material	Main/Service	Year Installed	Cost to Install / ft (Contractor)	Years remaining	Total Cost to install	Net Book Value	Fair Market Value	
	808	2"	STL	Main	1964	\$29.06	25	\$23,482	\$306	\$7,338.03	
	147	.38"	PE	Service	2004	\$45.23	29	\$6,649	\$5,993	\$2,410.26	
	127	.5"	PE	Service	2004	\$45.23	29	\$5,744	\$5,177	\$2,082.33	
Bill of Sale 2	Ft of Pipe	Size	Material	Main/Service	Year Installed	Cost to Install / ft (Contractor)	Years remaining	Total Cost to install	Net Book Value	Fair Market Value	
	1936	2"	STL	Main	1964	\$29.06	25	\$56,263	\$733	\$17,582.21	
	129	.38"	PE	Service	2004	\$45.23	29	\$5,835	\$5,259	\$2,115.12	
	197	.5"	PE	Service	2004	\$45.23	29	\$8,911	\$8,031	\$3,230.07	
Bill of Sale 3	Ft of Pipe	Size	Material	Main/Service	Year Installed	Cost to Install / ft (Contractor)	Years remaining	Total Cost to install	Net Book Value	Fair Market Value	
	491	6"	STL	Main	1961	\$56.86	22	\$27,919	\$258	\$7,677.78	
	112	2"	PE	Service	1995	\$45.23	20	\$5,066	\$1,557	\$1,266.47	
	19	2"	STL	Service	1962	\$42.61	0	\$810	-	\$0.00	
Bill of Sale 4	Ft of Pipe	Size	Material	Main/Service	Year Installed	Cost to Install / ft (Contractor)	Years remaining	Total Cost to install	Net Book Value	Fair Market Value	
	0	2"	PE	Main	1988	\$35.92	49	\$0	\$0	\$0.00	
	0	2"	PE	Main	1995	\$35.92	56	\$0	\$0	\$0.00	
	0	2"	PE	Service	2018	\$45.23	43	\$0	\$0	\$0.00	
	146	2"	PE	Service	1995	\$45.23	20	\$6,604	\$2,030	\$1,650.94	
Bill of Sale 5	Ft of Pipe	Size	Material	Main/Service	Year Installed	Cost to Install / ft (Contractor)	Years remaining	Total Cost to install	Net Book Value	Fair Market Value	
	155	8"	STL	Main	1963	\$102.01	24	\$15,811	\$136	\$4,743.29	
	456	2"	PE	Service	1996	\$45.23	21	\$20,625	\$7,162	\$5,414.18	
	227	8"	STL	Service	1963	\$102.01	0	\$23,155	-	\$0.00	
	158	.75"	STL	Service	1964	\$42.61	0	\$6,732	-	\$0.00	
Total footage	5108					Total	Total		\$213,606	\$36,642	\$55,511





Spire Inc.  
700 Market Street  
St. Louis, MO 63101

November 12, 2019

Daniel Goodman  
Assistant Vice President  
Facilities Management & Construction Services  
Saint Louis University  
3545 Lindell Blvd.  
Wool Center, Suite 210  
St. Louis, MO 63103

Dear Mr. Goodman,

This letter is to follow-up on conversations between Saint Louis University (SLU) and Spire Missouri regarding certain state gas safety regulations that SLU would be subject to as a gas operator. Gas safety is of utmost importance to us at Spire, as I'm sure it will be for SLU. That being the case, it is imperative that SLU becomes familiar with the gas safety rules and its newfound obligations. These rules include 20 CSR 4240-40.020 (Incident, Annual, and Safety-Related Condition Reporting Requirements), 20 CSR 4240-40.030 (Safety Standards), and 20 CSR 4240-40.080 (Drug and Alcohol Testing). These rules can be found on the Missouri Public Service Commission Website at [https://psc.mo.gov/General/PSC\\_Rules\\_Statutes](https://psc.mo.gov/General/PSC_Rules_Statutes). Copies of the attached rules have also been included for your convenience. If you have any questions, please do not hesitate to contact me directly at 314-349-2972 or by email at [Craig.Hoeferlin@SpireEnergy.com](mailto:Craig.Hoeferlin@SpireEnergy.com).

Sincerely,

A handwritten signature in blue ink that reads "Craig R. Hoeferlin". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig R. Hoeferlin  
Vice President, Operations Services

Enclosures: 1



# Rules of Department of Commerce and Insurance

## Division 4240—Public Service Commission Chapter 40—Gas Utilities and Gas Safety Standards

Title	Page
20 CSR 4240-40.015 Affiliate Transactions .....	3
20 CSR 4240-40.016 Marketing Affiliate Transactions .....	5
20 CSR 4240-40.017 HVAC Services Affiliate Transactions .....	8
20 CSR 4240-40.018 Natural Gas Price Volatility Mitigation.....	9
20 CSR 4240-40.020 Incident, Annual, and Safety-Related Condition Reporting Requirements .....	9
20 CSR 4240-40.030 Safety Standards—Transportation of Gas by Pipeline .....	14
20 CSR 4240-40.033 Safety Standards—Liquefied Natural Gas Facilities .....	61
20 CSR 4240-40.040 Uniform System of Accounts—Gas Corporations .....	62
20 CSR 4240-40.080 Drug and Alcohol Testing .....	63
20 CSR 4240-40.085 Filing Requirements for Gas Utility Rate Schedules.....	64
20 CSR 4240-40.090 Submission Requirements for Gas Utility Depreciation Studies .....	64

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 4240—Public Service  
Commission  
Chapter 40—Gas Utilities and  
Gas Safety Standards**

**20 CSR 4240-40.015 Affiliate Transactions**

*PURPOSE: This rule is intended to prevent regulated utilities from subsidizing their non-regulated operations. In order to accomplish this objective, the rule sets forth financial standards, evidentiary standards and record keeping requirements applicable to any Missouri Public Service Commission (commission) regulated gas corporation whenever such corporation participates in transactions with any affiliated entity (except with regard to HVAC services as defined in section 386.754, RSMo Supp. 1998, by the General Assembly of Missouri). The rule and its effective enforcement will provide the public the assurance that their rates are not adversely impacted by the utilities' nonregulated activities.*

**(1) Definitions.**

(A) Affiliated entity means any person, including an individual, corporation, service company, corporate subsidiary, firm, partnership, incorporated or unincorporated association, political subdivision including a public utility district, city, town, county, or a combination of political subdivisions, which directly or indirectly, through one (1) or more intermediaries, controls, is controlled by, or is under common control with the regulated gas corporation.

(B) Affiliate transaction means any transaction for the provision, purchase or sale of any information, asset, product or service, or portion of any product or service, between a regulated gas corporation and an affiliated entity, and shall include all transactions carried out between any unregulated business operation of a regulated gas corporation and the regulated business operations of a gas corporation. An affiliate transaction for the purposes of this rule excludes heating, ventilating and air conditioning (HVAC) services as defined in section 386.754, RSMo by the General Assembly of Missouri.

(C) Control (including the terms "controlling," "controlled by," and "common control") means the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one or more

other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of ten percent (10%) or more of voting securities or partnership interest of an entity constitutes control for purposes of this rule. This provision, however, shall not be construed to prohibit a regulated gas corporation from rebutting the presumption that its ownership interest in an entity confers control.

(D) Corporate support means joint corporate oversight, governance, support systems and personnel, involving payroll, shareholder services, financial reporting, human resources, employee records, pension management, legal services, and research and development activities.

(E) Derivatives means a financial instrument, traded on or off an exchange, the price of which is directly dependent upon (i.e., "derived from") the value of one or more underlying securities, equity indices, debt instruments, commodities, other derivative instruments, or any agreed-upon pricing index or arrangement (e.g., the movement over time of the Consumer Price Index or freight rates). Derivatives involve the trading of rights or obligations based on the underlying product, but do not directly transfer property. They are used to hedge risk or to exchange a floating rate of return for fixed rate of return.

(F) Fully distributed cost (FDC) means a methodology that examines all costs of an enterprise in relation to all the goods and services that are produced. FDC requires recognition of all costs incurred directly or indirectly used to produce a good or service. Costs are assigned either through a direct or allocated approach. Costs that cannot be directly assigned or indirectly allocated (e.g., general and administrative) must also be included in the FDC calculation through a general allocation.

(G) Information means any data obtained by a regulated gas corporation that is not obtainable by nonaffiliated entities or can only be obtained at a competitively prohibitive cost in either time or resources.

(H) Preferential service means information or treatment or actions by the regulated gas corporation which places the affiliated entity at an unfair advantage over its competitors.

(I) Regulated gas corporation means every gas corporation as defined in section 386.020, RSMo, subject to commission regulation pursuant to Chapter 393, RSMo.

(J) Unfair advantage means an advantage that cannot be obtained by nonaffiliated entities or can only be obtained at a competitively prohibitive cost in either time or resources.

(K) Variance means an exemption granted by the commission from any applicable standard required pursuant to this rule.

**(2) Standards.**

(A) A regulated gas corporation shall not provide a financial advantage to an affiliated entity. For the purposes of this rule, a regulated gas corporation shall be deemed to provide a financial advantage to an affiliated entity if—

1. It compensates an affiliated entity for goods or services above the lesser of—

A. The fair market price; or

B. The fully distributed cost to the regulated gas corporation to provide the goods or services for itself; or

2. It transfers information, assets, goods or services of any kind to an affiliated entity below the greater of—

A. The fair market price; or

B. The fully distributed cost to the regulated gas corporation.

(B) Except as necessary to provide corporate support functions, the regulated gas corporation shall conduct its business in such a way as not to provide any preferential service, information or treatment to an affiliated entity over another party at any time.

(C) Specific customer information shall be made available to affiliated or unaffiliated entities only upon consent of the customer or as otherwise provided by law or commission rules or orders. General or aggregated customer information shall be made available to affiliated or unaffiliated entities upon similar terms and conditions. The regulated gas corporation may set reasonable charges for costs incurred in producing customer information. Customer information includes information provided to the regulated utility by affiliated or unaffiliated entities.

(D) The regulated gas corporation shall not participate in any affiliated transactions which are not in compliance with this rule, except as otherwise provided in section (10) of this rule.

(E) If a customer requests information from the regulated gas corporation about goods or services provided by an affiliated entity, the regulated gas corporation may provide information about its affiliate but must inform the customer that regulated services are not tied to the use of an affiliate provider and that other service providers may be available. The regulated gas corporation may provide reference to other service providers or to commercial listings, but is not required to do



so. The regulated gas corporation shall include in its annual Cost Allocation Manual (CAM), the criteria, guidelines and procedures it will follow to be in compliance with the rule.

(F) Marketing materials, information or advertisements by an affiliate entity that share an exact or similar name, logo or trademark of the regulated utility shall clearly display or announce that the affiliate entity is not regulated by the Missouri Public Service Commission.

(3) Evidentiary Standards for Affiliated Transactions.

(A) When a regulated gas corporation purchases information, assets, goods or services from an affiliated entity, the regulated gas corporation shall either obtain competitive bids for such information, assets, goods or services or demonstrate why competitive bids were neither necessary nor appropriate.

(B) In transactions that involve either the purchase or receipt of information, assets, goods or services by a regulated gas corporation from an affiliated entity, the regulated gas corporation shall document both the fair market price of such information, assets, goods and services and the fully distributed cost to the regulated gas corporation to produce the information, assets, goods or services for itself.

(C) In transactions that involve the provision of information, assets, goods or services to affiliated entities, the regulated gas corporation must demonstrate that it—

1. Considered all costs incurred to complete the transaction;
2. Calculated the costs at times relevant to the transaction;
3. Allocated all joint and common costs appropriately; and
4. Adequately determined the fair market price of the information, assets, goods or services.

(D) In transactions involving the purchase of goods or services by the regulated gas corporation from an affiliated entity, the regulated gas corporation will use a commission-approved CAM which sets forth cost allocation, market valuation and internal cost methods. This CAM can use benchmarking practices that can constitute compliance with the market value requirements of this section if approved by the commission.

(4) Record Keeping Requirements.

(A) A regulated gas corporation shall maintain books, accounts and records separate from those of its affiliates.

(B) Each regulated gas corporation shall maintain the following information in a mutually agreed-to electronic format (i.e., agreement between the staff, Office of the Public Counsel and the regulated gas corporation) regarding affiliate transactions on a calendar year basis and shall provide such information to the commission staff and the Office of the Public Counsel on, or before, March 15 of the succeeding year:

1. A full and complete list of all affiliated entities as defined by this rule;
2. A full and complete list of all goods and services provided to or received from affiliated entities;
3. A full and complete list of all contracts entered with affiliated entities;
4. A full and complete list of all affiliate transactions undertaken with affiliated entities without a written contract together with a brief explanation of why there was no contract;
5. The amount of all affiliate transactions, by affiliated entity and account charged; and
6. The basis used (e.g., fair market price, FDC, etc.) to record each type of affiliate transaction.

(C) In addition each regulated gas corporation shall maintain the following information regarding affiliate transactions on a calendar year basis:

1. Records identifying the basis used (e.g., fair market price, FDC, etc.) to record all affiliate transactions; and
2. Books of accounts and supporting records in sufficient detail to permit verification of compliance with this rule.

(5) Records of Affiliated Entities.

(A) Each regulated gas corporation shall ensure that its parent and any other affiliated entities maintain books and records that include, at a minimum, the following information regarding affiliate transactions:

1. Documentation of the costs associated with affiliate transactions that are incurred by the parent or affiliated entity and charged to the regulated gas corporation;
2. Documentation of the methods used to allocate and/or share costs between affiliated entities, including other jurisdictions and/or corporate divisions;
3. Description of costs that are not subject to allocation to affiliate transactions and documentation supporting the nonassignment of these costs to affiliate transactions;
4. Descriptions of the types of services that corporate divisions and/or other centralized functions provided to any affiliated entity or division accessing the regulated gas corporation's contracted services or facilities;

5. Names and job descriptions of the employees from the regulated gas corporation that transferred to a nonregulated affiliated entity;

6. Evaluations of the effect on the reliability of services provided by the regulated gas corporation resulting from the access to regulated contracts and/or facilities by affiliated entities;

7. Policies regarding the availability of customer information and the access to services available to nonregulated affiliated entities desiring use of the regulated gas corporation's contracts and facilities; and

8. Descriptions of, and supporting documentation related to, any use of derivatives that may be related to the regulated gas corporation's operation even though obtained by the parent or affiliated entity.

(6) Access to Records of Affiliated Entities.

(A) To the extent permitted by applicable law, and pursuant to established commission discovery procedures, a regulated gas corporation shall make available the books and records of its parent and any other affiliated entities when required in the application of this rule.

(B) The commission shall have the authority to—

1. Review, inspect and audit books, accounts and other records kept by a regulated gas corporation or affiliated entity for the sole purpose of ensuring compliance with this rule and make findings available to the commission; and
2. Investigate the operations of a regulated gas corporation or affiliated entity and their relationship to each other for the sole purpose of ensuring compliance with this rule.

(C) That this rule does not modify existing legal standards regarding which party has the burden of proof in commission proceedings.

(7) Record Retention.

(A) Records required under this rule shall be maintained by each regulated gas corporation for a period of not less than six (6) years.

(8) Enforcement.

(A) When enforcing these standards, or any order of the commission regarding these standards, the commission may apply any remedy available to the commission.

(9) The regulated gas corporation shall train and advise its personnel as to the requirements and provisions of this rule as appropriate to ensure compliance.

(10) Variances.



(A) A variance from the standards in this rule may be obtained by compliance with paragraphs (10)(A)1. or (10)(A)2. The granting of a variance to one regulated gas corporation does not constitute a waiver respecting or otherwise affect the required compliance of any other regulated gas corporation to comply with the standards. The scope of a variance will be determined based on the facts and circumstances found in support of the application—

1. The regulated gas corporation shall request a variance upon written application in accordance with commission procedures set out in 4 CSR 240-2.060(11); or

2. A regulated gas corporation may engage in an affiliate transaction not in compliance with the standards set out in subsection (2)(A) of this rule, when to its best knowledge and belief, compliance with the standards would not be in the best interests of its regulated customers and it complies with the procedures required by subparagraphs (10)(A)2.A. and (10)(A)2.B. of this rule—

A. All reports and record retention requirements for each affiliate transaction must be complied with; and

B. Notice of the noncomplying affiliate transaction shall be filed with the secretary of the commission and the Office of the Public Counsel within ten (10) days of the occurrence of the noncomplying affiliate transaction. The notice shall provide a detailed explanation of why the affiliate transaction should be exempted from the requirements of subsection (2)(A), and shall provide a detailed explanation of how the affiliate transaction was in the best interests of the regulated customers. Within thirty (30) days of the notice of the noncomplying affiliate transaction, any party shall have the right to request a hearing regarding the noncomplying affiliate transaction. The commission may grant or deny the request for hearing at that time. If the commission denies a request for hearing, the denial shall not in any way prejudice a party's ability to challenge the affiliate transaction at the time of the annual CAM filing. At the time of the filing of the regulated gas corporation's annual CAM filing the regulated gas corporation shall provide to the secretary of the commission a listing of all noncomplying affiliate transactions which occurred between the period of the last filing and the current filing. Any affiliate transaction submitted pursuant to this section shall remain interim, subject to disallowance, pending final commission determination on whether the noncomplying affiliate transaction resulted in the best interests of the regulated customers.

(11) Nothing contained in this rule and no action by the commission under this rule shall be construed to approve or exempt any activity or arrangement that would violate the antitrust laws of the state of Missouri or of the United States or to limit the rights of any person or entity under those laws.

*AUTHORITY: sections 386.250, RSMo Supp. 1998, and 393.140, RSMo 1994.\* This rule originally filed as 4 CSR 240-40.015. Original rule filed April 26, 1999, effective Feb. 29, 2000. Moved to 20 CSR 4240-40.015, effective Aug. 28, 2019.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996 and 393.140, RSMo 1939, amended 1949, 1967.*

## 20 CSR 4240-40.016 Marketing Affiliate Transactions

*PURPOSE: This rule sets forth standards of conduct, financial standards, evidentiary standards and record keeping requirements applicable to all Missouri Public Service Commission (commission) regulated gas corporations engaging in marketing affiliate transactions (except with regard to HVAC services as defined in section 386.754, RSMo Supp. 1998, by the General Assembly of Missouri).*

### (1) Definitions.

(A) Affiliated entity means any person, including an individual, corporation, service company, corporate subsidiary, firm, partnership, incorporated or unincorporated association, political subdivision including a public utility district, city, town, county, or a combination of political subdivisions, which directly or indirectly, through one (1) or more intermediaries, controls, is controlled by, or is under common control with the regulated gas corporation. This term shall also include "marketing affiliate" (as hereinafter defined) and all unregulated business operations of a regulated gas corporation.

(B) Affiliate transaction means any transaction for the provision, purchase or sale of any information, asset, product or service, or portion of any product or service, between a regulated gas corporation and an affiliated entity, and shall include all transactions carried out between any unregulated business operation of a regulated gas corporation and the regulated business operations of a gas corporation. An affiliate transaction for the purposes of this rule excludes heating, ventilating and air conditioning (HVAC) services as defined in section 386.754, RSMo by the General Assembly of Missouri.

(C) Control (including the terms "controlling," "controlled by," and "common control") means the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one (1) or more other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of ten percent (10%) or more of voting securities or partnership interest of an entity constitutes control for purposes of this rule. This provision, however, shall not be construed to prohibit a regulated gas corporation from rebutting the presumption that its ownership interest in an entity confers control.

(D) Corporate support means joint corporate oversight, governance, support systems and personnel, involving payroll, shareholder services, financial reporting, human resources, employee records, pension management, legal services, and research and development activities.

(E) Derivatives means a financial instrument, traded on or off an exchange, the price of which is directly dependent upon (i.e., "derived from") the value of one (1) or more underlying securities, equity indices, debt instruments, commodities, other derivative instruments, or any agreed-upon pricing index or arrangement (e.g., the movement over time of the Consumer Price Index or freight rates). Derivatives involve the trading of rights or obligations based on the underlying product, but do not directly transfer property. They are used to hedge risk or to exchange a floating rate of return for a fixed rate of return.

(F) Fully distributed cost (FDC) means a methodology that examines all costs of an enterprise in relation to all the goods and services that are produced. FDC requires recognition of all costs incurred directly or indirectly used to produce a good or service. Costs are assigned either through a direct or allocated approach. Costs that cannot be directly assigned or indirectly allocated (e.g., general and administrative) must also be included in the FDC calculation through a general allocation.

(G) Information means any data obtained by a regulated gas corporation that is not obtainable by nonaffiliated entities or can only be obtained at a competitively prohibitive cost in



either time or resources.

(H) Long-term means a transaction in excess of thirty-one (31) days.

(I) Marketing affiliate means an affiliated entity which engages in or arranges a commission-related sale of any natural gas service or portion of gas service, to a shipper.

(J) Opportunity sales means sales of unused contract entitlements necessarily held by a gas corporation to meet the daily and seasonal swings of its system customers and are intended to maximize utilization of assets that remain under regulation.

(K) Preferential service means information, treatment or actions by the regulated gas corporation which places the affiliated entity at an unfair advantage over its competitors.

(L) Regulated gas corporation means every gas corporation as defined in section 386.020, RSMo, subject to commission regulation pursuant to Chapter 393, RSMo.

(M) Shippers means all current and potential transportation customers on a regulated gas corporation's natural gas distribution system.

(N) Short-term means a transaction of thirty-one (31) days or less.

(O) Transportation means the receipt of gas at one point on a regulated gas corporation's system and the redelivery of an equivalent volume of gas to the retail customer of the gas at another point on the regulated gas corporation's system including, without limitation, scheduling, balancing, peaking, storage, and exchange to the extent such services are provided pursuant to the regulated gas corporation's tariff, and includes opportunity sales.

(P) Unfair advantage means an advantage that cannot be obtained by nonaffiliated entities or can only be obtained at a competitively prohibitive cost in either time or resources.

(Q) Variance means an exemption granted by the commission from any applicable standard required pursuant to this rule.

## (2) Nondiscrimination Standards.

(A) Nondiscrimination standards under this section apply in conjunction with all the standards under this rule and control when a similar standard overlaps.

(B) A regulated gas corporation shall apply all tariff provisions relating to transportation in the same manner to customers similarly situated whether they use affiliated or nonaffiliated marketers or brokers.

(C) A regulated gas corporation shall uniformly enforce its tariff provisions for all shippers.

(D) A regulated gas corporation shall not, through a tariff provision or otherwise, give its marketing affiliate and/or its customers any preference over a customer using a non-

affiliated marketer in matters relating to transportation or curtailment priority.

(E) A regulated gas corporation shall not give any customer using its marketing affiliate a preference, in the processing of a request for transportation services, over a customer using a nonaffiliated marketer, specifically including the manner and timing of such processing.

(F) A regulated gas corporation shall not disclose or cause to be disclosed to its marketing affiliate or any nonaffiliated marketer any information that it receives through its processing of requests for or provision of transportation.

(G) If a regulated gas corporation provides information related to transportation which is not readily available or generally known to other marketers to a customer using a marketing affiliate, it shall provide that information (electronic format, phone call, facsimile, etc.) contemporaneously to all nonaffiliated marketers transporting on its distribution system.

(H) A regulated gas corporation shall not condition or tie an offer or agreement to provide a transportation discount to a shipper to any service in which the marketing affiliate is involved. If the regulated gas corporation seeks to provide a discount for transportation to any shipper using a marketing affiliate, the regulated gas corporation shall, subject to an appropriate protective order—

1. File for approval of the transaction with the commission and provide a copy to the Office of the Public Counsel;

2. Disclose whether the marketing affiliate of the regulated gas corporation is the gas supplier or broker serving the shipper;

3. File quarterly public reports which provide the aggregate periodic and cumulative number of transportation discounts provided by the regulated gas corporation; and

4. Provide the aggregate number of such agreements which involve shippers for whom the regulated gas corporation's marketing affiliate is or was at the time of the granting of the discount to the gas supplier or broker.

(I) A regulated gas corporation shall not make opportunity sales directly to a customer of its marketing affiliate or to its marketing affiliate unless such supplies and/or capacity are made available to other similarly situated customers using nonaffiliated marketers on an identical basis given the nature of the transactions.

(J) A regulated gas corporation shall not condition or tie agreements (including prearranged capacity release) for the release of interstate or intrastate pipeline capacity to any service in which the marketing affiliate is involved under terms not offered to nonaffiliated companies and their customers.

(K) A regulated gas corporation shall maintain its books of account and records completely separate and apart from those of the marketing affiliate.

(L) A regulated gas corporation is prohibited from giving any customer using its marketing affiliate preference with respect to any tariff provisions that provide discretionary waivers.

(M) A regulated gas corporation shall maintain records when it is made aware of any marketing complaint against an affiliated entity—

1. The records should contain a log detailing the date the complaint was received by the regulated gas corporation, the name of the complainant, a brief description of the complaint and, as applicable, how it has been resolved. If the complaint has not been recorded by the regulated gas corporation within thirty (30) days, an explanation for the delay must be recorded.

(N) A regulated gas corporation will not communicate to any customer, supplier or third parties that any advantage may accrue to such customer, supplier or third party in the use of the regulated gas corporation's services as a result of that customer, supplier or third party dealing with its marketing affiliate and shall refrain from giving any appearance that it speaks on behalf of its affiliated entity.

(O) If a customer requests information about a marketing affiliate, the regulated gas corporation may provide the requested information but shall also provide a list of all marketers operating on its system.

## (3) Standards.

(A) A regulated gas corporation shall not provide a financial advantage to an affiliated entity. For the purposes of this rule, a regulated gas corporation shall be deemed to provide a financial advantage to an affiliated entity if—

1. It compensates an affiliated entity for information, assets, goods or services above the lesser of—

- A. The fair market price; or

- B. The fully distributed cost to the regulated gas corporation to provide the information, assets, goods or services for itself; or

2. It transfers information, assets, goods or services of any kind to an affiliated entity below the greater of—



A. The fair market price; or

B. The fully distributed cost to the regulated gas corporation.

(B) Except as necessary to provide corporate support functions, the regulated gas corporation shall conduct its business in such a way as not to provide any preferential service, information or treatment to an affiliated entity over another party at any time.

(C) Specific customer information shall be made available to affiliated or unaffiliated entities only upon consent of the customer or as otherwise provided by law or commission rules or orders. General or aggregated customer information shall be made available to affiliated or unaffiliated entities upon similar terms and conditions. The regulated gas corporation may set reasonable charges for costs incurred in producing customer information. Customer information includes information provided to the regulated utility by affiliated or unaffiliated entities.

(D) The regulated gas corporation shall not participate in any affiliated transactions which are not in compliance with this rule, except as otherwise provided in section (11) of this rule.

(E) If a customer requests information from the regulated gas corporation about goods or services provided by an affiliated entity, the regulated gas corporation may provide information about the affiliate but must inform the customer that regulated services are not tied to the use of an affiliate provider and that other service providers may be available. Except with respect to affiliated and nonaffiliated gas marketers which are addressed in section (2) of this rule, the regulated gas corporation may provide reference to other service providers or to commercial listings, but is not required to do so. The regulated gas corporation shall include in its annual Cost Allocation Manual (CAM), the criteria, guidelines and procedures it will follow to be in compliance with the rule.

(F) Marketing materials, information or advertisements by an affiliate entity that share an exact or similar name, logo or trademark of the regulated utility shall clearly display or announce that the affiliate entity is not regulated by the Missouri Public Service Commission.

#### (4) Evidentiary Standards for Affiliate Transactions.

(A) When a regulated gas corporation purchases information, assets, goods or services from an affiliated entity, the regulated gas corporation shall either obtain competitive bids for such information, assets, goods or services or demonstrate why competitive bids were neither necessary nor appropriate.

(B) In transactions that involve either the purchase or receipt of information, assets, goods or services by a regulated gas corporation from an affiliated entity, the regulated gas corporation shall document both the fair market price of such information, assets, goods and services and the fully distributed cost to the regulated gas corporation to produce the information, assets, goods or services for itself.

(C) In transactions that involve the provision of information, assets, goods or services to affiliated entities, the regulated gas corporation must demonstrate that it—

1. Considered all costs incurred to complete the transaction;
2. Calculated the costs at times relevant to the transaction;
3. Allocated all joint and common costs appropriately; and
4. Adequately determined the fair market price of the information, assets, goods or services.

(D) In transactions involving the purchase of information, assets, goods or services by the regulated gas corporation from an affiliated entity, the regulated gas corporation will use a commission-approved CAM which sets forth cost allocation, market valuation and internal cost methods. This CAM can use benchmarking practices that can constitute compliance with the market value requirements of this section if approved by the commission.

#### (5) Record Keeping Requirements.

(A) A regulated gas corporation shall maintain books, accounts and records separate from those of its affiliates.

(B) Each regulated gas corporation shall maintain the following information in a mutually agreed-to electronic format (i.e., agreement between the staff, Office of the Public Counsel and the regulated gas corporation) regarding affiliate transactions on a calendar year basis and shall provide such information to the commission staff and the Office of the Public Counsel on, or before, March 15 of the succeeding year:

1. A full and complete list of all affiliated entities as defined by this rule;
2. A full and complete list of all goods and services provided to or received from affiliated entities;
3. A full and complete list of all contracts entered with affiliated entities;
4. A full and complete list of all affiliate transactions undertaken with affiliated entities without a written contract together with a brief explanation of why there was no contract;
5. The amount of all affiliate transactions,

by affiliated entity and account charged; and

6. The basis used (e.g., market value, book value, etc.) to record each type of affiliate transaction.

(C) In addition each regulated gas corporation shall maintain the following information regarding affiliate transactions on a calendar year basis:

1. Records identifying the basis used (e.g., fair market price, fully distributed cost, etc.) to record all affiliate transactions; and
2. Books of accounts and supporting records in sufficient detail to permit verification of compliance with this rule.

#### (6) Records of Affiliated Entities.

(A) Each regulated gas corporation shall ensure that its parent and any other affiliated entities maintain books and records that include, at a minimum, the following information regarding affiliate transactions:

1. Documentation of the costs associated with affiliate transactions that are incurred by the parent or affiliate and charged to the regulated gas corporation;
2. Documentation of the methods used to allocate and/or share costs between affiliated entities, including other jurisdictions and/or corporate divisions;
3. Description of costs that are not subject to allocation to affiliate transactions and documentation supporting the nonassignment of these costs to affiliate transactions;
4. Descriptions of the types of services that corporate divisions and/or other centralized functions provided to any affiliated entity or division accessing the regulated gas corporation's contracted services or facilities;
5. Names and job descriptions of the employees from the regulated gas corporation that transferred to a nonregulated affiliated entity;
6. Evaluations of the effect on the reliability of services provided by the regulated gas corporation resulting from the access to regulated contracts and/or facilities by affiliated entities;
7. Policies regarding the availability of customer information and the access to services available to nonregulated affiliated entities desiring use of the regulated gas corporation's contracts and facilities; and
8. Descriptions of, and supporting documentation related to, any use of derivatives that may be related to the regulated gas corporation's operation even though obtained by the parent or affiliated entity.

#### (7) Access to Records of Affiliated Entities.

(A) To the extent permitted by applicable law, and pursuant to established commission



discovery procedures, a regulated gas corporation shall make available the books and records of its parent and any other affiliated entities when required in the application of this rule.

(B) The commission shall have the authority to—

1. Review, inspect and audit books, accounts and other records kept by a regulated gas corporation or affiliated entity for the sole purpose of ensuring compliance with this rule and make findings available to the commission; and

2. Investigate the operations of a regulated gas corporation or affiliated entity and their relationship to each other for the sole purpose of ensuring compliance with this rule.

(C) This rule does not modify existing legal standards regarding which party has the burden of proof in commission proceedings.

(8) Record Retention.

(A) Records required under this rule shall be maintained by each regulated gas corporation for a period of not less than six (6) years.

(9) Enforcement.

(A) When enforcing these standards, or any order of the commission regarding these standards, the commission may apply any remedy available to the commission.

(10) The regulated gas corporation shall train and advise its personnel as to the requirements and provisions of this rule as appropriate to ensure compliance.

(11) Variances.

(A) A variance from the standards in this rule may be obtained by compliance with paragraphs (11)(A)1. or (11)(A)2. The granting of a variance to one regulated gas corporation does not constitute a waiver respecting or otherwise affect the required compliance of any other regulated gas corporation to comply with the standards. The scope of a variance will be determined based on the facts and circumstances found in support of the application—

1. The regulated gas corporation shall request a variance upon written application in accordance with commission procedures set out in 4 CSR 240-2.060(11); or

2. A regulated gas corporation may engage in an affiliate transaction not in compliance with the standards set out in subsection (2)(A) of this rule, when to its best knowledge and belief, compliance with the standards would not be in the best interests of its regulated customers and it complies with the procedures required by subparagraphs

(11)(A)2.A. and (11)(A)2.B. of this rule—

A. All reports and record retention requirements for each affiliate transaction must be complied with; and

B. Notice of the noncomplying affiliate transaction shall be filed with the secretary of the commission and the Office of the Public Counsel within ten (10) days of the occurrence of the noncomplying affiliate transaction. The notice shall provide a detailed explanation of why the affiliate transaction should be exempted from the requirements of subsection (2)(A), and shall provide a detailed explanation of how the affiliate transaction was in the best interests of the regulated customers. Within thirty (30) days of the notice of the noncomplying affiliate transaction, any party shall have the right to request a hearing regarding the noncomplying affiliate transaction. The commission may grant or deny the request for hearing at that time. If the commission denies a request for hearing, the denial shall not in any way prejudice a party's ability to challenge the affiliate transaction at the time of the annual CAM filing. At the time of the filing of the regulated gas corporation's annual CAM filing the regulated gas corporation shall provide to the secretary of the commission a listing of all noncomplying affiliate transactions which occurred between the period of the last filing and the current filing. Any affiliate transaction submitted pursuant to this section shall remain interim, subject to disallowance, pending final commission determination on whether the noncomplying affiliate transaction resulted in the best interests of the regulated customers.

(12) Nothing contained in this rule and no action by the commission under this rule shall be construed to approve or exempt any activity or arrangement that would violate the antitrust laws of the state of Missouri or of the United States or to limit the rights of any person or entity under those laws.

*AUTHORITY: sections 386.250, RSMo Supp. 1998 and 393.140, RSMo 1994. \* This rule originally filed as 4 CSR 240-40.016. Original rule filed April 26, 1999, effective Feb. 29, 2000. Moved to 20 CSR 4240-40.016, effective Aug. 28, 2019.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996 and 393.140, RSMo 1939, amended 1949, 1967.*

## 20 CSR 4240-40.017 HVAC Services Affiliate Transactions

*PURPOSE: This rule prescribes the requirements for HVAC services affiliated entities and regulated gas corporations when such gas corporations participate in affiliated transactions with an HVAC affiliated entity as set forth in sections 386.754, 386.756, 386.760, 386.762 and 386.764, RSMo by the General Assembly of the State of Missouri.*

(1) Definitions.

(A) Affiliated entity means any entity not regulated by the Public Service Commission which is owned, controlled by or under common control with a utility and is engaged in HVAC services.

(B) Control (including the terms “controlling,” “controlled by,” and “common control”) means the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one (1) or more other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of more than ten percent (10%) of voting securities or partnership interest of an entity confers control for purposes of this rule. This provision, however, shall not be construed to prohibit a regulated gas corporation from rebutting the presumption that its ownership interest in an entity confers control.

(C) Fully distributed cost means a methodology that examines all costs of an enterprise in relation to all the goods and services that are produced. Fully distributed cost requires recognition of all costs incurred directly or indirectly used to produce a good or service. Costs are assigned either through a direct or allocated approach. Costs that cannot be directly assigned or indirectly allocated (e.g. general and administrative) must also be included in the fully distributed cost calculation through a general allocation.

(D) HVAC services means the warranty, sale, lease, rental, installation, construction, modernization, retrofit, maintenance or repair of heating, ventilating and air conditioning (HVAC) equipment.

(E) Regulated gas corporation means a gas corporation as defined in section 386.020,





RSMo, subject to commission regulation pursuant to Chapter 393, RSMo.

(F) Utility contractor means a person, including an individual, corporation, firm, incorporated or unincorporated association or other business or legal entity, that contracts, whether in writing or not in writing, with a regulated gas corporation to engage in or assist any entity in engaging in HVAC services, but does not include employees of a regulated gas corporation.

(2) A regulated gas corporation may not engage in HVAC services, except by an affiliated entity, or as provided in sections (8) and (9) of this rule.

(3) No affiliated entity or utility contractor may use any vehicles, service tools, instruments, employees, or any other regulated gas corporation assets, the cost of which are recoverable in the regulated rates for regulated gas corporation service, to engage in HVAC services unless the regulated gas corporation is compensated for the use of such assets at the fully distributed cost to the regulated gas corporation.

(A) The determination of a regulated gas corporation's cost in this section is defined in subsection (1)(D) of this rule.

(4) A regulated gas corporation may not use or allow any affiliated entity or utility contractor to use the name of such regulated gas corporation to engage in HVAC services unless the regulated gas corporation, affiliated entity or utility contractor discloses, in plain view and in bold type on the same page as the name is used on all advertisements or in plain audible language during all solicitations of such services, a disclaimer that states the services provided are not regulated by the commission.

(5) A regulated gas corporation may not engage in or assist any affiliated entity or utility contractor in engaging in HVAC services in a manner which subsidizes the activities of such regulated gas corporation, affiliated entity or utility contractor to the extent of changing the rates or charges for the regulated gas corporation's services above or below the rates or charges that would be in effect if the regulated gas corporation were not engaged in or assisting any affiliated entity or utility contractor in engaging in such activities.

(6) Any affiliated entities or utility contractors engaged in HVAC services shall maintain accounts, books and records separate and distinct from the regulated gas corporation.

(7) The provisions of this rule shall apply to any affiliated entity or utility contractor engaged in HVAC services that is owned, controlled or under common control with the regulated gas corporation providing regulated services in the state of Missouri or any other state.

(8) A regulated gas corporation engaging in HVAC services in the state of Missouri five (5) years prior to August 28, 1998, may continue providing, to existing as well as new customers, the same type of services as those provided by the regulated gas corporation five (5) years prior to August 28, 1998.

(A) To qualify for this exemption, the regulated gas corporation shall file a pleading before the commission for approval.

1. The commission may establish a case to determine if the regulated gas corporation qualifies for an exemption under this rule.

(9) The provisions of this section shall not be construed to prohibit a regulated gas corporation from providing emergency service, providing any service required by law or providing a program pursuant to an existing tariff, rule or order of the commission.

*AUTHORITY: sections 386.760.1, RSMo Supp. 1998 and 393.140, RSMo 1994.\* This rule originally filed as 4 CSR 240-40.017. Original rule filed Dec. 17, 1998, effective Aug. 30, 1999. Moved to 20 CSR 4240-40.017, effective Aug. 28, 2019.*

*\*Original authority: 386.710.1, RSMo 1998 and 393.140, RSMo 1939, amended 1949, 1967.*

#### **20 CSR 4240-40.018 Natural Gas Price Volatility Mitigation**

*PURPOSE: This rule represents a statement of commission policy that natural gas local distribution companies should undertake diversified natural gas purchasing activities as part of a prudent effort to mitigate upward natural gas price volatility and secure adequate natural gas supplies for their customers.*

(1) Natural Gas Supply Planning Efforts to Ensure Price Stability.

(A) As part of a prudent planning effort to secure adequate natural gas supplies for their customers, natural gas utilities should structure their portfolios of contracts with various supply and pricing provisions in an effort to mitigate upward natural gas price spikes, and provide a level of stability of delivered natural gas prices.

(B) In making this planning effort, natural

gas utilities should consider the use of a broad array of pricing structures, mechanisms, and instruments, including, but not limited to, those items described in (2)(A) through (2)(H), to balance market price risks, benefits, and price stability. Each of these mechanisms may be desirable in certain circumstances, but each has unique risks and costs that require evaluation by the natural gas utility in each circumstance. Financial gains or losses associated with price volatility mitigation efforts are flowed through the Purchased Gas Adjustment (PGA) mechanism, subject to the applicable provisions of the natural gas utility's tariff and applicable prudence review procedures.

(C) Part of a natural gas utility's balanced portfolio may be higher than spot market price at times, and this is recognized as a possible result of prudent efforts to dampen upward volatility.

(2) Pricing Structures, Mechanisms and Instruments:

- (A) Natural Gas Storage;
- (B) Fixed Price Contracts;
- (C) Call Options;
- (D) Collars;
- (E) Outsourcing/Agency Agreements;
- (F) Futures Contracts; and
- (G) Financial Swaps and Options from Over the Counter Markets; and

(H) Other tools utilized in the market for cost-effective management of price and/or usage volatility.

*AUTHORITY: sections 386.250, RSMo 2000 and 393.130, RSMo Supp. 2003.\* This rule originally filed as 4 CSR 240-40.018. Original rule filed May 1, 2003, effective Dec. 30, 2003. Moved to 20 CSR 4240-40.018, effective Aug. 28, 2019.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 393.130, RSMo 1939, amended 1967, 1969, 2002.*

#### **20 CSR 4240-40.020 Incident, Annual, and Safety-Related Condition Reporting Requirements**

*PURPOSE: This rule prescribes requirements and procedures for reporting certain gas-related incidents and safety-related conditions and for filing annual reports. It applies to gas systems subject to the safety jurisdiction of the Public Service Commission.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule*



would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

**AGENCY NOTE:** This rule is similar to the Minimum Federal Safety Standards contained in 49 CFR part 191, *Code of Federal Regulations*. Parallel citations to Part 191 are provided for gas operator convenience and to promote public safety.

(1) Scope. (191.1)

(A) This rule prescribes requirements for the reporting of incidents, safety-related conditions, and annual pipeline summary data by operators of gas pipeline facilities located in Missouri and under the jurisdiction of the commission.

(B) This rule does not apply to gathering of gas—

1. Through a pipeline that operates at less than zero (0) pound per square inch gauge (psig) (0 kPa); or

2. Through a pipeline that is not a regulated onshore gathering line (as determined in 4 CSR 240-40.030(1)(E) (192.8)).

(2) Definitions. (191.3) As used in this rule and in the PHMSA Forms referenced in this rule—

(A) Administrator means the administrator of PHMSA or his or her delegate;

(B) Commission means the Public Service Commission. Designated commission personnel means the Pipeline Safety Program Manager at the address contained in subsection (5)(E) for correspondence and means the list of staff personnel supplied to operators for telephonic notices;

(C) Confirmed discovery means when it can be reasonably determined, based on information available to the operator at the time a reportable event has occurred, even if only based on a preliminary evaluation;

(D) Federal incident means any of the following events:

1. An event that involves a release of gas from a pipeline and that results in one (1) or more of the following consequences:

A. A death or personal injury necessitating inpatient hospitalization; or

B. Estimated property damage of fifty thousand dollars (\$50,000) or more, including loss to the operator and others, or both, but excluding the cost of gas lost; or

C. Unintentional estimated gas loss of

three (3) million cubic feet or more; or

2. An event that is significant, in the judgment of the operator, even though it did not meet the criteria of paragraph (2)(D)1.;

(E) Gas means natural gas, flammable gas, manufactured gas, or gas which is toxic or corrosive;

(F) LNG facility means a pipeline facility that is used for liquefying natural gas or synthetic gas or transferring, storing, or vaporizing liquefied natural gas;

(G) LNG plant means an LNG facility or system of LNG facilities functioning as a unit;

(H) Master meter system means a pipeline system for distributing gas within, but not limited to, a definable area, such as a mobile home park, housing project, or apartment complex, where the operator purchases metered gas from an outside source for resale through a gas distribution pipeline system. The gas distribution pipeline system supplies the ultimate consumer who either purchases the gas directly through a meter or by other means, for instance, by rents;

(I) Municipality means a city, village, or town;

(J) Operator means a person who engages in the transportation of gas;

(K) Person means any individual, firm, joint venture, partnership, corporation, association, county, state, municipality, political subdivision, cooperative association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative of them;

(L) Pipeline or pipeline system means all parts of those physical facilities through which gas moves in transportation including, but not limited to, pipe, valves, and other appurtenances attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies;

(M) PHMSA means the Pipeline and Hazardous Materials Safety Administration of the United States Department of Transportation;

(N) Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas in or affecting interstate or foreign commerce; and

(O) Underground natural gas storage facility means a facility that stores natural gas in an underground facility incident to natural gas transportation, including—

1. A depleted hydrocarbon reservoir;

2. An aquifer reservoir; or

3. A solution-mined salt cavern reservoir, including associated material and equipment used for injection, withdrawal, monitoring, or observation wells, and wellhead equipment,

pipings, rights-of-way, property, buildings, compressor units, separators, metering equipment, and regulator equipment.

(3) Immediate Notice of Federal Incidents. (191.5)

(A) At the earliest practicable moment following discovery, but no later than one (1) hour after confirmed discovery, each operator shall give notice, in accordance with subsection (3)(B), of each federal incident as defined in section (2) (191.3).

(B) Each notice required by subsection (3)(A) must be made to the National Response Center either by telephone to (800) 424-8802 or electronically at [www.nrc.uscg.mil](http://www.nrc.uscg.mil) and must include the following information:

1. Names of operator and person making report and their telephone numbers;

2. Location of the incident;

3. Time of the incident;

4. Number of fatalities and personal injuries, if any; and

5. All other significant facts known by the operator that are relevant to the cause of the incident or extent of the damages.

(C) Within forty-eight (48) hours after the confirmed discovery of an incident, to the extent practicable, an operator must revise or confirm its initial telephonic notice required in subsection (3)(B) with an estimate of the amount of gas released, an estimate of the number of fatalities and injuries, and all other significant facts that are known by the operator that are relevant to the cause of the incident or extent of the damages. If there are no changes or revisions to the initial report, the operator must confirm the estimates in its initial report.

(4) Immediate Notice of Missouri Incidents.

(A) Within two (2) hours following discovery by the operator, or as soon thereafter as practicable if emergency efforts to protect life and property would be hindered, each gas operator must notify designated commission personnel by telephone of the following events within areas served by the operator:

1. An event that involves a release of gas involving the operator's actions or pipeline system, or where there is a suspicion by the operator that the event may involve a release of gas involving the operator's actions or pipeline system, and results in one (1) or more of the following consequences—

A. A death;

B. A personal injury involving medical care administered in an emergency room or health care facility, whether inpatient or outpatient, beyond initial treatment and prompt release after evaluation by a health care professional; or

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



C. Estimated property damage of ten thousand dollars (\$10,000) or more, including loss to the gas operator or others, or both, and including the cost of gas lost; or

2. An event that is significant, in the judgement of the operator, even though it did not meet the criteria of paragraph (4)(A)1.

(B) Exceeding the two- (2-) hour notification time period in subsection (4)(A) requires submission of a written explanation of reasons with the operator's incident report when submitting the report to designated commission personnel. See section (5) for report submission requirements.

(5) Report Submission Requirements. (191.7)

(A) Reports to PHMSA.

1. An operator must submit each report required by sections (6)–(11) electronically to the Pipeline and Hazardous Materials Safety Administration at <http://portal.phmsa.dot.gov/pipeline> unless an alternative reporting method is authorized in accordance with subsection (5)(D).

2. A copy of each online submission to PHMSA must also be submitted concurrently to designated commission personnel. The copy submitted to designated commission personnel must be clearly marked to indicate the date of the online submission to PHMSA.

(B) Missouri Incident Reports.

1. This subsection applies to events that meet the criteria in subsection (4)(A) but are not a federal incident reported under subsection (5)(A). Within thirty (30) days of a telephone notification made under subsection (4)(A), each gas operator must submit U.S. Department of Transportation Form PHMSA F 7100.1 or PHMSA F 7100.2, as applicable, to designated commission personnel. Additional information required in subsections (6)(B) and (9)(B) for federal incidents is also required for these events.

2. The incident report forms for gas distribution systems (PHMSA F 7100.1, revised October 2014) and gas transmission and gathering pipeline systems (PHMSA F 7100.2, revised October 2014) are incorporated by reference. The forms are published by the U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The forms are available at [www.phmsa.dot.gov/pipeline/library/forms](http://www.phmsa.dot.gov/pipeline/library/forms) or upon request from the pipeline safety program manager at the address given in subsection (5)(E). The PHMSA F 7100.1 form does not include any amendments or additions to the October 2014 version. The PHMSA F 7100.2 form does not include any amendments or additions to the October 2014 version.

(C) Safety-related Conditions. An operator must submit concurrently to PHMSA and designated commission personnel a safety-related condition report required by section (12) (191.23). A safety-related condition report can be submitted by electronic mail or telefacsimile (fax) as provided for in section (13).

(D) Alternative Reporting Method.

1. If electronic reporting imposes an undue burden and hardship, an operator may submit a written request for an alternative reporting method to the Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The request must describe the undue burden and hardship. PHMSA will review the request and may authorize, in writing, an alternative reporting method. An authorization will state the period for which it is valid, which may be indefinite. An operator must contact PHMSA at (202) 366-8075, or electronically to [informationresourcesmanager@dot.gov](mailto:informationresourcesmanager@dot.gov) or make arrangements for submitting a report that is due after a request for alternative reporting is submitted, but before an authorization or denial is received.

2. A copy of each report using an alternate reporting method must also be submitted concurrently to designated commission personnel. The copy submitted to designated commission personnel must be clearly marked to indicate the date of submission to PHMSA.

(E) Address for Designated Commission Personnel. The address for the designated commission personnel is Pipeline Safety Program Manager, Missouri Public Service Commission, PO Box 360, Jefferson City, MO 65102. The email address for designated commission personnel is [PipelineSafetyProgramManager@psc.mo.gov](mailto:PipelineSafetyProgramManager@psc.mo.gov).

(F) National Pipeline Mapping System (NPMS). An operator must provide the NPMS data to the address identified in the NPMS *Operator Standards* manual available at [www.npms.phmsa.dot.gov](http://www.npms.phmsa.dot.gov) or by contacting the PHMSA geographic information systems manager at (202) 366-4595.

(6) Distribution System—Federal Incident Report. (191.9)

(A) Except as provided in subsection (6)(C), each operator of a distribution pipeline system must submit U.S. Department of Transportation Form PHMSA F 7100.1 as soon as practicable but not more than thirty (30) days after detection of an incident required to be reported under section (3) (191.5). See the report submission requirements in subsection (5)(A). The inci-

dent report form (revised October 2014) is incorporated by reference and is published by U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The form is available at [www.phmsa.dot.gov/pipeline/library/forms](http://www.phmsa.dot.gov/pipeline/library/forms) or upon request from the pipeline safety program manager at the address given in subsection (5)(E). The form does not include any amendments or additions to the October 2014 version.

(B) When additional relevant information is obtained after the report is submitted under subsection (6)(A), the operator shall make supplementary reports, as deemed necessary, with a clear reference by date and subject to the original report.

(C) The incident report required by this section need not be submitted with respect to master meter systems.

(7) Distribution System—Annual Report and Mechanical Fitting Failure Reports.

(A) Annual Report. (191.11)

1. Except as provided in paragraph (7)(A)3., each operator of a distribution pipeline system must submit an annual report for that system on U.S. Department of Transportation Form PHMSA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year. See the report submission requirements in subsection (5)(A).

2. The annual report form (revised January 2017) is incorporated by reference and is published by U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The form is available at [www.phmsa.dot.gov/pipeline/library/forms](http://www.phmsa.dot.gov/pipeline/library/forms) or upon request from the pipeline safety program manager at the address given in subsection (5)(E). The form does not include any amendments or additions to the January 2017 version.

3. The annual report requirement in this subsection does not apply to a master meter system or to a petroleum gas system which serves fewer than one hundred (100) customers from a single source.

(B) Mechanical Fitting Failure Reports. (191.12)

1. Each mechanical fitting failure, as required by 4 CSR 240-40.030(17)(E) (192.1009), must be submitted on a Mechanical Fitting Failure Report Form (U.S. Department of Transportation Form PHMSA F 7100.1-2). An operator must submit a mechanical fitting failure report for each mechanical fitting failure that occurs within a calendar year not later than March



15 of the following year (for example, all mechanical failure reports for calendar year 2012 must be submitted no later than March 15, 2013). Alternatively, an operator may elect to submit its reports throughout the year. In addition, an operator must also report this information to designated commission personnel.

2. The Mechanical Fitting Failure Report Form (October 2014) is incorporated by reference and is published by the U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The form is available at [www.phmsa.dot.gov/pipeline/library/forms](http://www.phmsa.dot.gov/pipeline/library/forms) or upon request from the pipeline safety program manager at the address given in subsection (5)(E). The form does not include any amendments or additions to the October 2014 version.

(8) Distribution Systems Reporting Transmission Pipelines—Transmission or Gathering Systems Reporting Distribution Pipelines. (191.13) Each operator primarily engaged in gas distribution who also operates gas transmission or gathering pipelines shall submit separate reports for these pipelines as required by sections (9) and (10) (191.15 and 191.17). Each operator primarily engaged in gas transmission or gathering who also operates gas distribution pipelines shall submit separate reports for these pipelines as required by sections (6) and (7) (191.9 and 191.11).

(9) Transmission and Gathering Systems—Federal Incident Report. (191.15)

(A) Transmission and Gathering. Each operator of a transmission or a gathering pipeline system must submit U.S. Department of Transportation Form PHMSA F 7100.2 as soon as practicable but not more than thirty (30) days after detection of an incident required to be reported under section (3) (191.5). See the report submission requirements in subsection (5)(A). The incident report form (revised October 2014) is incorporated by reference and is published by U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The form is available at [www.phmsa.dot.gov/pipeline/library/forms](http://www.phmsa.dot.gov/pipeline/library/forms) or upon request from the pipeline safety program manager at the address given in subsection (5)(E). The form does not include any amendments or additions to the October 2014 version.

(B) Supplemental Report. When additional related information is obtained after a report

is submitted under subsection (9)(A), the operator must make a supplemental report, as soon as practicable, with a clear reference by date to the original report.

(10) Transmission and Gathering Systems—Annual Report. (191.17)

(A) Transmission and Gathering. Each operator of a transmission or a gathering pipeline system must submit an annual report for that system on U.S. Department of Transportation Form PHMSA F 7100.2-1. This report must be submitted each year, not later than March 15, for the preceding calendar year. See the report submission requirements in subsection (5)(A). The annual report form (revised October 2014) is incorporated by reference and is published by U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The form is available at [www.phmsa.dot.gov/pipeline/library/forms](http://www.phmsa.dot.gov/pipeline/library/forms) or upon request from the pipeline safety program manager at the address given in subsection (5)(E). The form does not include any amendments or additions to the October 2014 version.

(B) *(Reserved)*

(11) National Registry of Pipeline and LNG Operators (191.22)

(A) OPID Request.

1. Effective January 1, 2012, each operator of a gas pipeline, gas pipeline facility, underground natural gas storage facility, LNG plant or LNG facility must obtain from PHMSA an Operator Identification Number (OPID). An OPID is assigned to an operator for the pipeline or pipeline system for which the operator has primary responsibility. To obtain an OPID, an operator must complete an OPID Assignment Request (U.S. Department of Transportation Form PHMSA F 1000.1) through the National Registry of Pipeline and LNG Operators at <http://portal.phmsa.dot.gov/pipeline> unless an alternative reporting method is authorized in accordance with subsection (5)(D). A copy of each submission to PHMSA must also be submitted concurrently to designated commission personnel—see addresses in subsection (5)(E).

2. The OPID Assignment Request form (May 2015) is incorporated by reference and is published by U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington DC 20590-0001. The form is available at [www.phmsa.dot.gov/pipeline/library/forms](http://www.phmsa.dot.gov/pipeline/library/forms) or upon request from the pipeline safety program manager at the address given in subsection (5)(E). The form does not include any amend-

ments or additions to the May 2015 version.

(B) OPID Validation. An operator who has already been assigned one (1) or more OPID by January 1, 2011, must validate the information associated with each OPID through the National Registry of Pipeline and LNG Operators at <http://opsweb.phmsa.dot.gov>, and correct that information as necessary, no later than September 30, 2012 (PHMSA Advisory Bulletin ADB-2012-04 extended the deadline from June 30, 2012, to September 30, 2012).

(C) Changes. Each operator of a gas pipeline, gas pipeline facility, underground natural gas storage facility, LNG plant or LNG facility must notify PHMSA electronically through the National Registry of Pipeline and LNG Operators at <http://portal.phmsa.dot.gov/pipeline> of certain events. A copy of each online notification must also be submitted concurrently to designated commission personnel—see addresses in subsection (5)(E).

1. An operator must notify PHMSA of any of the following events not later than sixty (60) days before the event occurs:

A. Construction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs ten (10) million dollars or more. If sixty- (60-) day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable;

B. Construction of ten (10) or more miles of a new or replacement pipeline;

C. Construction of a new LNG plant or LNG facility;

D. Construction of a new underground natural gas storage facility or the abandonment, drilling, or well workover (including replacement of wellhead, tubing, or a new casing) of an injection, withdrawal, monitoring, or observation well for an underground natural gas storage facility;

E. Reversal of product flow direction when the reversal is expected to last more than thirty (30) days. This notification is not required for pipeline systems already designed for bi-directional flow; or

F. A pipeline converted for service under 4 CSR 240-40.030(1)(H) (192.14), or a change in commodity as reported on the annual report as required by section (10) (191.17).

2. An operator must notify PHMSA of any of the following events not later than sixty (60) days after the event occurs:

A. A change in the primary entity responsible (i.e., with an assigned OPID) for managing or administering a safety program required by this rule covering pipeline facilities operated under multiple OPIDs;

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



B. A change in the name of the operator;

C. A change in the entity (e.g., company, municipality) responsible for an existing pipeline, pipeline segment, pipeline facility, underground natural gas storage facility, or LNG facility;

D. The acquisition or divestiture of fifty (50) or more miles of a pipeline or pipeline system subject to 4 CSR 240-40.030;

E. The acquisition or divestiture of an existing LNG plant or LNG facility subject to 49 CFR Part 193; or

F. The acquisition or divestiture of an existing underground natural gas storage facility subject to 49 CFR part 192.

(D) Reporting. An operator must use the OPID issued by PHMSA for all reporting requirements covered under 4 CSR 240-40.020 and 40.030, and for submissions to the National Pipeline Mapping System.

#### (12) Reporting Safety-Related Conditions. (191.23)

(A) Except as provided in subsection (12)(B), each operator must report in accordance with section (13) (191.25) the existence of any of the following safety-related conditions involving facilities in service:

1. In the case of a pipeline (other than an LNG facility) that operates at a hoop stress of twenty percent (20%) or more of its specified minimum yield strength, general corrosion that has reduced the wall thickness to less than that required for the maximum allowable operating pressure and localized corrosion pitting to a degree where leakage might result;

2. Unintended movement or abnormal loading by environmental causes, for instance, an earthquake, landslide, or flood, that impairs the serviceability of a pipeline;

3. Any material defect or physical damage that impairs the serviceability of a pipeline that operates at a hoop stress of twenty percent (20%) or more of its specified minimum yield strength;

4. Any malfunction or operating error that causes the pressure of a pipeline to rise above its maximum allowable operating pressure plus the buildup allowed for operation of pressure limiting or control devices;

5. A leak in a pipeline that constitutes an emergency; and

6. Any safety-related condition that could lead to an imminent hazard and causes (either directly or indirectly by remedial action of the operator), for purposes other than abandonment, a twenty percent (20%) or more reduction in operating pressure or shutdown of operation of a pipeline.

(B) A report is not required for any safety-

related condition that—

1. Exists on a master meter system or a customer-owned service line;

2. Is an incident or results in an incident before the deadline for filing the safety-related condition report;

3. Exists on a pipeline that is more than two hundred twenty (220) yards (two hundred (200) meters) from any building intended for human occupancy or outdoor place of assembly, except that reports are required for conditions within the right-of-way of an active railroad, paved road, street, or highway; or

4. Is corrected by repair or replacement in accordance with applicable safety standards before the deadline for filing the safety-related condition report, except that reports are required for conditions under paragraph (12)(A)1. other than localized corrosion pitting on an effectively coated and cathodically protected pipeline.

#### (13) Filing Safety-Related Condition Reports. (191.25)

(A) Each report of a safety-related condition under subsection (12)(A) must be filed (received by the Office of Pipeline Safety at PHMSA and designated commission personnel) within five (5) working days (not including Saturday, Sunday, or federal holidays) after the day a representative of the operator first determines that the condition exists, but not later than ten (10) working days after the day a representative of the operator discovers the possibility of a condition. Separate conditions may be described in a single report if they are closely related. See the report submission requirements in subsection (5)(C). Reports may be transmitted by electronic mail to [InformationResourcesManager@dot.gov](mailto:InformationResourcesManager@dot.gov) and [PipelineSafetyProgramManager@psc.mo.gov](mailto:PipelineSafetyProgramManager@psc.mo.gov). To file a report by telefacsimile (fax), dial (202) 366-7128 for the Office of Pipeline Safety and (573) 522-1946 for designated commission personnel.

(B) The report must be titled Safety-Related Condition Report and provide the following information:

1. Name and principal address of the operator;

2. Date of report;

3. Name, job title, and business telephone number of the person submitting the report;

4. Name, job title, and business telephone number of the person who determined that the condition exists;

5. Date the condition was discovered and date the condition was first determined to exist;

6. Location of the condition, with reference to the state (and town, city, or county),

and as appropriate, nearest street address, survey station number, milepost, landmark, or name of pipeline;

7. Description of the condition, including circumstances leading to its discovery, any significant effects of the condition on safety, and the name of the commodity transported or stored; and

8. The corrective action taken (including reduction of pressure or shutdown) before the report is submitted and the planned follow-up or future corrective action, including the anticipated schedule for starting and concluding such action.

#### (14) National Pipeline Mapping System. (191.29)

(A) Each operator of a gas transmission pipeline or liquefied natural gas facility must provide the following geospatial data to PHMSA for that pipeline or facility:

1. Geospatial data, attributes, metadata, and transmittal letter appropriate for use in the National Pipeline Mapping System. Acceptable formats and additional information are specified in the *NPMS Operator Standards Manual* available at [www.npms.phmsa.dot.gov](http://www.npms.phmsa.dot.gov) or by contacting the PHMSA geographic information systems manager at (202) 366-4595;

2. The name of and address for the operator; and

3. The name and contact information of a pipeline company employee, to be displayed on a public website, who will serve as a contact for questions from the general public about the operator's NPMS data.

(B) The information required in subsection (14)(A) must be submitted each year, on or before March 15, representing assets as of December 31 of the previous year. If no changes have occurred since the previous year's submission, the operator must comply with the guidance provided in the *NPMS Operator Standards* manual available at [www.npms.phmsa.dot.gov](http://www.npms.phmsa.dot.gov) or contact the PHMSA geographic information systems manager at (202) 366-4595.

*AUTHORITY: sections 386.250, 386.310, and 393.140, RSMo 2016.\* This rule originally filed as 4 CSR 240-40.020. Original rule filed Feb. 5, 1970, effective Feb. 26, 1970. Amended: Filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed Feb. 8, 1985, effective Aug. 11, 1985. Rescinded and readopted: Filed May 17, 1989, effective Dec. 15, 1989. Amended: Filed Oct. 7, 1994, effective May 28, 1995. Amended: Filed April 9, 1998, effective Nov. 30, 1998. Amended: Filed Dec. 14, 2000, effective May 30, 2001. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed Nov. 29, 2012, effective May*



## 20 CSR 4240-40—DEPARTMENT OF COMMERCE AND INSURANCE

### Division 4240—Public Service Commission

30, 2013. Amended: Filed Nov. 14, 2016, effective June 30, 2017. Amended: Filed June 4, 2018, effective Jan. 30, 2019. Moved to 20 CSR 4240-40.020, effective Aug. 28, 2019.

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; and 393.140, RSMo 1939, amended 1949, 1967.*

#### 20 CSR 4240-40.030 Safety Standards— Transportation of Gas by Pipeline

**PURPOSE:** This rule prescribes minimum safety standards regarding the design, fabrication, installation, construction, metering, corrosion control, operation, maintenance, leak detection, repair, and replacement of pipelines used for the transportation of natural and other gas.

**PUBLISHER'S NOTE:** The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

**AGENCY NOTE:** This rule is similar to the Minimum Federal Safety Standards contained in 49 CFR part 192, **Code of Federal Regulations**. Parallel citations to Part 192 are provided for gas operator convenience and to promote public safety. Appendix E, contained in this rule, is a Table of Contents for 4 CSR 240-40.030.

##### (1) General.

##### (A) What Is the Scope of this Rule? (192.1)

1. This rule prescribes minimum safety requirements for pipeline facilities and the transportation of gas in Missouri and under the jurisdiction of the commission. A table of contents is provided in Appendix E, which is included herein (at the end of this rule).

##### 2. This rule does not apply to—

##### A. The gathering of gas—

(I) Through a pipeline that operates at less than zero (0) pounds per square inch gauge (psig) (0 kPa); or

(II) Through a pipeline that is not a regulated onshore gathering line (as determined in (1)(E)); or

B. Any pipeline system that transports only petroleum gas or petroleum gas/air mix-

tures to—

(I) Fewer than ten (10) customers, if no portion of the system is located in a public place; or

(II) A single customer, if the system is located entirely on the customer's premises (no matter if a portion of the system is located in a public place).

(B) Definitions. (192.3) As used in this rule—

1. Abandoned means permanently removed from service;

2. Active corrosion means continuing corrosion that, unless controlled, could result in a condition that is detrimental to public safety;

3. Administrator means the Administrator of the Pipeline and Hazardous Materials Safety Administration of the United States Department of Transportation to whom authority in the matters of pipeline safety have been delegated by the Secretary of the United States Department of Transportation, or his or her delegate;

4. Alarm means an audible or visible means of indicating to the controller that equipment or processes are outside operator-defined, safety-related parameters;

5. Building means any structure that is regularly or periodically occupied by people;

6. Commission means the Missouri Public Service Commission;

7. Control room means an operations center staffed by personnel charged with the responsibility for remotely monitoring and controlling a pipeline facility;

8. Controller means a qualified individual who remotely monitors and controls the safety-related operations of a pipeline facility via a supervisory control and data acquisition (SCADA) system from a control room, and who has operational authority and accountability for the remote operational functions of the pipeline facility;

9. Customer meter means the meter that measures the transfer of gas from an operator to a consumer;

10. Designated commission personnel means the pipeline safety program manager at the address contained in 4 CSR 240-40.020(5)(E) for correspondence;

11. Distribution line means a pipeline other than a gathering or transmission line;

12. Electrical survey means a series of closely spaced pipe-to-soil readings over pipelines which are subsequently analyzed to identify locations where a corrosive current is leaving the pipeline, except that other indirect examination tools/methods can be used for an electrical survey included in the federal regulations in 49 CFR part 192, subpart O and appendix E (incorporated by reference in sec-

tion (16));

13. Feeder line means a distribution line that has a maximum allowable operating pressure (MAOP) greater than 100 psi (689 kPa) gauge that produces hoop stresses less than twenty percent (20%) of specified minimum yield strength (SMYS);

14. Follow-up inspection means an inspection performed after a repair procedure has been completed in order to determine the effectiveness of the repair and to ensure that all hazardous leaks in the area are corrected;

15. Fuel line means the customer-owned gas piping downstream from the outlet of the customer meter or operator-owned pipeline, whichever is farther downstream;

16. Gas means natural gas, flammable gas, manufactured gas, or gas which is toxic or corrosive;

17. Gathering line means a pipeline that transports gas from a current production facility to a transmission line or main;

18. High-pressure distribution system means a distribution system in which the gas pressure in the main is higher than an equivalent to fourteen inches (14") water column;

19. Hoop stress means the stress in a pipe wall acting circumferentially in a plane perpendicular to the longitudinal axis of the pipe produced by the pressure in the pipe;

20. Listed specification means a specification listed in subsection I. of Appendix B, which is included herein (at the end of this rule);

21. Low-pressure distribution system means a distribution system in which the gas pressure in the main is less than or equal to an equivalent of fourteen inches (14") water column;

22. Main means a distribution line that serves as a common source of supply for more than one (1) service line;

23. Maximum actual operating pressure means the maximum pressure that occurs during normal operations over a period of one (1) year;

24. Maximum allowable operating pressure (MAOP) means the maximum pressure at which a pipeline or segment of a pipeline may be operated under this rule;

25. Municipality means a city, village, or town;

26. Operator means a person who engages in the transportation of gas;

27. Person means any individual, firm, joint venture, partnership, corporation, association, county, state, municipality, political subdivision, cooperative association, or joint stock association, and including any trustee, receiver, assignee, or personal representative of them;

28. Petroleum gas means propane,



propylene, butane (normal butane or isobutanes), and butylene (including isomers), or mixtures composed predominantly of these gases, having a vapor pressure not exceeding 208 psi (1434 kPa) gauge at 100°F (38°C);

29. PHMSA means the Pipeline and Hazardous Materials Safety Administration of the United States Department of Transportation;

30. Pipe means any pipe or tubing used in the transportation of gas, including pipe-tie holders;

31. Pipeline means all parts of those physical facilities through which gas moves in transportation, including pipe, valves, and other appurtenances attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies;

32. Pipeline environment includes soil resistivity (high or low), soil moisture (wet or dry), soil contaminants that may promote corrosive activity, and other known conditions that could affect the probability of active corrosion;

33. Pipeline facility means new and existing pipelines, rights-of-way, and any equipment, facility, or building used in the transportation of gas or in the treatment of gas during the course of transportation;

34. Reading means the highest sustained reading when testing in a bar hole or opening without induced ventilation;

35. Service line means a distribution line that transports gas from a common source of supply to an individual customer, to two (2) adjacent or adjoining residential or small commercial customers, or to multiple residential or small commercial customers served through a meter header or manifold. A service line ends at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream, or at the connection to customer piping if there is no meter;

36. Service regulator means the device on a service line that controls the pressure of gas delivered from a higher pressure to the pressure provided to the customer. A service regulator may serve one (1) customer or multiple customers through a meter header or manifold;

37. SMYS means specified minimum yield strength is—

A. For steel pipe manufactured in accordance with a listed specification, the yield strength specified as a minimum in that specification; or

B. For steel pipe manufactured in accordance with an unknown or unlisted specification, the yield strength determined in accordance with paragraph (3)(D)2.

(192.107[b]);

38. Supervisory control and data acquisition (SCADA) system means a computer-based system or systems used by a controller in a control room that collects and displays information about a pipeline facility and may have the ability to send commands back to the pipeline facility;

39. Sustained reading means the reading taken on a combustible gas indicator unit after adequately venting the test hole or opening;

40. Transmission line means a pipeline, other than a gathering line, that—

A. Transports gas from a gathering line or storage facility to a distribution center, storage facility, or large volume customer that is not downstream from a distribution center (A large volume customer may receive similar volumes of gas as a distribution center, and includes factories, power plants, and institutional users of gas.);

B. Operates at a hoop stress of twenty percent (20%) or more of SMYS; or

C. Transports gas within a storage field;

41. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline or the storage of gas in Missouri;

42. Tunnel means a subsurface passage-way large enough for a man to enter;

43. Vault or manhole means a subsurface structure that a man can enter;

44. Welder means a person who performs manual or semi-automatic welding;

45. Welding operator means a person who operates machine or automatic welding equipment; and

46. Yard line means an underground fuel line that transports gas from the service line to the customer's building. If multiple buildings are being served, building means the building nearest to the connection to the service line. For purposes of this definition, if aboveground fuel line piping at the meter location is located within five feet (5') of a building being served by that meter, it will be considered to the customer's building and no yard line exists. At meter locations where aboveground fuel line piping is located greater than five feet (5') from the building(s) being served, the underground fuel line from the meter to the entrance into the nearest building served by that meter will be considered the yard line and any other lines are not considered yard lines.

(C) Class Locations. (192.5)

1. This subsection classifies pipeline locations for the purpose of this rule. The following criteria apply to classifications under this section:

A. A "class location unit" is an area

that extends two hundred twenty (220) yards (200 meters) on either side of the centerline of any continuous one- (1-) mile (1.6 kilometers) length of pipeline; and

B. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

2. Except as provided in paragraph (1)(C)3., pipeline locations are classified as follows:

A. A Class 1 location is any class location unit that has ten (10) or fewer buildings intended for human occupancy;

B. A Class 2 location is any class location unit that has more than ten (10) but fewer than forty-six (46) buildings intended for human occupancy;

C. A Class 3 location is—

(I) Any class location unit that has forty-six (46) or more buildings intended for human occupancy; or

(II) An area where the pipeline lies within one hundred (100) yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by twenty (20) or more persons on at least five (5) days a week for ten (10) weeks in any twelve- (12-) month period (The days and weeks need not be consecutive); and

D. A Class 4 location is any class location unit where buildings with four (4) or more stories aboveground are prevalent.

3. The length of Class locations 2, 3, and 4 may be adjusted as follows:

A. A Class 4 location ends two hundred twenty (220) yards (200 meters) from the nearest building with four (4) or more stories aboveground; and

B. When a cluster of buildings intended for human occupancy requires a Class 2 or 3 location, the class location ends two hundred twenty (220) yards (200 meters) from the nearest building in the cluster.

(D) Incorporation By Reference of the Federal Regulation at 49 CFR 192.7. (192.7)

1. As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2017, the federal regulation at 49 CFR 192.7 is incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to 49 CFR 192.7.

2. The *Code of Federal Regulations* and the *Federal Register* are published by the Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. The October 1, 2017 version of 49 CFR part 192 is available at [www.gpo.gov/fdsys/search/showcitation.action](http://www.gpo.gov/fdsys/search/showcitation.action).





3. The regulation at 49 CFR 192.7 provides a listing of the documents that are incorporated by reference partly or wholly in 49 CFR part 192, which is the federal counterpart and foundation for this rule. All incorporated materials are available for inspection from several sources, including the following sources:

A. The Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590. For more information, contact 202-366-4046 or go to the PHMSA website at [www.phmsa.dot.gov/pipeline/regs](http://www.phmsa.dot.gov/pipeline/regs);

B. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, go to the NARA website at [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html) or call 202-741-6030 or 866-272-6272; and

C. Copies of standards incorporated by reference can also be purchased or are otherwise made available from the respective standards-developing organizations listed in 49 CFR 192.7.

4. Federal amendment 192-94 (published in *Federal Register* on June 14, 2004, page 69 FR 32886) moved the listing of incorporated documents to 49 CFR 192.7 from 49 CFR part 192—Appendix A, which is now “Reserved.” This listing of documents was in Appendix A to this rule prior to the 2008 amendment of this rule. As of the 2008 amendment, Appendix A to this rule is also “Reserved” and included herein.

(E) Gathering Lines. (192.8 and 192.9)

1. As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2017, the federal regulations at 49 CFR 192.8 and 192.9 are incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to 49 CFR 192.8 and 192.9.

2. The *Code of Federal Regulations* is published by the Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. The October 1, 2017 version of 49 CFR part 192 is available at [www.gpo.gov/fdsys/search/showcitation.action](http://www.gpo.gov/fdsys/search/showcitation.action).

3. The regulations at 49 CFR 192.8 and 192.9 provide the requirements for gathering lines. The requirements for offshore lines are not applicable to Missouri.

(F) Petroleum Gas Systems. (192.11)

1. Each plant that supplies petroleum gas by pipeline to a natural gas distribution system must meet the requirements of this rule and of NFPA 58 and NFPA 59 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

2. Each pipeline system subject to this rule that transports only petroleum gas or petroleum gas/air mixtures must meet the requirements of this rule and of NFPA 58 and NFPA 59 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

3. In the event of a conflict between this rule and NFPA 58 and NFPA 59 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), NFPA 58 and NFPA 59 prevail.

(G) What General Requirements Apply to Pipelines Regulated under this Rule? (192.13)

1. No person may operate a segment of pipeline listed in the first column that is readied for service after the date in the second column, unless—

A. The pipeline has been designed, installed, constructed, initially inspected, and initially tested in accordance with this rule; or

B. The pipeline qualifies for use under this rule in accordance with subsection (1)(H). (192.14)

Pipeline	Date
Regulated onshore gathering line to which 49 CFR 192.8 and 192.9 did not apply until April 14, 2006 (see (1)(E))	March 15, 2007
All other pipelines	March 12, 1971

2. No person may operate a segment of pipeline listed in the first column that is replaced, relocated, or otherwise changed after the date in the second column, unless that replacement, relocation, or change has been made according to the requirements in this rule.

Pipeline	Date
Regulated onshore gathering line to which 49 CFR 192.8 and 192.9 did not apply until April 14, 2006 (see (1)(E))	March 15, 2007
All other pipelines	November 12, 1970

3. Each operator shall maintain, modify as appropriate, and follow the plans, procedures, and programs that it is required to establish under this rule.

4. This section and sections (9), (11)–(17) apply regardless of installation date. The requirements within other sections of this rule apply regardless of the installation date only when specifically stated as such.

(H) Conversion to Service Subject to this Rule. (192.14)

1. Except as provided in paragraph (1)(H)4., a steel pipeline previously used in service not subject to this rule qualifies for use under this rule if the operator prepares and follows a written procedure to carry out the following requirements:

A. The design, construction, operation, and maintenance history of the pipeline must be reviewed and, where sufficient historical records are not available, appropriate tests must be performed to determine if the pipeline is in a satisfactory condition for safe operation;

B. The pipeline right-of-way, all aboveground segments of the pipeline, and appropriately selected underground segments must be visually inspected for physical defects and operating conditions which reasonably could be expected to impair the strength or tightness of the pipeline;

C. All known unsafe defects and conditions must be corrected in accordance with this rule; and

D. The pipeline must be tested in accordance with section (10) to substantiate the maximum allowable operating pressure permitted by section (12).

2. Each operator must keep for the life of the pipeline a record of investigations, tests, repairs, replacements, and alterations made under the requirements of paragraph (1)(H)1.

3. An operator converting a pipeline from service not previously covered by this rule must notify PHMSA and designated commission personnel sixty (60) days before the conversion occurs as required by 4 CSR 240-40.020(11).

4. This paragraph lists situations where steel pipe may not be converted to service subject to this rule.

A. Steel yard lines that are not cathodically protected must be replaced under subsection (15)(C).

B. Buried steel fuel lines that are not cathodically protected may not be converted to a pipeline as defined in subsection (1)(B), such as a service line or main.

C. Buried steel pipes that are not cathodically protected may not be converted to a service line.

D. Buried steel pipes that are not cathodically protected may not be converted to a main in Class 3 and Class 4 locations.

(I) Rules of Regulatory Construction. (192.15)

1. As used in this rule—

A. Includes means including, but not limited to;

B. May means is permitted to or is authorized to;

C. May not means is not permitted to



## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



or is not authorized to; and

D. Shall is used in the mandatory and imperative sense.

2. In this rule—

A. Words importing the singular include the plural;

B. Words importing the plural include the singular; and

C. Words importing the masculine gender include the feminine.

(J) Filing of Required Plans, Procedures, and Programs.

1. Each operator shall submit to designated commission personnel all plans, procedures, and programs required by this rule (to include welding and joining procedures, construction standards, control room management procedures, corrosion control procedures, damage prevention program, distribution integrity management plan, emergency procedures, public education program, operator qualification program, replacement programs, transmission integrity management program, and procedural manual for operations, maintenance, and emergencies). In addition, each change must be submitted to designated commission personnel within twenty (20) days after the change is made.

2. All operators under the pipeline safety jurisdiction of the Missouri Public Service Commission must establish and submit welding procedures, joining procedures, and construction specifications and standards to designated commission personnel before construction activities begin. All other plans, procedures and programs required by rules 4 CSR 240-40.020, 4 CSR 240-40.030, and 4 CSR 240-40.080 must be established and submitted to designated commission personnel before the system is put into operation.

3. A written plan for drug and alcohol testing in accordance with 4 CSR 240-40.080 must be submitted to designated commission personnel.

(K) Customer Notification Required by Section 192.16 of 49 CFR part 192. (192.16)

1. This subsection applies to each operator of a service line who does not maintain the customer's buried piping up to entry of the first building downstream, or, if the customer's buried piping does not enter a building, up to the principal gas utilization equipment or the first fence (or wall) that surrounds that equipment. For the purpose of this subsection, "customer's buried piping" does not include branch lines that serve yard lanterns, pool heaters, or other types of secondary equipment. Also, "maintain" means monitor for corrosion according to subsection (9)(I) if the customer's buried piping is metallic, survey for leaks according to subsection

(13)(M), and if an unsafe condition is found, take action according to paragraph (12)(S)3.

2. Each operator shall notify each customer once in writing of the following information:

A. The operator does not maintain the customer's buried piping;

B. If the customer's buried piping is not maintained, it may be subject to the potential hazards of corrosion and leakage;

C. Buried gas piping should be—

(I) Periodically inspected for leaks;

(II) Periodically inspected for corrosion if the piping is metallic; and

(III) Repaired if any unsafe condition is discovered;

D. When excavating near buried gas piping, the piping should be located in advance, and the excavation done by hand; and

E. The operator (if applicable), plumbing contractors, and heating contractors can assist in locating, inspecting, and repairing the customer's buried piping.

3. Each operator shall notify each customer not later than August 14, 1996, or ninety (90) days after the customer first receives gas at a particular location, whichever is later. However, operators of master meter systems may continuously post a general notice in a prominent location frequented by customers.

4. Each operator must make the following records available for inspection by designated commission personnel:

A. A copy of the notice currently in use; and

B. Evidence that notices have been sent to customers within the previous three (3) years.

(L) Customer Notification, Paragraph (12)(S)2. When providing gas service to a new customer or a customer relocated from a different operating district, see paragraph (12)(S)2. regarding applicable customer notification.

(2) Materials.

(A) Scope. (192.51) This section prescribes minimum requirements for the selection and qualification of pipe and components for use in pipelines.

(B) General. (192.53) Materials for pipe and components must be—

1. Able to maintain the structural integrity of the pipeline under temperature and other environmental conditions that may be anticipated;

2. Chemically compatible with any gas that they transport and with any other material in the pipeline with which they are in con-

tact;

3. Qualified in accordance with the applicable requirements of this section; and

4. Only of steel or polyethylene for pipe for the underground construction of pipelines, except that other previously qualified materials may be used for—

A. Repair of existing facilities constructed of the same material; and

B. Fittings, valves, or other appurtenances attached to the pipe.

5. Other piping materials may be used with approval of the commission.

(C) Steel Pipe. (192.55)

1. New steel pipe is qualified for use under this rule if—

A. It was manufactured in accordance with a listed specification;

B. It meets the requirements of—

(I) Subsection II of Appendix B to this rule; or

(II) If it was manufactured before November 12, 1970, either subsection II or III of Appendix B to this rule; or

C. It is used in accordance with paragraph (2)(C)3. or 4.

2. Used steel pipe is qualified for use under this rule if—

A. It was manufactured in accordance with a listed specification and it meets the requirements of paragraph II-C of Appendix B to this rule;

B. It meets the requirements of—

(I) Subsection II of Appendix B to this rule; or

(II) If it was manufactured before November 12, 1970, either subsection II or III of Appendix B to this rule;

C. It has been used in an existing line of the same or higher pressure and meets the requirements of paragraph II-C of Appendix B to this rule; or

D. It is used in accordance with paragraph (2)(C)3.

3. New or used steel pipe may be used at a pressure resulting in a hoop stress of less than six thousand (6000) pounds per square inch (psi) (41 MPa) where no close coiling or close bending is to be done, if visual examination indicates that the pipe is in good condition and that it is free of split seams and other defects that would cause leakage. If it is to be welded, steel pipe that has not been manufactured to a listed specification must also pass the weldability tests prescribed in paragraph II-B of Appendix B to this rule.

4. Steel pipe that has not been previously used may be used as replacement pipe in a segment of pipeline if it has been manufactured prior to November 12, 1970, in accordance with the same specification as the pipe used in constructing that segment of pipeline.



5. New steel pipe that has been cold expanded must comply with the mandatory provisions of API Specification 5L (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

(D) Plastic Pipe. (192.59)

1. New polyethylene pipe is qualified for use under this rule if—

A. It is manufactured in accordance with a listed specification; and

B. It is resistant to chemicals with which contact may be anticipated.

2. Used plastic pipe is qualified for use under this rule if—

A. It was manufactured in accordance with a listed specification;

B. It is resistant to chemicals with which contact may be anticipated;

C. It has been used only in natural gas service;

D. Its dimensions are still within the tolerances of the specification to which it was manufactured; and

E. It is free of visible defects.

3. For the purpose of subparagraphs (2)(D)1.A. and 2.A., where pipe of a diameter included in a listed specification is impractical to use, pipe of a diameter between the sizes included in a listed specification may be used if it—

A. Meets the strength and design criteria required of pipe included in that listed specification; and

B. Is manufactured from plastic compounds which meet the criteria for material required of pipe included in that listed specification.

4. Rework and/or regrind material is not allowed in plastic pipe produced after March 6, 2015 used under this rule.

(E) Marking of Materials. (192.63)

1. Except as provided in paragraph (2)(E)4., each valve, fitting, length of pipe, and other component must be marked—

A. As prescribed in the specification or standard to which it was manufactured, except that thermoplastic pipe and fittings made of plastic materials other than polyethylene must be marked in accordance with ASTM D 2513-87 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)); or

B. To indicate size, material, manufacturer, pressure rating, temperature rating and, as appropriate, type, grade, and model.

2. Surfaces of pipe and components that are subject to stress from internal pressure may not be field die stamped.

3. If any item is marked by die stamping, the die must have blunt or rounded edges that will minimize stress concentrations.

4. Paragraph (2)(E)1. does not apply to

items manufactured before November 12, 1970, that meet all of the following:

A. The item is identifiable as to type, manufacturer, and model; and

B. Specifications or standards giving pressure, temperature, and other appropriate criteria for the use of items are readily available.

(F) Transportation of Pipe. (192.65)

1. Railroad. In a pipeline to be operated at a hoop stress of twenty percent (20%) or more of SMYS, an operator may not use pipe having an outer diameter to wall thickness ratio of seventy to one (70:1) or more that is transported by railroad unless the transportation is performed in accordance with API RP 5L1 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

2. Ship or barge. In a pipeline to be operated at a hoop stress of twenty percent (20%) or more of SMYS, an operator may not use pipe having an outer diameter to wall thickness ratio of seventy to one (70:1) or more that is transported by ship or barge on both inland and marine waterways unless the transportation is performed in accordance with API RP 5LW (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

3. Truck. In a pipeline to be operated at a hoop stress of twenty percent (20%) or more of SMYS, an operator may not use pipe having an outer diameter to wall thickness ratio of seventy to one (70:1) or more that is transported by truck unless the transportation is performed in accordance with API RP 5LT (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

(3) Pipe Design.

(A) Scope. (192.101) This section prescribes the minimum requirements for the design of pipe.

(B) General. (192.103) Pipe must be designed with sufficient wall thickness, or must be installed with adequate protection, to withstand anticipated external pressures and loads that will be imposed on the pipe after installation.

(C) Design Formula for Steel Pipe. (192.105)

1. The design pressure for steel pipe is determined in accordance with the following formula:

$$P = (2 St/D) \times F \times E \times T$$

where—

P = Design pressure in pounds per square inch (kPa) gauge;

S = Yield strength in pounds per square inch (kPa) determined in accordance with subsection (3)(D); (192.107)

D = Nominal outside diameter of the pipe in inches (millimeters);

t = Nominal wall thickness of the pipe in inches (millimeters). If this is unknown, it is determined in accordance with subsection (3)(E) (192.109). Additional wall thickness required for concurrent external loads in accordance with subsection (3)(B) (192.103) may not be included in computing design pressure;

F = Design factor determined in accordance with subsection (3)(F) (192.111);

E = Longitudinal joint factor determined in accordance with subsection (3)(G) (192.113); and

T = Temperature derating factor determined in accordance with subsection (3)(H) (192.115).

2. If steel pipe that has been subjected to cold expansion to meet the SMYS is subsequently heated, other than by welding or stress relieving as a part of welding, the design pressure is limited to seventy-five percent (75%) of the pressure determined under paragraph (3)(C)1. if the temperature of the pipe exceeds 900 °F (482 °C) at any time or is held above 600 °F (316 °C) for more than one (1) hour.

(D) Yield Strength (S) for Steel Pipe. (192.107)

1. For pipe that is manufactured in accordance with a specification listed in subsection I of Appendix B, the yield strength to be used in the design formula in subsection (3)(C) (192.105) is the SMYS stated in the listed specification, if that value is known.

2. For pipe that is manufactured in accordance with a specification not listed in subsection I of Appendix B or whose specification or tensile properties are unknown, the yield strength to be used in the design formula in subsection (3)(C) (192.105) is one (1) of the following:

A. If the pipe is tensile tested in accordance with paragraph II-D of Appendix B, the lower of the following:

(I) Eighty percent (80%) of the average yield strength determined by the tensile tests; or

(II) The lowest yield strength determined by the tensile tests; or

B. If the pipe is not tensile tested as provided in subparagraph (3)(D)2.A., twenty-four thousand (24,000) psi (165 MPa).

(E) Nominal Wall Thickness (t) for Steel Pipe. (192.109)

1. If the nominal wall thickness for steel pipe is not known, it is determined by measuring the thickness of each piece of pipe at quarter points on one end.

2. However, if the pipe is of uniform grade, size, and thickness and there are more

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



than ten (10) lengths, only ten percent (10%) of the individual lengths, but not less than ten (10) lengths, need to be measured. The thickness of the lengths that are not measured must be verified by applying a gauge set to the minimum thickness found by the measurement. The nominal wall thickness to be used in the design formula in subsection (3)(C) (192.105) is the next wall thickness found in commercial specifications that is below the average of all the measurements taken. However, the nominal wall thickness used may not be more than one and fourteen hundredths (1.14) times the smallest measurement taken on pipe less than twenty inches (20") (508 millimeters) in outside diameter, nor more than one and eleven hundredths (1.11) times the smallest measurement taken on pipe twenty inches (20") (508 millimeters) or more in outside diameter.

(F) Design Factor (F) for Steel Pipe. (192.111)

1. Except as otherwise provided in paragraphs (3)(F)2.-4., the design factor to be used in the design formula in subsection (3)(C) (192.105) is determined in accordance with the following table:

Class Location	Design Factor (F)
1	0.72
2	0.60
3	0.50
4	0.40

2. A design factor of 0.60 or less must be used in the design formula in subsection (3)(C) (192.105) for steel pipe in Class 1 locations that—

A. Crosses the right-of-way of an unimproved public road without a casing;

B. Crosses without a casing, or makes a parallel encroachment on, the right-of-way of either a hard surfaced road, a highway, a public street, or a railroad;

C. Is supported by a vehicular, pedestrian, railroad, or pipeline bridge; or

D. Is used in a fabricated assembly (including separators, mainline valve assemblies, cross-connections and river crossing headers) or is used within five (5) pipe diameters in any direction from the last fitting of a fabricated assembly, other than a transition piece or an elbow used in place of a pipe bend which is not associated with a fabricated assembly.

3. For Class 2 locations, a design factor of 0.50 or less must be used in the design formula in subsection (3)(C) (192.105) for uncased steel pipe that crosses the right-of-way of a hard surfaced road, a highway, a public street, or a railroad.

4. For Class 1 and Class 2 locations, a design factor of 0.50 or less must be used in the design formula in subsection (3)(C) (192.105) for—

A. Steel pipe in a compressor station, regulating station or measuring station; and

B. Steel pipe, including a pipe riser, on a platform located in inland navigable waters.

(G) Longitudinal Joint Factor (E) for Steel Pipe. (192.113) The longitudinal joint factor to be used in the design formula in subsection (3)(C) is determined in accordance with the following table:

Specification	Pipe Class	Longitudinal Joint Factor (E)
ASTM A 53/A53M	Seamless	1.00
	Electric resistance welded	1.00
	Furnace butt welded	0.60
ASTM A 106 ASTM A 333/A 333M	Seamless	1.00
	Seamless	1.00
	Electric resistance welded	1.00
ASTM A 381	Double submerged arc welded	1.00
ASTM A 671	Electric fusion welded	1.00
ASTM A 672	Electric fusion welded	1.00
ASTM A 691	Electric fusion welded	1.00
API 5L	Seamless	1.00
	Electric resistance welded	1.00
	Electric flash welded	1.00
	Submerged arc welded	1.00
	Furnace butt welded	0.60
	Pipe over 4 inches (102 millimeters)	0.80
Other	Pipe 4 inches (102 millimeters) or less	0.60



If the type of longitudinal joint cannot be determined, the joint factor to be used must not exceed that designated for Other.

(H) Temperature Derating Factor (T) for Steel Pipe. (192.115) The temperature derating factor to be used in the design formula in subsection (3)(C) (192.105) is determined as follows:

Gas Temperature in Degrees Fahrenheit (Celsius)	Temperature Derating Factor (T)
250 °F (121 °C) or less	1.000
300 °F (149 °C)	0.967
350 °F (177 °C)	0.933
400 °F (204 °C)	0.900
450 °F (232 °C)	0.867

For intermediate gas temperatures, the derating factor is determined by interpolation.

(I) Design of Plastic Pipe. (192.121) Subject to the limitations of subsection (3)(J), the design pressure for plastic pipe is determined in accordance with either of the following formulas:

$$P = 2 S \frac{t}{(D-t)} \times 0.32$$

$$P = \frac{2 S}{(SDR-1)} \times 0.32$$

where

P = Design pressure, psi (kPa) gauge;

S = For thermoplastic pipe, the hydrostatic design base (HDB) is determined in accordance with the listed specification at a temperature equal to 73 °F (23 °C), 100 °F (38 °C), 120 °F (49 °C), or 140 °F (60 °C). In the absence of an HDB established at the specified temperature, the HDB of a higher temperature may be used in determining a design pressure rating at the specified temperature by arithmetic interpolation using the procedure in Part D.2. of PPI TR-3/2008, *HDB/PDB/SDB/MRS Policies* (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D));

t = Specified wall thickness, inches (millimeters);

D = Specified outside diameter, inches (millimeters); and

SDR = Standard dimension ratio, the ratio of the average specified outside diameter to the minimum specified wall thickness, corresponding to a value from a common numbering system that was derived from the American National Standards Institute preferred number series 10.

(J) Design Limitations for Plastic Pipe. (192.123)

1. The design pressure may not exceed a gauge pressure of 100 psi (689 kPa) gauge for

plastic pipe used in—

A. Distribution systems; or

B. Classes 3 and 4 locations.

2. Plastic pipe may not be used where operating temperatures of the pipe will be—

A. Below -20 °F (-29 °C), or -40 °F (-40 °C) if all pipe and pipeline components whose operating temperature will be below -20 °F (-29 °C) have a temperature rating by the manufacturer consistent with that operating temperature; or

B. Above the temperature at which the HDB used in the design formula under subsection (3)(I) is determined.

3. The wall thickness for thermoplastic pipe may not be less than 0.062 inches (1.57 millimeters).

4. The federal regulations at 49 CFR 192.123(e) and (f) are not adopted in this rule. (Those federal regulations permit higher design pressures for certain types of thermoplastic pipe.)

(K) Design of Copper Pipe for Repairs. (192.125)

1. Copper pipe used in mains must have a minimum wall thickness of 0.065 inches (1.65 millimeters) and must be hard drawn.

2. Copper pipe used in service lines must have a minimum wall thickness not less than that indicated in the following table:

Standard Size (inch) (millimeter)	Nominal O.D. (inch) (millimeters)	Wall Thickness Nominal	(inch) (millimeter) Tolerance
1/2 (13)	.625 (16)	.040 (1.06)	.0035 (.0889)
5/8 (16)	.750 (19)	.042 (1.07)	.0035 (.0889)
3/4 (19)	.875 (22)	.045 (1.14)	.004 (.102)
1 (25)	1.125 (29)	.050 (1.27)	.004 (.102)
1 1/4 (32)	1.375 (35)	.055 (1.40)	.0045 (.1143)
1 1/2 (38)	1.625 (41)	.060 (1.52)	.0045 (.1143)

3. Copper pipe used in mains and services lines may not be used at pressures in excess of 100 psi (689 kPa) gauge.

4. Copper pipe that does not have an internal corrosion resistant lining may not be used to carry gas that has an average hydrogen sulfide content of more than 0.3 grains/100 ft<sup>3</sup> (6.9/m<sup>3</sup>) under standard conditions. Standard conditions refers to 60 °F and 14.7 psia (38 °C and one atmosphere) of gas.

(L) Additional Design Requirements for Steel Pipe Using Alternative Maximum Allowable Operating Pressure. (192.112) The federal regulations at 49 CFR 192.112 are not adopted in this rule.

(4) Design of Pipeline Components.

(A) Scope. (192.141) This section prescribes minimum requirements for the design and installation of pipeline components and facilities. In addition, it prescribes requirements relating to protection against accidental overpressuring.

(B) General Requirements. (192.143)

1. Each component of a pipeline must be able to withstand operating pressures and other anticipated loadings without impairment of its serviceability with unit stresses equivalent to those allowed for comparable material in pipe in the same location and kind of service. However, if design based upon unit stresses is impractical for a particular component, design may be based upon a pressure rating established by the manufacturer by pressure testing that component or a prototype of the component.

2. The design and installation of pipeline components and facilities must meet applicable requirements for corrosion control found in section (9).

(C) Qualifying Metallic Components. (192.144) Notwithstanding any requirement of this section which incorporates by reference an edition of a document listed in 49 CFR 192.7 (see (1)(D)) or Appendix B, a metallic component manufactured in accordance with any other edition of that document is qualified for use under this rule if—

1. It can be shown through visual inspection of the cleaned component that no defect exists which might impair the strength or tightness of the component; and

2. The edition of the document under which the component was manufactured has equal or more stringent requirements for the following as an edition of that document currently or previously listed in 49 CFR 192.7 (see (1)(D)) or Appendix B:

A. Pressure testing;

B. Materials; and

C. Pressure and temperature ratings.

(D) Valves. (192.145)

1. Except for cast iron and plastic valves, each valve must meet the minimum requirements of ANSI/API Specification 6D (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), or to a national or international standard that provides an equivalent performance level. A valve may not be used under operating conditions that exceed the applicable pressure-temperature ratings contained in those requirements.

2. Each cast iron and plastic valve must comply with the following:

A. The valve must have a maximum service pressure rating for temperatures that equal or exceed the maximum service temperature; and

B. The valve must be tested as part of the manufacturing, as follows:

(I) With the valve in the fully open position, the shell must be tested with no leakage to a pressure at least one and one-half (1.5) times the maximum service rating;



(II) After the shell test, the seat must be tested to a pressure not less than one and one-half (1.5) times the maximum service pressure rating. Except for swing check valves, test pressure during the seat test must be applied successively on each side of the closed valve with the opposite side open. No visible leakage is permitted; and

(III) After the last pressure test is completed, the valve must be operated through its full travel to demonstrate freedom from interference.

3. Each valve must be able to meet the anticipated operating conditions.

4. No valve having shell (body, bonnet, cover, and/or end flange) components made of ductile iron may be used at pressures exceeding eighty percent (80%) of the pressure ratings for comparable steel valves at their listed temperature. However, a valve having shell components made of ductile iron may be used at pressures up to eighty percent (80%) of the pressure ratings for comparable steel valves at their listed temperature, if —

A. The temperature-adjusted service pressure does not exceed 1,000 psi (7 MPa) gauge; and

B. Welding is not used on any ductile iron component in the fabrication of the valve shells or their assembly.

5. No valve having shell (body, bonnet, cover, and/or end flange) components made of cast iron, malleable iron, or ductile iron may be used in the gas pipe components of compressor stations.

(E) Flanges and Flange Accessories. (192.147)

1. Each flange or flange accessory (other than cast iron) must meet the minimum requirements of ASME/ANSI B16.5 and MSS SP-44 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), or the equivalent.

2. Each flange assembly must be able to withstand the maximum pressure at which the pipeline is to be operated and to maintain its physical and chemical properties at any temperature to which it is anticipated that it might be subjected in service.

3. Each flange on a flanged joint in cast iron pipe must conform in dimensions, drilling, face, and gasket design to ASME/ANSI B16.1 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) and be cast integrally with the pipe, valve, or fitting.

(F) Standard Fittings. (192.149)

1. The minimum metal thickness of threaded fittings may not be less than specified for the pressures and temperatures in the applicable standards referenced in this rule or their equivalent.

2. Each steel butt-welding fitting must have pressure and temperature ratings based on stresses for pipe of the same or equivalent material. The actual bursting strength of the fitting must at least equal the computed bursting strength of pipe of the designated material and wall thickness, as determined by a prototype that was tested to at least the pressure required for the pipeline to which it is being added.

(G) Tapping. (192.151)

1. Each mechanical fitting used to make a hot tap must be designed for at least the operating pressure of the pipeline.

2. Where a ductile iron pipe is tapped, the extent of full-thread engagement and the need for the use of outside-sealing service connections, tapping saddles, or other fixtures must be determined by service conditions.

3. Where a threaded tap is made in cast iron or ductile iron pipe, the diameter of the tapped hole may not be more than twenty-five percent (25%) of the nominal diameter of the pipe unless the pipe is reinforced, except that—

A. Existing taps may be used for replacement service, if they are free of cracks and have good threads; and

B. A one and one-fourth inch (1 1/4") (32 millimeters) tap may be made in a four-inch (4") (102 millimeters) cast iron or ductile iron pipe, without reinforcement.

4. However, in areas where climate, soil, and service conditions may create unusual external stresses on cast iron pipe, unreinforced taps may be used only on six-inch (6") (152 millimeters) or larger pipe.

(H) Components Fabricated by Welding. (192.153)

1. Except for branch connections and assemblies of standard pipe and fittings joined by circumferential welds, the design pressure of each component fabricated by welding, whose strength cannot be determined, must be established in accordance with paragraph UG-101 of the *ASME Boiler and Pressure Vessel Code* (Section VIII, Division 1) (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

2. Each prefabricated unit that uses plate and longitudinal seams must be designated, constructed, and tested in accordance with section 1 of the *ASME Boiler and Pressure Vessel Code* (Section VIII, Division 1 or 2) (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), except for the following:

A. Regularly manufactured butt-welding fittings;

B. Pipe that has been produced and

tested under a specification listed in Appendix B to this rule;

C. Partial assemblies such as split rings or collars; and

D. Prefabricated units that the manufacturer certifies have been tested to at least twice the maximum pressure to which they will be subjected under the anticipated operating conditions.

3. Orange-peel bull plugs and orange-peel swages may not be used on pipelines that are to operate at a hoop stress of twenty percent (20%) or more of the SMYS of the pipe.

4. Except for flat closures designed in accordance with the *ASME Boiler and Pressure Vessel Code* (Section VIII, Division 1 or 2) (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), flat closures and fish tails may not be used on pipe that either operates at 100 psi (689 kPa) gauge or more, or is more than three inches (3") (76 millimeters) nominal diameter.

5. A component having a design pressure established in accordance with paragraph (4)(H)1. or 2. and subject to the strength testing requirements of paragraph (10)(C)2. must be tested to at least one and one-half (1.5) times the MAOP.

(I) Welded Branch Connections. (192.155) Each welded branch connection made to pipe in the form of a single connection or in a header or manifold, as a series of connections, must be designed to ensure that the strength of the pipeline system is not reduced, taking into account the stresses in the remaining pipe wall due to the opening in the pipe or header, the shear stresses produced by the pressure acting on the area of the branch opening, and any external loadings due to thermal movement, weight, and vibration.

(J) Extruded Outlets. (192.157) Each extruded outlet must be suitable for anticipated service conditions and must be at least equal to the design strength of the pipe and other fittings in the pipeline to which it is attached.

(K) Flexibility. (192.159) Each pipeline must be designed with enough flexibility to prevent thermal expansion or contraction from causing excessive stresses in the pipe or components, excessive bending or unusual loads at joints, or undesirable forces or moments at points of connection to equipment or at anchorage or guide points.

(L) Supports and Anchors. (192.161)

1. Each pipeline and its associated equipment must have enough anchors or supports to—

A. Prevent undue strain on connected equipment;

B. Resist longitudinal forces caused by a bend or offset in the pipe; and



C. Prevent or damp out excessive vibration.

2. Each exposed pipeline must have enough supports or anchors to protect the exposed pipe joints from the maximum end force caused by internal pressure and any additional forces caused by temperature expansion or contraction or by the weight of the pipe and its contents.

3. Each support or anchor on an exposed pipeline must be made of durable, noncombustible material and must be designed and installed as follows:

A. Free expansion and contraction of the pipeline between supports or anchors may not be restricted;

B. Provision must be made for the service conditions involved; and

C. Movement of the pipeline may not cause disengagement of the support equipment.

4. Each support on an exposed pipeline operated at a stress level of fifty percent (50%) or more of SMYS must comply with the following:

A. A structural support may not be welded directly to the pipe;

B. The support must be provided by a member that completely encircles the pipe; and

C. If an encircling member is welded to a pipe, the weld must be continuous and cover the entire circumference.

5. Each underground pipeline that is connected to a relatively unyielding line or other fixed object must have enough flexibility to provide for possible movement or it must have an anchor that will limit the movement of the pipeline.

6. Each underground pipeline that is being connected to new branches must have a firm foundation for both the header and the branch to prevent detrimental lateral and vertical movement.

(M) Compressor Stations—Design and Construction. (192.163)

1. Location of compressor building. Except for a compressor building on a platform located in inland navigable waters, each main compressor building of a compressor station must be located on property under the control of the operator. It must be far enough away from adjacent property not under control of the operator to minimize the possibility of fire being communicated to the compressor building from structures on adjacent property. There must be enough open space around the main compressor building to allow the free movement of firefighting equipment.

2. Building construction. Each building on a compressor station site must be made of

noncombustible materials if it contains either—

A. Pipe more than two inches (2") (51 millimeters) in diameter that is carrying gas under pressure; or

B. Gas handling equipment other than gas utilization equipment used for domestic purposes.

3. Exits. Each operating floor of a main compressor building must have at least two (2) separated and unobstructed exits located so as to provide a convenient possibility of escape and an unobstructed passage to a place of safety. Each door latch on an exit must be of a type which can be readily opened from the inside without a key. Each swinging door located in an exterior wall must be mounted to swing outward.

4. Fenced areas. Each fence around a compressor station must have at least two (2) gates located so as to provide a convenient opportunity for escape to a place of safety or have other facilities affording a similarly convenient exit from the area. Each gate located within two hundred feet (200') (61 meters) of any compressor plant building must open outward and, when occupied, must be openable from the inside without a key.

5. Electrical facilities. Electrical equipment and wiring installed in compressor stations must conform to NFPA-70 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), so far as that code is applicable.

(N) Compressor Stations—Liquid Removal. (192.165)

1. Where entrained vapors in gas may liquefy under the anticipated pressure and temperature conditions, the compressor must be protected against the introduction of liquids in quantities that could cause damage.

2. Each liquid separator used to remove entrained liquids at a compressor station must—

A. Have a manually operable means of removing these liquids;

B. Where slugs of liquid could be carried into the compressors, have either automatic liquid removal facilities, an automatic compressor shutdown device, or a high liquid level alarm; and

C. Be manufactured in accordance with section VIII of the *ASME Boiler and Pressure Vessel Code* (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) and the additional requirements of paragraph (4)(H)5., except that liquid separators constructed of pipe and fittings without internal welding must be fabricated with a design factor of 0.4 or less.

(O) Compressor Stations—Emergency Shutdown. (192.167)

1. Except for unattended field compressor stations of one thousand (1,000) horsepower (746 kilowatts) or less, each compressor station must have an emergency shutdown system that meets the following:

A. It must be able to block gas out of the station and blowdown the station piping;

B. It must discharge gas from the blowdown piping at a location where the gas will not create a hazard;

C. It must provide means for the shutdown of gas compressing equipment, gas fires, and electrical facilities in the vicinity of gas headers and in the compressor building, except that—

(I) Electrical circuits that supply emergency lighting required to assist station personnel in evacuating the compressor building and the area in the vicinity of the gas headers must remain energized; and

(II) Electrical circuits needed to protect equipment from damage may remain energized; and

D. It must be operable from at least two (2) locations, each of which is—

(I) Outside the gas area of the station;

(II) Near the exit gates if the station is fenced or near emergency exits if not fenced; and

(III) Not more than five hundred feet (500') (153 meters) from the limits of the station.

2. If a compressor station supplies gas directly to a distribution system with no other adequate source of gas available, the emergency shutdown system must be designed so that it will not function at the wrong time and cause an unintended outage on the distribution system.

3. On a platform located in inland navigable waters, the emergency shutdown system must be designed and installed to actuate automatically by each of the following events:

A. In the case of an unattended compressor station—

(I) When the gas pressure equals the maximum allowable operating pressure plus fifteen percent (15%); or

(II) When an uncontrolled fire occurs on the platform; and

B. In the case of a compressor station in a building—

(I) When an uncontrolled fire occurs in the building; or

(II) When the concentration of gas in air reaches fifty percent (50%) or more of the lower explosive limit in a building which has a source of ignition. For the purpose of part (4)(O)3.B.(II), an electrical facility which conforms to Class 1, Group D of the *National Electrical Code* is not a source of

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



ignition.

(P) Compressor Stations—Pressure Limiting Devices. (192.169)

1. Each compressor station must have pressure relief or other suitable protective devices of sufficient capacity and sensitivity to ensure that the maximum allowable operating pressure of the station piping and equipment is not exceeded by more than ten percent (10%).

2. Each vent line that exhausts gas from the pressure relief valves of a compressor station must extend to a location where the gas may be discharged without hazard.

(Q) Compressor Stations—Additional Safety Equipment. (192.171)

1. Each compressor station must have adequate fire protection facilities. If fire pumps are a part of these facilities, their operation may not be affected by the emergency shutdown system.

2. Each compressor station prime mover other than an electrical induction or synchronous motor must have an automatic device to shut down the unit before the speed of either the prime mover or the driven unit exceeds a maximum safe speed.

3. Each compressor unit in a compressor station must have a shutdown or alarm device that operates in the event of inadequate cooling or lubrication of the unit.

4. Each compressor station gas engine that operates with pressure gas injection must be equipped so that stoppage of the engine automatically shuts off the fuel and vents the engine distribution manifold.

5. Each muffler for a gas engine in a compressor station must have vent slots or holes in the baffles of each compartment to prevent gas from being trapped in the muffler.

(R) Compressor Stations—Ventilation. (192.173) Each compressor station building must be ventilated to ensure that employees are not endangered by the accumulation of gas in rooms, sumps, attics, pits, or other enclosed places.

(S) Pipe-Type and Bottle-Type Holders. (192.175)

1. Each pipe-type and bottle-type holder must be designed so as to prevent the accumulation of liquids in the holder, in connecting pipe or in auxiliary equipment that might cause corrosion or interfere with the safe operation of the holder.

2. Each pipe-type or bottle-type holder must have a minimum clearance from other holders in accordance with the following formula:

$$C = (3D \times P \times F) / 1000 \text{ (in inches)}$$

$$(C = (3D \times P \times F) / 6,895) \text{ (in millimeters)}$$

where

C = Minimum clearance between pipe containers or bottles in inches (millimeters);

D = Outside diameter of pipe containers or bottles in inches (millimeters);

P = Maximum allowable operating pressure, psi (kPa) gauge; and

F = Design factor as set forth in subsection (3)(F) (192.111).

(T) Additional Provisions for Bottle-Type Holders. (192.177)

1. Each bottle-type holder must be—

A. Located on a site entirely surrounded by fencing that prevents access by unauthorized persons and with minimum clearance from the fence as follows:

Maximum Allowable Operating Pressure	Minimum Clearance feet (meters)
Less than 1000 psi (7 MPa) gauge	25 (7.6)
1000 psi (7 MPa) gauge or more	100 (31)

B. Designed using the design factors set forth in subsection (3)(F) (192.111); and

C. Buried with a minimum cover in accordance with subsection (7)(N). (192.327)

2. Each bottle-type holder manufactured from steel that is not weldable under field conditions must comply with the following:

A. A bottle-type holder made from alloy steel must meet the chemical and tensile requirements for the various grades of steel in ASTM A372/A372M (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D));

B. The actual yield-tensile ratio of the steel may not exceed 0.85;

C. Welding may not be performed on the holder after it has been heat-treated or stress-relieved, except that copper wires may be attached to the small diameter portion of the bottle end closure for cathodic protection if a localized Thermit welding process is used;

D. The holder must be given a mill hydrostatic test at a pressure that produces a hoop stress at least equal to eighty-five percent (85%) of the SMYS; and

E. The holder, connection pipe, and components must be leak tested after installation as required by section (10).

(U) Transmission Line Valves. (192.179)

1. Each transmission line must have sectionalizing block valves spaced as follows, unless in a particular case the administrator finds that alternative spacing would provide an equivalent level of safety:

A. Each point on the pipeline in a Class 4 location must be within two and one-half (2 1/2) miles (4 kilometers) of a valve;

B. Each point on the pipeline in a Class 3 location must be within four (4) miles (6.4 kilometers) of a valve;

C. Each point on the pipeline in a Class 2 location must be within seven and one-half (7 1/2) miles (12 kilometers) of a valve; and

D. Each point on the pipeline in a Class 1 location must be within ten (10) miles (16 kilometers) of a valve.

2. Each sectionalizing block valve on a transmission line must comply with the following:

A. The valve and the operating device to open or close the valve must be readily accessible and protected from tampering and damage; and

B. The valve must be supported to prevent settling of the valve or movement of the pipe to which it is attached.

3. Each section of a transmission line between main line valves must have a blowdown valve with enough capacity to allow the transmission line to be blown down as rapidly as practicable. Each blowdown discharge must be located so the gas can be blown to the atmosphere without hazard and, if the transmission line is adjacent to an overhead electric line, so that the gas is directed away from the electrical conductors.

(V) Distribution Line Valves. (192.181)

1. Each high pressure distribution system must have valves spaced so as to reduce the time to shut down a section of main in an emergency. The valve spacing is determined by the operating pressure, the size of the mains and the local physical conditions, but it must at least provide zones of isolation sized so that the operator could relight the lost customer services within a period of eight (8) hours after restoration of system pressure.

2. Each regulator station controlling the flow or pressure of gas in a distribution system must have a valve installed on the inlet piping and on the outlet piping at a sufficient distance from the regulator station to permit the operation of the valve during an emergency that might preclude access to the station. An outlet valve on regulator stations will not be required on single-feed distribution systems when the outlet piping size is less than or equal to two inches (2") in nominal diameter.

3. Each valve on a main installed for operating or emergency purposes must comply with the following:

A. The valve must be placed in a readily accessible location so as to facilitate its operation in an emergency;

B. The operating stem or mechanism must be readily accessible; and

C. If the valve is installed in a buried



box or enclosure, the box or enclosure must be installed so as to avoid transmitting external loads to the main.

(W) Vaults—Structural Design Requirements. (192.183)

1. Each underground vault or pit for valves, pressure relieving, pressure limiting, or pressure regulating stations must be able to meet the loads which may be imposed upon it and to protect installed equipment.

2. There must be enough working space so that all of the equipment required in the vault or pit can be properly installed, operated, and maintained.

3. Each pipe entering, or within, a regulator vault or pit must be steel for sizes ten inches (10") (254 millimeters), and less, except that control and gauge piping may be copper. Where pipe extends through the vault or pit structure, provision must be made to prevent the passage of gases or liquids through the opening and to avert strains in the pipe.

(X) Vaults—Accessibility. (192.185) Each vault must be located in an accessible location and, so far as practical, away from—

1. Street intersections or points where traffic is heavy or dense;

2. Points of minimum elevation, catch basins or places where the access cover will be in the course of surface waters; and

3. Water, electric, steam, or other facilities.

(Y) Vaults—Sealing, Venting, and Ventilation. (192.187) Each underground vault or closed top pit containing either a pressure regulating or reducing station, or a pressure limiting or relieving station, must be sealed, vented, or ventilated, as follows:

1. When the internal volume exceeds two hundred (200) cubic feet (5.7 cubic meters)—

A. The vault or pit must be ventilated with two (2) ducts, each having at least the ventilating effect of a pipe four inches (4") (102 millimeters) in diameter;

B. The ventilation must be enough to minimize the formation of combustible atmosphere in the vault or pit; and

C. The ducts must be high enough above grade to disperse any gas-air mixtures that might be discharged;

2. When the internal volume is more than seventy-five (75) cubic feet (2.1 cubic meters) but less than two hundred (200) cubic feet (5.7 cubic meters)—

A. If the vault or pit is sealed, each opening must have a tight fitting cover without open holes through which an explosive mixture might be ignited, and there must be a means for testing the internal atmosphere before removing the cover;

B. If the vault or pit is vented, there must be a means of preventing external sources of ignition from reaching the vault atmosphere; or

C. If the vault or pit is ventilated, paragraph (4)(Y)1. or 3. applies; and

3. If a vault or pit covered by paragraph (4)(Y)2. is ventilated by openings in the covers or gratings and the ratio of the internal volume, in cubic feet, to the effective ventilating area of the cover or grating, in square feet, is less than twenty to one (20:1), no additional ventilation is required.

(Z) Vaults—Drainage and Waterproofing. (192.189)

1. Each vault must be designed so as to minimize the entrance of water.

2. A vault containing gas piping may not be connected by means of a drain connection to any other underground structure.

3. All electrical equipment in vaults must conform to the applicable requirements of Class 1, Group D, of the *National Electrical Code*, NFPA-70 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

(AA) Design Pressure of Plastic Fittings. (192.191) Thermoplastic fittings for plastic pipe must conform to ASTM D2513-99 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) for plastic materials other than polyethylene or ASTM D2513-09A (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) for polyethylene plastic materials.

(BB) Valve Installation in Plastic Pipe. (192.193) Each valve installed in plastic pipe must be designed so as to protect the plastic material against excessive torsional or shearing loads when the valve or shutoff is operated, and from any other secondary stresses that might be exerted through the valve or its enclosure.

(CC) Protection Against Accidental Overpressuring. (192.195)

1. General requirements. Except as provided in subsection (4)(DD) (192.197), each pipeline that is connected to a gas source so that the maximum allowable operating pressure could be exceeded, as the result of pressure control failure or of some other type of failure, must have pressure relieving or pressure limiting devices that meet the requirements of subsections (4)(EE) and (FF). (192.199 and 192.201)

2. Additional requirements for distributions systems. Each distribution system that is supplied from a source of gas that is at a higher pressure than the maximum allowable operating pressure for the system must—

A. Have pressure regulation devices capable of meeting the pressure, load and

other service conditions that will be experienced in normal operation of the system, and that could be activated in the event of failure of some portion of the system; and

B. Be designed so as to prevent accidental overpressuring.

(DD) Control of the Pressure of Gas Delivered from Transmission Lines and High-Pressure Distribution Systems to Service Equipment. (192.197) If the maximum allowable operating pressure of the system exceeds fourteen inches (14") water column, one (1) of the following methods must be used to regulate and limit, to the maximum safe value, the pressure of gas delivered to the customer:

1. A service regulator with a suitable over-pressure protection device set to limit, to a maximum safe value, the pressure of the gas delivered to the customer and another regulator located upstream from the service regulator. The upstream regulator may not be set to maintain a pressure higher than sixty (60) psi (414 kPa) gauge. A device must be installed between the upstream regulator and the service regulator to limit the pressure on the inlet of the service regulator to sixty (60) psi (414 kPa) gauge or less in case the upstream regulator fails to function properly. This device may be either a relief valve or an automatic shutoff that shuts and remains closed until manually reset, if the pressure on the inlet of the service regulator exceeds the set pressure (sixty (60) psi (414 kPa) gauge or less);

2. A service regulator and a monitoring regulator set to limit, to a maximum safe value, the pressure of the gas delivered to the customer. A device or method that indicates the failure of the service regulator must also be provided. The service regulator must be monitored at intervals not exceeding fifteen (15) months, but at least once each calendar year for detection of a failure;

3. A service regulator with a relief valve vented to the outside atmosphere, with the relief valve set to open so that the pressure of gas going to the customer does not exceed a maximum safe value. The relief valve may either be built into the service regulator or it may be a separate unit installed downstream from the service regulator. This combination may be used alone only in those cases where the inlet pressure on the service regulator does not exceed the manufacturer's safe working pressure rating of the service regulator, and may not be used where the inlet pressure on the service regulator exceeds sixty (60) psi (414 kPa) gauge. For higher inlet pressure, the methods in paragraph (4)(DD)1. or 2. must be used; or





4. A service regulator and an automatic shutoff device that closes upon a rise in pressure downstream from the regulator and remains closed until manually reset.

(EE) Requirements for Design of Pressure Relief and Limiting Devices. (192.199) Except for rupture discs, each pressure relief or pressure limiting device must—

1. Be constructed of materials so that the operation of the device will not be impaired by corrosion;

2. Have valves and valve seats that are designed not to stick in a position that will make the device inoperative;

3. Be designed and installed so that it can be readily operated to determine if the valve is free, can be tested to determine the pressure at which it will operate and can be tested for leakage when in the closed position;

4. Have support made of noncombustible material;

5. Have discharge stacks, vents, or outlet ports designed to prevent accumulation of water, ice, or snow, located where gas can be discharged into the atmosphere without undue hazard;

6. Be designed and installed so that the size of the openings, pipe and fittings located between the system to be protected and the pressure relieving device, and the size of the vent line, are adequate to prevent hammering of the valve and to prevent impairment of relief capacity;

7. Where installed at a district regulator station to protect a pipeline system from overpressuring, be designed and installed to prevent any single incident, for instance, an explosion in a vault or damage by a vehicle, from affecting the operation of both the overpressure protective device and the district regulator;

8. Except for a valve that will isolate the system under protection from its source of pressure, be designed to prevent unauthorized access to or operation of the following stop valves regardless of installation date:

A. Any valve that will make the pressure relief valve or pressure limiting device inoperative;

B. Valves that would bypass the regulator or relief devices; and

C. Shut-off valves in control lines that, if operated, would cause the regulator or overpressure protection device to be inoperative;

9. Be designed and installed so that adequate overpressure protection is provided for all town border stations and district regulator stations regardless of installation date;

10. Where a monitor regulator is used for overpressure protection, be designed and

installed to include an internal or separate device or method that indicates a failure of the operating regulator regardless of installation date. The operating regulator must be monitored at least monthly for regulator stations for detection of a failure; and

11. Where regulators in series or working monitors are used for overpressure protection, be designed and installed to include an internal or separate device or method that indicates a failure of each regulator regardless of installation date. Each regulator must be monitored at least monthly for regulator stations for detection of a failure. When the operator chooses to use a pressure gauge as the separate device to comply with paragraph (4)(EE)10. or 11., the pressure gauge must have the capability to record the high pressure, such as a recording chart or “tattle-tale” needle (a standard sight gauge is not adequate for this purpose).

(FF) Required Capacity of Pressure Relieving and Limiting Stations. (192.201)

1. Each pressure relief station or pressure limiting station or group of those stations installed to protect a pipeline must have enough capacity, and must be set to operate, to ensure the following:

A. In a low pressure distribution system, the pressure may not cause the unsafe operation of any connected and properly adjusted gas utilization equipment; and

B. In pipelines other than a low pressure distribution system—

(I) If the maximum allowable operating pressure is sixty (60) psi (414 kPa) gauge or more, the pressure may not exceed the maximum allowable operating pressure plus ten percent (10%) or the pressure that produces a hoop stress of seventy-five percent (75%) of SMYS, whichever is lower;

(II) If the maximum allowable operating pressure is twelve (12) psi (83 kPa) gauge or more, but less than sixty (60) psi (414 kPa) gauge, the pressure may not exceed the maximum allowable operating pressure plus six (6) psi (41 kPa) gauge; or

(III) If the maximum allowable operating pressure is less than twelve (12) psi (83 kPa) gauge, the pressure may not exceed the maximum allowable operating pressure plus fifty percent (50%).

2. When more than one (1) pressure regulating or compressor station feeds into a pipeline, relief valves or other protective devices must be installed at each station to ensure that the complete failure of the largest capacity regulator or compressor, or any single run of lesser capacity regulators or compressors in that station, will not impose pressures on any part of the pipeline or distribution system in excess of those for which it was

designed, or against which it was protected, whichever is lower.

3. Relief valves or other pressure limiting devices must be installed at or near each regulator station in a low-pressure distribution system, with a capacity to limit the maximum pressure in the main to a pressure that will not exceed the safe operating pressure for any connected and properly adjusted gas utilization equipment.

(GG) Instrument, Control, and Sampling Pipe and Components. (192.203)

1. Applicability. This subsection applies to the design of instrument, control, and sampling pipe and components. It does not apply to permanently closed systems, such as fluid-filled temperature-responsive devices.

2. Materials and design. All materials employed for pipe and components must be designed to meet the particular conditions of service and the following:

A. Each takeoff connection and attaching boss, fitting, or adapter must be made of suitable material, be able to withstand the maximum service pressure and temperature of the pipe or equipment to which it is attached, and be designed to satisfactorily withstand all stresses without failure by fatigue;

B. Except for takeoff lines that can be isolated from sources of pressure by other valving, a shutoff valve must be installed in each takeoff line as near as practicable to the point of takeoff. Blowdown valves must be installed where necessary;

C. Brass or copper material may not be used for metal temperatures greater than four hundred degrees Fahrenheit (400 °F) (204 °C);

D. Pipe or components that may contain liquids must be protected by heating or other means from damage due to freezing;

E. Pipe or components in which liquids may accumulate must have drains or drips;

F. Pipe or components subject to clogging from solids or deposits must have suitable connections for cleaning;

G. The arrangement of pipe, components, and supports must provide safety under anticipated operating stresses;

H. Each joint between sections of pipe, and between pipe and valves or fittings, must be made in a manner suitable for the anticipated pressure and temperature condition. Slip-type expansion joints may not be used. Expansion must be allowed for by providing flexibility within the system itself; and

I. Each control line must be protected from anticipated causes of damage and must be designed and installed to prevent damage to any one (1) control line from making both



the regulator and the overpressure protective device inoperative.

(HH) Passage of Internal Inspection Devices. (192.150)

1. Except as provided in paragraphs (4)(HH)2. and (4)(HH)3., each new transmission line and each replacement of line pipe, valve, fitting, or other line component in a transmission line must be designed and constructed to accommodate the passage of instrumented internal inspection devices.

2. This subsection does not apply to—

A. Manifolds;

B. Station piping such as at compressor stations, meter stations, or regulator stations;

C. Piping associated with storage facilities, other than a continuous run of transmission line between a compressor station and storage facilities;

D. Cross-overs;

E. Sizes of pipe for which an instrumented internal inspection device is not commercially available;

F. Transmission lines, operated in conjunction with a distribution system which are installed in Class 4 locations; and

G. Other piping that, under 49 CFR 190.9, the administrator finds in a particular case would be impracticable to design and construct to accommodate the passage of instrumented internal inspection devices.

3. An operator encountering emergencies, construction time constraints, or other unforeseen construction problems need not construct a new or replacement segment of a transmission line to meet paragraph (4)(HH)1., if the operator determines and documents why an impracticability prohibits compliance with paragraph (4)(HH)1. Within thirty (30) days of discovering the emergency or construction problem the operator must petition, under 49 CFR 190.9, for approval that design and construction to accommodate passage of instrumented internal inspection devices would be impracticable. If the petition is denied, within one (1) year after the date of the notice of the denial, the operator must modify that segment to allow passage of instrumented internal inspection devices.

(5) Welding of Steel in Pipelines.

(A) Scope. (192.221)

1. This section prescribes minimum requirements for welding steel materials in pipelines.

2. This section does not apply to welding that occurs during the manufacture of steel pipe or steel pipeline components.

(B) General.

1. Welding is only to be performed in accordance with established written welding procedures that have been qualified under subsection (5)(C) (192.225) to produce sound, ductile welds.

2. Welding is only to be performed by welders who are qualified under subsections (5)(D) and (E) (192.227 and 192.229) for the welding procedure to be used.

(C) Welding Procedures. (192.225)

1. Welding must be performed by a qualified welder or welding operator in accordance with welding procedures qualified under section 5, section 12, Appendix A, or Appendix B of API Standard 1104 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) or section IX of the *ASME Boiler and Pressure Vessel Code* (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) to produce welds meeting the requirements of section (5) of this rule. The quality of the test welds used to qualify welding procedures must be determined by destructive testing in accordance with the referenced welding standard(s).

2. Each welding procedure must be recorded in detail, including the results of the qualifying tests. This record must be retained and followed whenever the procedure is used.

(D) Qualification of Welders and Welding Operators. (192.227)

1. Except as provided in paragraph (5)(D)2., each welder or welding operator must be qualified in accordance with section 6, section 12, Appendix A, or Appendix B of API Standard 1104 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) or section IX of the *ASME Boiler and Pressure Vessel Code* (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). However, a welder or welding operator qualified under an earlier edition of a standard listed in 49 CFR 192.7 (see subsection (1)(D)) may weld but may not requalify under that earlier edition.

2. A welder may qualify to perform welding on pipe to be operated at a pressure that produces a hoop stress of less than twenty percent (20%) of SMYS by performing an acceptable test weld, for the process to be used, under the test set forth in subsection I. of Appendix C, which is included herein (at the end of this rule). Each welder who is to make a welded service line connection to a main must first perform an acceptable test weld under subsection II. of Appendix C as a requirement of the qualifying test.

(E) Limitations on Welders and Welding Operators. (192.229)

1. No welder or welding operator whose qualification is based on nondestructive testing may weld compressor station pipe and

components.

2. A welder or welding operator may not weld with a particular welding process unless, within the preceding six (6) calendar months, the welder or welding operator was engaged in welding with that process.

3. A welder or welding operator qualified under paragraph (5)(D)1. (192.227[a])—

A. May not weld on pipe to be operated at a pressure that produces a hoop stress of twenty percent (20%) or more of SMYS unless within the preceding six (6) calendar months the welder or welding operator has had one (1) weld tested and found acceptable under section 6, section 9, section 12, or Appendix A of API Standard 1104 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). Alternatively, welders or welding operators may maintain an ongoing qualification status by performing welds tested and found acceptable under the above acceptance criteria at least twice each calendar year, but at intervals not exceeding seven and one-half (7 1/2) months. A welder or welding operator qualified under an earlier edition of a standard listed in 49 CFR 192.7 (see subsection (1)(D)) may weld, but may not requalify under that earlier edition; and

B. May not weld on pipe to be operated at a pressure that produces a hoop stress of less than twenty percent (20%) of SMYS unless the welder or welding operator is tested in accordance with subparagraph (5)(E)3.A. or requalifies under subparagraph (5)(E)4.A. or B.

4. A welder or welding operator qualified under paragraph (5)(D)2. may not weld unless—

A. Within the preceding fifteen (15) calendar months, but at least once each calendar year, the welder or welding operator has requalified under paragraph (5)(D)2.; or

B. Within the preceding seven and one-half (7 1/2) calendar months, but at least twice each calendar year, the welder or welding operator has had—

(I) A production weld cut out, tested, and found acceptable in accordance with the qualifying test; or

(II) For a welder who works only on service lines two inches (2") (51 millimeters) or smaller in diameter, two (2) sample welds tested and found acceptable in accordance with the test in subsection III. of Appendix C to this rule.

(F) Protection From Weather. (192.231) The welding operation must be protected from weather conditions that would impair the quality of the completed weld.

(G) Miter Joints. (192.233)

1. A miter joint on steel pipe to be operated at a pressure that produces a hoop stress



of thirty percent (30%) or more of SMYS may not deflect the pipe more than three degrees (3°).

2. A miter joint on steel pipe to be operated at a pressure that produces a hoop stress of less than thirty percent (30%), but more than ten percent (10%), of SMYS may not deflect the pipe more than twelve and one-half degrees (12 1/2°) and must be a distance equal to one (1) pipe diameter or more away from any other miter joint, as measured from the crotch of each joint.

3. A miter joint on steel pipe to be operated at a pressure that produces a hoop stress of ten percent (10%) or less of SMYS may not deflect the pipe more than ninety degrees (90°).

(H) Preparation for Welding. (192.235) Before beginning any welding, the welding surfaces must be clean and free of any material that may be detrimental to the weld and the pipe or component must be aligned to provide the most favorable condition for depositing the root bead. This alignment must be preserved while the root bead is being deposited.

(I) Inspection and Test of Welds. (192.241)

1. Visual inspection of welding must be conducted by an individual qualified by appropriate training and experience to ensure that—

A. The welding is performed in accordance with the welding procedure; and

B. The weld is acceptable under paragraph (5)(I)3.

2. The welds on a pipeline to be operated at a pressure that produces a hoop stress of twenty percent (20%) or more of SMYS must be nondestructively tested in accordance with subsection (5)(J), except that welds that are visually inspected and approved by a qualified welding inspector need not be nondestructively tested if—

A. The pipe has a nominal diameter of less than six inches (6") (152 millimeters); or

B. The pipeline is to be operated at a pressure that produces a hoop stress of less than forty percent (40%) of SMYS and the welds are so limited in number that nondestructive testing is impractical.

3. The acceptability of a weld that is nondestructively tested or visually inspected is determined according to the standards in section 9 or Appendix A of API Standard 1104 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). Appendix A of API Standard 1104 may not be used to accept cracks.

(J) Nondestructive Testing. (192.243)

1. Nondestructive testing of welds must be performed by any process, other than

trepanning, that will clearly indicate the defects that may affect the integrity of the weld.

2. Nondestructive testing of welds must be performed—

A. In accordance with written procedures; and

B. By persons who have been trained and qualified in the established procedures and with the equipment employed in testing.

3. Procedures must be established for the proper interpretation of each nondestructive test of a weld to ensure the acceptability of the weld under paragraph (5)(I)3. (192.241[c]).

4. When nondestructive testing is required under paragraph (5)(I)2. (192.241[b]), the following percentages of each day's field butt welds, selected at random by the operator, must be nondestructively tested over their entire circumference:

A. In Class 1 locations, at least ten percent (10%);

B. In Class 2 locations, at least fifteen percent (15%);

C. In Class 3 and Class 4 locations, at crossings of major or navigable rivers and within railroad or public highway rights-of-way, including tunnels, bridges, and overhead road crossings, one hundred percent (100%) unless impracticable, in which case at least ninety percent (90%). Nondestructive testing must be impracticable for each girth weld not tested; and

D. At pipeline tie-ins, including tie-ins of replacement sections, one hundred percent (100%).

5. Except for a welder or welding operator whose work is isolated from the principal welding activity, a sample of each welder or welding operator's work for each day must be nondestructively tested, when that testing is required under paragraph (5)(I)2. (192.241[b]).

6. When nondestructive testing is required under paragraph (5)(I)2. (192.241[b]), each operator must retain, for the life of the pipeline, a record showing, by milepost, engineering station, or by geographic feature, the number of girth welds made, the number nondestructively tested, the number rejected and the disposition of the rejects.

(K) Repair or Removal of Defects. (192.245)

1. Each weld that is unacceptable under paragraph (5)(I)3. (192.241[c]) must be removed or repaired. A weld must be removed if it has a crack that is more than eight percent (8%) of the weld length.

2. Each weld that is repaired must have the defect removed down to sound metal and

the segment to be repaired must be preheated if conditions exist which would adversely affect the quality of the weld repair. After repair, the segment of the weld that was repaired must be inspected to ensure its acceptability.

3. Repair of a crack or of any defect in a previously repaired area must be in accordance with written weld repair procedures that have been qualified under subsection (5)(C) (192.225). Repair procedures must provide that the minimum mechanical properties specified for the welding procedure used to make the original weld are met upon completion of the final weld repair.

(6) Joining of Materials Other Than by Welding.

(A) Scope. (192.271)

1. This section prescribes minimum requirements for joining materials in pipelines, other than by welding.

2. This section does not apply to joining during the manufacture of pipe or pipeline components.

(B) General. (192.273)

1. The pipeline must be designed and installed so that each joint will sustain the longitudinal pullout or thrust forces caused by contraction or expansion of the piping or by anticipated external or internal loading.

2. Each joint must be made in accordance with written procedures that have been proved by test or experience to produce strong gastight joints.

3. Each joint must be inspected to ensure compliance with this section.

(C) Cast Iron Pipe. (192.275)

1. Each caulked bell and spigot joint in cast iron pipe must be sealed with mechanical leak clamps.

2. Each mechanical joint in cast iron pipe must have a gasket made of a resilient material as the sealing medium. Each gasket must be suitably confined and retained under compression by a separate gland or follower ring.

3. Cast iron pipe may not be joined by threaded joints.

4. Cast iron pipe may not be joined by brazing.

(D) Ductile Iron Pipe. (192.277)

1. Ductile iron pipe may not be joined by threaded joints.

2. Ductile iron pipe may not be joined by brazing.

(E) Copper Pipe. (192.279) Copper pipe may not be threaded, except that copper pipe used for joining screw fittings or valves may be threaded if the wall thickness is equivalent to the comparable size of Schedule 40 or



heavier wall pipe listed in Table C1 of ASME/ANSI B16.5.

(F) Plastic Pipe (192.281)

1. General. A plastic pipe joint that is joined by solvent cement, adhesive, or heat fusion may not be disturbed until it has properly set. Plastic pipe may not be joined by a threaded joint or miter joint.

2. Solvent cement joints. Each solvent cement joint on plastic pipe must comply with the following:

A. The mating surfaces of the joint must be clean, dry, and free of material which might be detrimental to the joint;

B. The solvent cement must conform to ASTM D2513-99 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)); and

C. The joint may not be heated to accelerate the setting of the cement.

3. Heat-fusion joints. Each heat-fusion joint on plastic pipe must comply with the following:

A. A butt heat-fusion joint must be joined by a device that holds the heater element square to the ends of the piping, compresses the heated ends together and holds the pipe in proper alignment while the plastic hardens;

B. A socket heat-fusion joint must be joined by a device that heats the mating surfaces of the joint uniformly and simultaneously to essentially the same temperature;

C. An electrofusion joint must be joined utilizing the equipment and techniques of the fittings manufacturer or equipment and techniques shown, by testing joints to the requirements of part (6)(G)1.A.(III), to be at least equivalent to those of the fittings manufacturer; and

D. Heat may not be applied with a torch or other open flame.

4. Mechanical joints. Each compression type mechanical joint on plastic pipe must comply with the following:

A. The gasket material in the coupling must be compatible with the plastic; and

B. A rigid internal tubular stiffener, other than a split tubular stiffener, must be used in conjunction with the coupling.

(G) Plastic Pipe—Qualifying Joining Procedures. (192.283)

1. Heat fusion, solvent cement, and adhesive joints. Before any written procedure established under paragraph (6)(B)2. is used for making plastic pipe joints by a heat fusion, solvent cement, or adhesive method, the procedure must be qualified by subjecting specimen joints made according to the procedure to the following tests:

A. The burst test requirements of—

(I) In the case of thermoplastic pipe, paragraph 6.6 (Sustained Pressure Test) or paragraph 6.7 (Minimum Hydrostatic Burst Pressure) of ASTM D2513-99 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) for plastic materials other than polyethylene or ASTM D2513-09A (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) for polyethylene plastic materials;

(II) (*Reserved*); or

(III) In the case of electrofusion fittings for polyethylene pipe and tubing, paragraph 9.1 (Minimum Hydraulic Burst Pressure Test), paragraph 9.2 (Sustained Pressure Test), paragraph 9.3 (Tensile Strength Test), or paragraph 9.4 (Joint Integrity Tests) of ASTM F1055 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D));

B. For procedures intended for lateral pipe connections, subject a specimen joint made from pipe sections joined at right angles according to the procedure to a force on the lateral pipe until failure occurs in the specimen. If failure initiates outside the joint area, the procedure qualifies for use; and

C. For procedures intended for non-lateral pipe connections, follow the tensile test requirements of ASTM D638 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), except that the test may be conducted at ambient temperature and humidity. If the specimen elongates no less than twenty-five percent (25%) or failure initiates outside the joint area, the procedure qualifies for use.

2. Mechanical joints. Before any written procedure established under paragraph (6)(B)2. is used for making mechanical plastic pipe joints that are designed to withstand tensile forces, the procedure must be qualified by subjecting five (5) specimen joints made according to the procedure to the following tensile test:

A. Use an apparatus for the test as specified in ASTM D638 (except for conditioning), (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D));

B. The specimen must be of such length that the distance between the grips of the apparatus and the end of the stiffener does not affect the joint strength;

C. The speed of testing is 0.20 inches (5.0 mm) per minute, plus or minus twenty-five percent (25%);

D. Pipe specimens less than four inches (4") (102 mm) in diameter are qualified if the pipe yields to an elongation of no less than twenty-five percent (25%) or failure initiates outside the joint area;

E. Pipe specimens four inches (4") (102 mm) and larger in diameter shall be pulled until the pipe is subjected to a tensile stress equal to or greater than the maximum thermal stress that would be produced by a temperature change of 100°F (38°C) or until the pipe is pulled from the fitting. If the pipe pulls from the fitting, the lowest value of the five (5) test results or the manufacturer's rating, whichever is lower, must be used in the design calculations for stress;

F. Each specimen that fails at the grips must be retested using new pipe; and

G. Results obtained pertain only to the specific outside diameter and material of the pipe tested, except that testing of a heavier wall pipe may be used to qualify pipe of the same material but with a lesser wall thickness.

3. A copy of each written procedure being used for joining plastic pipe must be available to the persons making and inspecting joints.

4. Pipe or fittings manufactured before July 1, 1980 may be used in accordance with procedures that the manufacturer certifies will produce a joint as strong as the pipe.

(H) Plastic Pipe—Qualifying Persons to Make Joints. (192.285)

1. No person may make a plastic pipe joint unless that person has been qualified under the applicable joining procedure by—

A. Appropriate training or experience in the use of the procedure; and

B. Making a specimen joint from pipe sections joined according to the procedure that passes the inspection and test set forth in paragraph (6)(H)2.

2. The specimen joint must be—

A. Visually examined during and after assembly or joining and found to have the same appearance as a joint or photographs of a joint that is acceptable under the procedure; and

B. In the case of a heat fusion, solvent cement, or adhesive joint—

(I) Tested under any one (1) of the test methods listed under paragraph (6)(G)1. (192.283[a]) applicable to the type of joint and material being tested;

(II) Examined by ultrasonic inspection and found not to contain flaws that would cause failure; or

(III) Cut into at least three (3) longitudinal straps, each of which is—

(a) Visually examined and found not to contain voids or discontinuities on the cut surfaces of the joint area; and

(b) Deformed by bending, torque, or impact and, if failure occurs, it must not initiate in the joint area.

3. A person must be requalified under

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



an applicable procedure once each calendar year at intervals not exceeding fifteen (15) months, or after any production joint is found unacceptable by testing under subsection (10)(G). (192.513)

4. Each operator shall establish a method to determine that each person making joints in plastic pipelines in the operator's system is qualified in accordance with this subsection.

(I) Plastic Pipe—Inspection of Joints. (192.287) No person may carry out the inspection of joints in plastic pipes required by paragraphs (6)(B)3. and (6)(H)2. (192.273[c] and 192.285[b]) unless that person has been qualified by appropriate training or experience in evaluating the acceptability of plastic pipe joints made under the applicable joining procedure.

(7) General Construction Requirements for Transmission Lines and Mains.

(A) Scope. (192.301) This section prescribes minimum requirements for constructing transmission lines and mains.

(B) Compliance With Specifications or Standards. (192.303) Each transmission line or main must be constructed in accordance with comprehensive written specifications or standards that are consistent with this rule.

(C) Inspection—General. (192.305) Each transmission line or main must be inspected to ensure that it is constructed in accordance with this rule.

(D) Inspection of Materials. (192.307) Each length of pipe and each other component must be visually inspected at the site of installation to ensure that it has not sustained any visually determinable damage that could impair its serviceability.

(E) Repair of Steel Pipe. (192.309)

1. Each imperfection or damage that impairs the serviceability of a length of steel pipe must be repaired or removed. If a repair is made by grinding, the remaining wall thickness must at least be equal to either—

A. The minimum thickness required by the tolerances in the specification to which the pipe was manufactured; or

B. The nominal wall thickness required for the design pressure of the pipeline.

2. Each of the following dents must be removed from steel pipe to be operated at a pressure that produces a hoop stress of twenty percent (20%) or more of SMYS, unless the dent is repaired by a method that reliable engineering tests and analyses show can permanently restore the serviceability of the pipe:

A. A dent that contains a stress concentrator such as a scratch, gouge, groove, or

arc burn;

B. A dent that affects the longitudinal weld or a circumferential weld; and

C. In pipe to be operated at a pressure that produces a hoop stress of forty percent (40%) or more of SMYS, a dent that has a depth of—

(I) More than one-quarter inch (1/4") (6.4 millimeters) in pipe twelve and three-quarters inches (12 3/4") (324 millimeters) or less in outer diameter; or

(II) More than two percent (2%) of the nominal pipe diameter in pipe over twelve and three-quarters inches (12 3/4") (324 millimeters) in outer diameter.

For the purpose of this subsection, a "dent" is a depression that produces a gross disturbance in the curvature of the pipe wall without reducing the pipe-wall thickness. The depth of a dent is measured as the gap between the lowest point of the dent and a prolongation of the original contour of the pipe.

3. Each arc burn on steel pipe to be operated at a pressure that produces a hoop stress of forty percent (40%) or more of SMYS must be repaired or removed. If a repair is made by grinding, the arc burn must be completely removed and the remaining wall thickness must be at least equal to either—

A. The minimum wall thickness required by the tolerances in the specification to which the pipe was manufactured; or

B. The nominal wall thickness required for the design pressure of the pipeline.

4. A gouge, groove, arc burn, or dent may not be repaired by insert patching or by pounding out.

5. Each gouge, groove, arc burn, or dent that is removed from a length of pipe must be removed by cutting out the damaged portion as a cylinder.

(F) Repair of Plastic Pipe During Construction. (192.311) Each pipe segment containing imperfection or damage that would impair the serviceability of plastic pipe must be removed. For repair of plastic pipe other than during construction, see subsection (13)(AA).

(G) Bends and Elbows. (192.313)

1. Each field bend in steel pipe, other than a wrinkle bend made in accordance with subsection (7)(H) (192.315), must comply with the following:

A. A bend must not impair the serviceability of the pipe;

B. Each bend must have a smooth contour and be free from buckling, cracks, or any other mechanical damage; and

C. On pipe containing a longitudinal

weld, the longitudinal weld must be as near as practicable to the neutral axis of the bend unless—

(I) The bend is made with an internal bending mandrel; or

(II) The pipe is twelve inches (12") (305 millimeters) or less in outside diameter or has a diameter-to-wall thickness ratio less than seventy (70).

2. Each circumferential weld of steel pipe which is located where the stress during bending causes a permanent deformation in the pipe must be nondestructively tested either before or after the bending process.

3. Wrought-steel welding elbows and transverse segments of these elbows may not be used for changes in direction on steel pipe that is two inches (2") (51 millimeters) or more in diameter unless the arc length, as measured along the crotch, is at least one inch (1") (25 millimeters).

(H) Wrinkle Bends in Steel Pipe. (192.315)

1. A wrinkle bend may not be made on steel pipe to be operated at a pressure that produces a hoop stress of thirty percent (30%), or more, of SMYS.

2. Each wrinkle bend on steel pipe must comply with the following:

A. The bend must not have any sharp kinks;

B. When measured along the crotch of the bend, the wrinkles must be a distance of at least one (1) pipe diameter;

C. On pipe sixteen inches (16") (406 millimeters) or larger in diameter, the bend may not have a deflection of more than one and one-half degrees (1 1/2°) for each wrinkle; and

D. On pipe containing a longitudinal weld, the longitudinal seam must be as near as practicable to the neutral axis of the bend.

(I) Protection From Hazards. (192.317)

1. The operator must take all practicable steps to protect each transmission line or main from washouts, floods, unstable soil, landslides, or other hazards that may cause the pipeline to move or to sustain abnormal loads.

2. Each aboveground transmission line or main, not located in inland navigable water areas, must be protected from accidental damage by vehicular traffic or other similar causes, either by being placed at a safe distance from the traffic or by installing barricades.

3. Pipelines, including pipe risers, on each platform located in inland navigable waters must be protected from accidental damage by vessels.

(J) Installation of Pipe in a Ditch. (192.319)



1. When installed in a ditch, each transmission line that is to be operated at a pressure producing a hoop stress of twenty percent (20%) or more of SMYS must be installed so that the pipe fits the ditch so as to minimize stresses and protect the pipe coating from damage.

2. When a ditch for a transmission line or main is backfilled, it must be backfilled in a manner that—

A. Provides firm support under the pipe; and

B. Prevents damage to the pipe and pipe coating from equipment or from the backfill material.

(K) Installation of Plastic Pipe. (192.321)

1. Plastic pipe must be installed below ground level except as provided by paragraphs (7)(K)7. and (7)(K)8.

2. Plastic pipe that is installed in a vault or any other below grade enclosure must be completely encased in gastight metal pipe and fittings that are adequately protected from corrosion.

3. Plastic pipe must be installed so as to minimize shear or tensile stresses.

4. Thermoplastic pipe that is not encased must have a minimum wall thickness of 0.090 inches (0.090") (2.29 millimeters), except that pipe with an outside diameter of 0.875 inches (0.875") (22.3 millimeters) or less may have a minimum wall thickness of 0.062 inches (0.062") (1.58 millimeters).

5. Plastic pipe that is not encased must have an electrically conductive wire or other means of locating the pipe while it is underground. Tracer wire may not be wrapped around the pipe and contact with the pipe must be minimized but is not prohibited. Tracer wire or other metallic elements installed for pipe locating purposes must be resistant to corrosion damage, either by use of coated copper wire or by other means.

6. Plastic pipe that is being encased must be inserted into the casing pipe in a manner that will protect the plastic. The leading end of the plastic must be closed before insertion.

7. Uncased plastic pipe may be temporarily installed above-ground level under the following conditions:

A. The operator must be able to demonstrate that the cumulative aboveground exposure of the pipe does not exceed the manufacturer's recommended maximum period of exposure or two (2) years, whichever is less;

B. The pipe either is located where damage by external forces is unlikely or is otherwise protected against such damage; and

C. The pipe adequately resists exposure to ultraviolet light and high and low tem-

peratures.

8. Plastic pipe may be installed on bridges provided that it is—

A. Installed with protection from mechanical damage, such as installation in a metallic casing;

B. Protected from ultraviolet radiation; and

C. Not allowed to exceed the pipe temperature limits specified in subsection (3)(J).

(L) Casing. (192.323) Each casing used on a transmission line or main under a railroad or highway must comply with the following:

1. The casing must be designed to withstand the superimposed loads;

2. If there is a possibility of water entering the casing, the ends must be sealed;

3. If the ends of an unvented casing are sealed and the sealing is strong enough to retain the maximum allowable operating pressure of the pipe, the casing must be designed to hold this pressure at a stress level of not more than seventy-two percent (72%) of SMYS; and

4. If vents are installed on a casing, the vents must be protected from the weather to prevent water from entering the casing.

(M) Underground Clearance. (192.325)

1. Each transmission line must be installed with at least twelve inches (12") (305 millimeters) of clearance from any other underground structure not associated with the transmission line. If this clearance cannot be attained, the transmission line must be protected from damage that might result from the proximity of the other structure.

2. Each main must be installed with enough clearance from any other underground structure to allow proper maintenance and to protect against damage that might result from proximity to other structures.

3. In addition to meeting the requirements of paragraph (7)(M)1. or 2., each plastic transmission line or main must be installed with sufficient clearance, or must be insulated, from any source of heat so as to prevent the heat from impairing the serviceability of the pipe.

4. Each pipe-type or bottle-type holder must be installed with a minimum clearance from any other holder as prescribed in paragraph (4)(S)2. (192.175[b])

(N) Cover. (192.327)

1. Except as provided in paragraphs (7)(N)3. and 5., each buried transmission line must be installed with a minimum cover as follows:

Location	Normal Soil inches (millimeters)	Consolidated Rock
Class 1 locations	30 (762)	18 (457)
Class 2, 3, and 4 locations	36 (914)	24 (610)
Drainage ditches of public roads and railroad crossings	36 (914)	24 (610)

2. Except as provided in paragraphs (7)(N)3. and 4., each buried main must be installed with at least twenty-four inches (24") (610 millimeters) of cover.

3. Where an underground structure prevents the installation of a transmission line or main with the minimum cover, the transmission line or main may be installed with less cover if it is provided with additional protection to withstand anticipated external loads.

4. A main may be installed with less than twenty-four inches (24") (610 millimeters) of cover if the law of the state or municipality—

A. Establishes a minimum cover of less than twenty-four inches (24") (610 millimeters);

B. Requires that mains be installed in a common trench with other utility lines; and

C. Provides adequately for prevention of damage to the pipe by external forces.

5. Except as provided in paragraph (7)(N)3., all pipe installed in a navigable river, stream, or harbor must be installed with a minimum cover of forty-eight inches (48") (1219 millimeters) in soil or twenty-four inches (24") (610 millimeters) in consolidated rock between the top of the pipe and the underwater natural bottom (as determined by recognized and generally accepted practices).

(O) Additional Construction Requirements for Steel Pipe Using Alternative Maximum Allowable Operating Pressure. (192.328). The federal regulations at 49 CFR 192.328 are not adopted in this rule.

(8) Customer Meters, Service Regulators, and Service Lines.

(A) Scope, Compliance with Specifications or Standards, and Inspections. (192.351) This section prescribes minimum requirements for installing customer meters, service regulators, service lines, service line valves, and service line connections to mains. Service lines must be constructed in accordance with comprehensive written specifications or standards that are consistent with this rule. Service lines must be inspected to ensure they are constructed in accordance with this rule. Each service line component must be visually inspected at the site of installation to ensure that it has not sustained any visually determinable damage that could impair its serviceability.

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



## (B) Service Lines and Yard Lines.

1. All service line installations and residential/small commercial yard line replacements made after December 15, 1989, must be installed, owned, operated, and maintained by the operator regardless of meter location. Installations of customer-owned service lines and residential/small commercial yard lines, as defined in (1)(B) (192.3), will not be permitted. If the customer meter is not located within five feet (5') of the building wall, the service line to the customer's nearest building shall be installed, owned, operated, and maintained by the operator. Installation and maintenance may be performed by representatives approved by the operator and the operator must assure that the work performed by approved representatives is in compliance with the requirements of this rule.

2. Yard lines for large commercial/industrial customers may be installed or replaced, owned, and maintained, except for leak surveys, by the customer, provided the new yard line is cathodically protected, coated steel, or polyethylene pipe and the operator's installation standards are met.

## (C) Customer Meters and Regulators—Location. (192.353)

1. Each meter and service regulator, whether inside or outside of a building, must be installed in a readily accessible location and be protected from corrosion and other damage, including, if installed outside a building, vehicular damage that may be anticipated. However, the upstream regulator in a series may be buried.

2. Each service regulator installed within a building must be located as near as practical to the point of service line entrance.

3. Each meter installed within a building must be located in a ventilated place and not less than three feet (3') (914 millimeters) from any source of ignition or any source of heat which might damage the meter.

4. Where feasible, the upstream regulator in a series must be located outside the building, unless it is located in a separate metering or regulating building.

## (D) Customer Meters and Regulators—Protection From Damage. (192.355)

1. Protection from vacuum or back pressure. If the customer's equipment might create either a vacuum or a back pressure, a device must be installed to protect the system.

2. Service regulator vents and relief vents. Service regulator vents and relief vents must terminate outdoors and the outdoor terminal must—

A. Be rain and insect resistant;

B. Be located at a place where gas from the vent can escape freely into the atmosphere and away from any opening into the

building; and

C. Be protected from damage caused by submergence in areas where flooding may occur.

3. Pits and vaults. Each pit or vault that houses a customer meter or regulator at a place where vehicular traffic is anticipated must be able to support that traffic.

## (E) Customer Meters and Regulators—Installation. (192.357)

1. Each meter and each regulator must be installed so as to minimize anticipated stresses upon the connecting piping and the meter.

2. When close all-thread nipples are used, the wall thickness remaining after the threads are cut must meet the minimum wall thickness requirements of this rule.

3. Connections made of lead and other easily damaged material may not be used in the installation of meters or regulators.

4. Each regulator equipped with a vent must be vented to the atmosphere outside the building.

## (F) Customer Meter Installations—Operating Pressure. (192.359)

1. A meter may not be used at a pressure that is more than sixty-seven percent (67%) of the manufacturer's shell test pressure.

2. Each newly installed meter manufactured after November 12, 1970, must have been tested to a minimum of ten (10) psi (69 kPa) gauge.

3. A rebuilt or repaired tinned steel case meter may not be used at a pressure that is more than fifty percent (50%) of the pressure used to test the meter after rebuilding or repairing.

## (G) Service Lines—Installation. (192.361)

1. Depth. Each buried service line must be installed with at least twelve inches (12") (305 millimeters) of cover in private property and at least eighteen inches (18") (457 millimeters) of cover in streets and roads, except a plastic service line that is not inserted in a metallic casing must be installed with at least eighteen inches (18") (457 millimeters) of cover in all locations. However, where an underground structure prevents installation at those depths, the service line must be able to withstand any anticipated external load.

2. Support and backfill. Each service line must be properly supported on undisturbed or well-compacted soil, and material used for backfill must be free of materials that could damage the pipe or its coating.

3. Grading for drainage. Where condensate in the gas might cause interruption in the gas supply to the customer, the service line must be graded so as to drain into the main or into drips at the low points in the service line.

4. Protection against piping strain and external loading. Each service line must be installed so as to minimize anticipated piping strain and external loading.

5. Installation of service lines into buildings. Each underground service line installed below grade through the outer foundation wall of a building must—

A. In the case of a metal service line, be protected against corrosion;

B. In the case of a plastic service line, be protected from shearing action and backfill settlement; and

C. Be sealed at the foundation wall to prevent leakage into the building.

6. Installation of service lines under buildings. Where an underground service line is installed under a building—

A. It must be encased in a gastight conduit;

B. The conduit and the service line must extend, if the service line supplies the building it underlies, into a normally usable and accessible part of the building; and

C. The space between the conduit and the service line must be sealed to prevent gas leakage into the building and, if the conduit is sealed at both ends, a vent line from the annular space must extend to a point where gas would not be a hazard, and extend above grade, terminating in a rain and insect resistant fitting.

7. Locating underground service lines. Each underground nonmetallic service line that is not encased must have a means of locating the pipe that complies with paragraph (7)(K)5.

## (H) Service Lines—Valve Requirements. (192.363)

1. Each service line must have a service line valve that meets the applicable requirements of sections (2) and (4) of this rule. A valve incorporated in a meter bar, that allows the meter to be bypassed, may not be used as a service line valve.

2. A soft seat service line valve may not be used if its ability to control the flow of gas could be adversely affected by exposure to anticipated heat.

3. Each service line valve on a high-pressure service line, installed aboveground or in an area where the blowing of gas would be hazardous, must be designed and constructed to minimize the possibility of the removal of the core of the valve with other than specialized tools.

## (I) Service Lines—Location of Valves. (192.365)

1. Relation to regulator or meter. Each service line valve must be installed upstream of the regulator or, if there is no regulator, upstream of the meter.



2. Outside valves. Each service line must have a shut-off valve in a readily accessible location that is outside of the building.

3. Underground valves. Each underground service line valve must be located in a covered durable curb box or standpipe that allows ready operation of the valve and is supported independently of the service lines.

(J) Service Lines—General Requirements for Connections to Main Piping. (192.367)

1. Location. Each service line connection to a main must be located at the top of the main or, if that is not practical, at the side of the main, unless a suitable protective device is installed to minimize the possibility of dust and moisture being carried from the main into the service line.

2. Compression-type connection to main. Each compression-type service line to main connection must—

A. Be designed and installed to effectively sustain the longitudinal pullout or thrust forces caused by contraction or expansion of the piping, or by anticipated external or internal loading; and

B. If gaskets are used in connecting the service line to the main connection fitting, have gaskets that are compatible with the kind of gas in the system.

(K) Service Lines—Connections to Cast Iron or Ductile Iron Mains. (192.369)

1. Each service line connected to a cast iron or ductile iron main must be connected by a mechanical clamp, by drilling and tapping the main, or by another method meeting the requirements of subsection (6)(B). (192.273)

2. If a threaded tap is being inserted, the requirements of paragraphs (4)(G)2. and 3. (192.151[b] and [c]) must also be met.

(L) Service Lines—Steel. (192.371) Each steel service line to be operated at less than one hundred (100) psi (689 kPa) gauge must be constructed of pipe designed for a minimum of one hundred (100) psi (689 kPa) gauge.

(M) Service Lines—Plastic. (192.375)

1. Each plastic service line outside a building must be installed below ground level, except that—

A. It may be installed in accordance with paragraph (7)(K)7.; and

B. It may terminate aboveground level and outside the building, if—

(I) The aboveground level part of the plastic service line is protected against deterioration and external damage; and

(II) The plastic service line is not used to support external loads.

2. Plastic service lines shall not be installed inside a building.

3. Plastic pipe that is installed in a below

grade vault or pit must be completely encased in gastight metal pipe and fittings that are adequately protected from corrosion.

4. Plastic pipe must be installed so as to minimize shear or tensile stresses.

5. Thermoplastic pipe that is not encased must have a minimum wall thickness of 0.090 inches (0.090"), except that pipe with an outside diameter of 0.875 inches (0.875") or less may have a minimum wall thickness of 0.062 inches (0.062").

6. Plastic pipe that is being encased must be inserted into the casing pipe in a manner that will protect the plastic. The leading end of the plastic must be closed before insertion.

(N) New Service Lines Not in Use. (192.379) Each service line that is not placed in service upon completion of installation must comply with one (1) of the following until the customer is supplied with gas:

1. The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator;

2. A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly; or

3. The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed.

(O) Service Lines—Excess Flow Valve Performance Standards. (192.381)

1. Excess flow valves to be used on service lines that operate continuously throughout the year at a pressure not less than ten (10) psi (69 kPa) must be manufactured and tested by the manufacturer according to an industry specification, or the manufacturer's written specification, to ensure that each valve will—

A. Function properly up to the maximum operating pressure at which the valve is rated;

B. Function properly at all temperatures reasonably expected in the operating environment of the service line;

C. At ten (10) psi (69 kPa) gauge:

(I) Close at, or not more than fifty percent (50%) above, the rated closure flow rate specified by the manufacturer; and

(II) Upon closure, reduce gas flow—

(a) For an excess flow valve designed to allow pressure to equalize across the valve, to no more than five percent (5%) of the manufacturer's specified closure flow rate, up to a maximum of twenty (20) cubic feet per hour (0.57 cubic meters per hours);

or

(b) For an excess flow valve designed to prevent equalization of pressure across the valve, to no more than 0.4 cubic feet per hour (0.01 cubic meters per hour); and

D. Not close when the pressure is less than the manufacturer's minimum specified operating pressure and the flow rate is below the manufacturer's minimum specified closure flow rate.

2. An excess flow valve must meet the applicable requirements of sections (2) and (4).

3. An operator must mark or otherwise identify the presence of an excess flow valve in the service line.

4. An operator shall locate an excess flow valve as near as practical to the fitting connecting the service line to its source of gas supply.

5. An operator should not install an excess flow valve on a service line where the operator has prior experience with contaminants in the gas stream, where these contaminants could be expected to cause the excess flow valve to malfunction or where the excess flow valve would interfere with necessary operation and maintenance activities on the service line, such as blowing liquids from the service line.

(P) Excess Flow Valve Installation. (192.383)

1. Definitions for subsection (8)(P).

A. Branched service line means a gas service line that begins at the existing service line or is installed concurrently with the primary service line but serves a separate residence.

B. Replaced service line means a gas service line where the fitting that connects the service line to the main is replaced or the piping connected to this fitting is replaced.

C. Service line serving single-family residence means a gas service line that begins at the fitting that connects the service line to the main and serves only one (1) single-family residence.

2. Installation required. An excess flow valve (EFV) installation must comply with the performance standards in subsection (8)(O). After April 14, 2017, each operator must install an EFV on any new or replaced service line serving the following types of services before the line is activated:

A. A single service line to one single family residence;

B. A branched service line to a single family residence installed concurrently with the primary single family residence service line (i.e., a single EFV may be installed to protect both service lines);





C. A branched service line to a single family residence installed off a previously installed single family residence service line that does not contain an EFV;

D. Multifamily residences with known customer loads not exceeding 1,000 SCFH per service, at time of service installation, based on installed meter capacity; and

E. A single, small commercial customer served by a single service line with a known customer load not exceeding 1,000 SCFH, at the time of meter installation, based on installed meter capacity.

3. Exceptions to excess flow valve installation requirement. An operator need not install an excess flow valve if one (1) or more of the following conditions are present:

A. The service line does not operate at a pressure of ten (10) psi gauge or greater throughout the year;

B. The operator has prior experience with contaminants in the gas stream that could interfere with the EFV's operation or cause loss of service to a residence;

C. An EFV could interfere with necessary operation or maintenance activities, such as blowing liquids from the line; or

D. An EFV meeting performance standards in subsection (8)(O) is not commercially available to the operator.

4. Customer's right to request an EFV. Existing service line customers who desire an EFV on service lines not exceeding 1,000 SCFH and who do not qualify for one (1) of the exceptions in paragraph (8)(P)3. may request an EFV to be installed on their service lines. If an eligible service line customer requests an EFV installation, an operator must install the EFV at a mutually agreeable date. The operator's rate-setter determines how and to whom the costs of the requested EFVs are distributed.

5. Operator notification of customers concerning EFV installation. Operators must notify customers of their right to request an EFV in the following manner:

A. Except as specified in (8)(P)3. and (8)(P)5.E., each operator must provide written or electronic notification to customers of their right to request the installation of an EFV. Electronic notification can include emails, website postings, and e-billing notices.

B. The notification must include an explanation for the service line customer of the potential safety benefits that may be derived from installing an EFV. The explanation must include information that an EFV is designed to shut off the flow of natural gas automatically if the service line breaks.

C. The notification must include a description of EFV installation and replace-

ment costs. The notice must alert the customer that the costs for maintaining and replacing an EFV may later be incurred, and what those costs will be to the extent known.

D. The notification must indicate that if a service line customer requests installation of an EFV and the load does not exceed 1,000 SCFH and the conditions of paragraph (8)(P)3. are not present, the operator must install an EFV at a mutually agreeable date.

E. Operators of master-meter systems may continuously post a general notification in a prominent location frequented by customers.

6. Operator evidence of customer notification. An operator must make a copy of the notice or notices currently in use available during inspections conducted by designated commission personnel.

7. Reporting. Except for operators of master meter systems, each operator must report the EFV measures detailed in the annual report required by 4 CSR 240-40.020(7)(A).

(Q) Manual Service Line Shut-Off Valve Installation (192.385)

1. Definitions for subsection (8)(Q). Manual service line shut-off valve means a curb valve or other manually operated valve located near the service line that is safely accessible to operator personnel or other personnel authorized by the operator to manually shut off gas flow to the service line, if needed.

2. Installation requirement. The operator must install either a manual service line shut-off valve or, if possible, based on sound engineering analysis and availability, an EFV for any new or replaced service line with installed meter capacity exceeding 1,000 SCFH.

3. Accessibility and maintenance. Manual service line shut-off valves for any new or replaced service line must be installed in such a way as to allow accessibility during emergencies. Manual service shut-off valves installed under this subsection are subject to regular scheduled maintenance, as documented by the operator and consistent with the valve manufacturer's specification.

(9) Requirements for Corrosion Control.

(A) Scope. (192.451) This section prescribes minimum requirements for the protection of metallic pipelines from external, internal, and atmospheric corrosion.

(B) How Does this Section Apply to Converted Pipelines and Regulated Onshore Gathering Lines? (192.452)

1. Converted pipelines. Notwithstanding the date the pipeline was installed or any earlier deadlines for compliance, each pipeline

which qualifies for use under this rule in accordance with subsection (1)(H) must have a cathodic protection system designed to protect the pipeline in its entirety in accordance with subsection (9)(H) within one (1) year after the pipeline is readied for service.

2. Regulated onshore gathering lines. For any regulated onshore gathering line to which 49 CFR 192.8 and 192.9 did not apply until April 14, 2006, and for any gathering line that becomes a regulated onshore gathering line under subsection (1)(E) because of a change in class location or increase in dwelling density:

A. The requirements of this section specifically applicable to pipelines installed before August 1, 1971, apply to the gathering line regardless of the date the pipeline was actually installed; and

B. The requirements of this section specifically applicable to pipelines installed after July 31, 1971, apply only if the pipeline substantially meets those requirements.

(C) General. (192.453) Each operator shall establish written procedures as required by subparagraph (12)(C)2.B. to implement the requirements of this section. Each written procedure, including those for the design, installation, operation, and maintenance of cathodic protection systems, shall be carried out by, or under the direction of, a person qualified by experience and training in pipeline corrosion control methods.

(D) External Corrosion Control—Buried or Submerged Pipelines Installed After July 31, 1971. (192.455)

1. Except as provided in paragraphs (9)(D)2. and 5., each buried or submerged pipeline installed after July 31, 1971, must be protected against external corrosion, including the following:

A. It must have an external protective coating meeting the requirements of subsection (9)(G) (192.461); and

B. It must have a cathodic protection system designed to protect the pipeline in accordance with this section, installed and placed in operation within one (1) year after completion of construction.

2. An operator need not comply with paragraph (9)(D)1., if the operator can demonstrate by tests, investigation, or experience that—

A. For a copper pipeline, a corrosive environment does not exist; or

B. For a temporary pipeline with an operating period of service not to exceed five (5) years beyond installation, corrosion during the five- (5-) year period of service of the pipeline will not be detrimental to public safety.

3. Notwithstanding the provisions of



paragraph (9)(D)2., if a pipeline is externally coated, it must be cathodically protected in accordance with subparagraph (9)(D)1.B.

4. Aluminum may not be installed in a buried or submerged pipeline if that aluminum is exposed to an environment with a natural pH in excess of eight (8), unless tests or experience indicate its suitability in the particular environment involved.

5. This subsection does not apply to electrically isolated, metal alloy fittings in plastic pipelines, if—

A. For the size fitting to be used, an operator can show by test, investigation, or experience in the area of application that adequate corrosion control is provided by the alloy composition; and

B. The fitting is designed to prevent leaking caused by localized corrosion pitting.

(E) External Corrosion Control—Buried or Submerged Pipelines Installed Before August 1, 1971. (192.457)

1. Each buried or submerged transmission line and each buried or submerged feeder line or main in excess of one hundred feet (100') installed before August 1, 1971, that has an effective external coating must be cathodically protected along the entire area that is effectively coated, in accordance with this section unless definitely scheduled in a replacement program in subsection (15)(E). For the purposes of this section, a pipeline does not have an effective external coating if its cathodic protection current requirements are substantially the same as if it were bare. The operator shall make tests to determine the cathodic protection current requirements.

2. Except for cast iron or ductile iron, each of the following buried or submerged pipelines installed before August 1, 1971, must be cathodically protected in accordance with this section in areas in which active corrosion is found:

A. Bare or ineffectively coated transmission lines;

B. Effectively coated feeder lines and mains not in excess of one hundred feet (100');

C. Bare or ineffectively coated feeder lines or mains; and

D. Bare or coated service lines, except that steel service lines must be replaced as required by subsection (15)(C).

(F) External Corrosion Control—Inspection of Buried Pipeline When Exposed. (192.459) Whenever an operator has knowledge that any portion of a buried metallic pipeline is exposed, an inspection of the exposed portion must be conducted. If the pipe is coated, the condition of the coating must be determined. If the pipe is bare or if the coating is deteriorated, the surface of the

pipe must be examined for evidence of external corrosion. If external corrosion requiring remedial action under subsections (9)(R) through (9)(U) (192.483 through 192.489) is found, the operator shall investigate circumferentially and longitudinally beyond the exposed portion (by visual examination, indirect method, or both) to determine whether additional corrosion requiring remedial action exists in the vicinity of the exposed portion.

(G) External Corrosion Control—Protective Coating. (192.461)

1. Each external protective coating applied for the purpose of external corrosion control must—

A. Be applied on a properly prepared surface;

B. Have sufficient adhesion to the metal surface to effectively resist underfilm migration of moisture;

C. Be sufficiently ductile to resist cracking;

D. Have sufficient strength to resist damage due to handling and soil stress; and

E. Have properties compatible with any supplemental cathodic protection.

2. Each external protective coating must also have low moisture absorption and high electrical resistance.

3. Each external protective coating must be inspected just prior to lowering the pipe into the ditch and backfilling, and any damage detrimental to effective corrosion control must be repaired.

4. Each external protective coating must be protected from damage resulting from adverse ditch conditions or damage from supporting blocks.

5. If coated pipe is installed by boring, driving, or other similar method, precautions must be taken to minimize damage to the coating during installation.

(H) External Corrosion Control—Cathodic Protection. (192.463)

1. Each cathodic protection system required by this section must provide a level of cathodic protection that complies with one (1) or more of the applicable criteria contained in Appendix D, which is included herein (at the end of this rule).

2. If amphoteric metals are included in a buried or submerged pipeline containing a metal of different anodic potential—

A. The amphoteric metals must be electrically isolated from the remainder of the pipeline and cathodically protected; or

B. The entire buried or submerged pipeline must be cathodically protected at a cathodic potential that meets the requirements of Appendix D for amphoteric metals.

3. The amount of cathodic protection

must be controlled so as not to damage the protective coating or the pipe.

(I) External Corrosion Control—Monitoring. (192.465)

1. Each pipeline that is under cathodic protection must be tested at least once each calendar year, but with intervals not exceeding fifteen (15) months, to determine whether the cathodic protection meets the requirements of subsection (9)(H). (192.463) However, if tests at those intervals are impractical for separately protected short sections of mains or transmission lines, not in excess of one hundred feet (100') (thirty meters (30 m)), or separately protected service lines, these pipelines may be surveyed on a sampling basis. At least twenty percent (20%) of these protected structures, distributed over the entire system, must be surveyed each calendar year, with a different twenty percent (20%) checked each subsequent year, so that the entire system is tested in each five-(5-) year period. Each short section of metallic pipe less than one hundred feet (100') (thirty meters (30 m)) in length installed and cathodically protected in accordance with paragraph (9)(R)2. (192.483[b]), each segment of pipe cathodically protected in accordance with paragraph (9)(R)3. (192.483[c]) and each electrically isolated metallic fitting not meeting the requirements of paragraph (9)(D)5. (192.455[f]) must be monitored at a minimum rate of ten percent (10%) each calendar year, with a different ten percent (10%) checked each subsequent year, so that the entire system is tested every ten (10) years.

2. Each cathodic protection rectifier or other impressed current power source must be inspected six (6) times each calendar year but with intervals not exceeding two and one-half (2 1/2) months to ensure that it is operating.

3. Each reverse current switch, each diode, and each interference bond whose failure would jeopardize structure protection must be electrically checked for proper performance six (6) times each calendar year, but with intervals not exceeding two and one-half (2 1/2) months. Each other interference bond must be checked at least once each calendar year, but with intervals not exceeding fifteen (15) months.

4. Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring set forth in paragraphs (9)(I)1.-3. Corrective measures must be completed within six (6) months unless otherwise approved by designated commission personnel.

5. After the initial evaluation required by paragraphs (9)(D)2. and (9)(E)2., each operator must, not less than every three (3)



years at intervals not exceeding thirty-nine (39) months, reevaluate its unprotected pipelines and cathodically protect them in accordance with section (9) in areas in which active corrosion is found. Unprotected steel service lines are subject to replacement pursuant to subsection (15)(C). The operator must determine the areas of active corrosion by electrical survey. However, on distribution lines and where an electrical survey is impractical on transmission lines, areas of active corrosion may be determined by other means that include review and analysis of leak repair and inspection records, corrosion monitoring records, exposed pipe inspection records, the pipeline environment, and by instrument leak detection surveys (see subsections (13)(D) and (13)(M)). When the operator conducts electrical surveys, the operator must demonstrate that the surveys effectively identify areas of active corrosion.

(J) External Corrosion Control—Electrical Isolation. (192.467)

1. Each buried or submerged pipeline must be electrically isolated from other underground metallic structures, unless the pipeline and the other structures are electrically interconnected and cathodically protected as a single unit.

2. One (1) or more insulating devices must be installed where electrical isolation of a portion of a pipeline is necessary to facilitate the application of corrosion control.

3. Except for unprotected copper inserted in a ferrous pipe, each pipeline must be electrically isolated from metallic casings that are a part of the underground system. However, if isolation is not achieved because it is impractical, other measures must be taken to minimize corrosion of the pipeline inside the casing.

4. Inspection and electrical tests must be made to assure that electrical isolation is adequate.

5. An insulating device may not be installed in an area where a combustible atmosphere is anticipated unless precautions are taken to prevent arcing.

6. Where a pipeline is located in close proximity to electrical transmission tower footings, ground cables or counterpoise, or in other areas where fault currents or unusual risk of lightning may be anticipated, it must be provided with protection against damage due to fault currents or lightning, and protective measures must also be taken at insulating devices.

(K) External Corrosion Control—Test Stations. (192.469) Each pipeline under cathodic protection required by this section must have sufficient test stations or other contact points for electrical measurement to

determine the adequacy of cathodic protection.

(L) External Corrosion Control—Test Leads. (192.471)

1. Each test lead wire must be connected to the pipeline so as to remain mechanically secure and electrically conductive.

2. Each test lead wire must be attached to the pipeline so as to minimize stress concentration on the pipe.

3. Each bared test lead wire and bared metallic area at point of connection to the pipeline must be coated with an electrical insulating material compatible with the pipe coating and the insulation on the wire.

(M) External Corrosion Control—Interference Currents. (192.473)

1. Each operator whose pipeline system is subjected to stray currents shall have in effect a continuing program to minimize the detrimental effects of these currents.

2. Each impressed current type cathodic protection system or galvanic anode system must be designed and installed so as to minimize any adverse effects on existing adjacent underground metallic structures.

(N) Internal Corrosion Control—General and Monitoring. (192.475 and 192.477)

1. Corrosive gas may not be transported by pipeline, unless the corrosive effect of the gas on the pipeline has been investigated and steps have been taken to minimize internal corrosion.

2. Whenever any pipe is removed from a pipeline for any reason, the internal surface must be inspected for evidence of corrosion. If internal corrosion is found—

A. The adjacent pipe must be investigated to determine the extent of internal corrosion;

B. Replacement must be made to the extent required by the applicable paragraphs of subsections (9)(S), (T) or (U) (192.485, 192.487, or 192.489); and

C. Steps must be taken to minimize the internal corrosion.

3. Gas containing more than 0.25 grain of hydrogen sulfide per one hundred (100) cubic feet (5.8 milligrams/m<sup>3</sup>) at standard conditions (four (4) parts per million) may not be stored in pipe-type or bottle-type holders.

4. Monitoring. (192.477) If corrosive gas is being transported, coupons or other suitable means must be used to determine the effectiveness of the steps taken to minimize internal corrosion. Each coupon or other means of monitoring internal corrosion must be checked two (2) times each calendar year, but with intervals not exceeding seven and one-half (7 1/2) months.

(O) Internal Corrosion Control—Design and Construction of Transmission Line.

(192.476)

1. Design and construction. Except as provided in paragraph (9)(O)2., each new transmission line and each replacement of line pipe, valve, fitting, or other line component in a transmission line must have features incorporated into its design and construction to reduce the risk of internal corrosion. At a minimum, unless it is impracticable or unnecessary to do so, each new transmission line or replacement of line pipe, valve, fitting, or other line component in a transmission line must—

A. Be configured to reduce the risk that liquids will collect in the line;

B. Have effective liquid removal features whenever the configuration would allow liquids to collect; and

C. Allow use of devices for monitoring internal corrosion at locations with significant potential for internal corrosion.

2. Exceptions to applicability. The design and construction requirements of paragraph (9)(O)1. do not apply to pipeline installed or line pipe, valve, fitting, or other line component replaced before May 23, 2007.

3. Change to existing transmission line. When an operator changes the configuration of a transmission line, the operator must evaluate the impact of the change on internal corrosion risk to the downstream portion of an existing transmission line and provide for removal of liquids and monitoring of internal corrosion as appropriate.

4. Records. An operator must maintain records demonstrating compliance with this subsection. Provided the records show why incorporating design features addressing (9)(O)1.A., (9)(O)1.B., or (9)(O)1.C. is impracticable or unnecessary, an operator may fulfill this requirement through written procedures supported by as-built drawings or other construction records.

(P) Atmospheric Corrosion Control—General. (192.479)

1. Pipelines installed after July 31, 1971. Each aboveground pipeline or portion of a pipeline installed after July 31, 1971, that is exposed to the atmosphere must be cleaned and coated with a material suitable for the prevention of atmospheric corrosion. An operator need not comply with this paragraph for an inside pipeline, if the operator can demonstrate by test, investigation or experience appropriate to the inside environment of the pipeline that corrosion will—

A. Only be a light surface oxide; or  
B. Not result in pitting of the base metal before the next scheduled inspection.

2. Pipelines installed before August 1,



1971. Each aboveground pipeline or portion of a pipeline installed before August 1, 1971, that is exposed to the atmosphere must be cleaned and coated with a material suitable for the prevention of atmospheric corrosion. This applies to all portions of pipelines in soil-to-air interfaces. For portions of pipelines that are not in soil-to-air interfaces, the operator need not protect from atmospheric corrosion any pipeline for which the operator demonstrates by test, investigation, or experience appropriate to the environment of the pipeline that corrosion will—

- A. Only be a light surface oxide; or
- B. Not affect the safe operation of the pipeline before the next scheduled inspection.

3. For the purposes of this subsection and subsection (9)(Q), atmospheric corrosion means corrosion that has resulted in pitting of the base metal.

(Q) Atmospheric Corrosion Control—Monitoring. (192.481)

1. Each operator must inspect each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion at least once every three (3) calendar years, but with intervals not exceeding thirty-nine (39) months. (Atmospheric corrosion is defined in paragraph (9)(P)3.)

2. During inspections the operator must give particular attention to pipe at soil-to-air interfaces, under thermal insulation, under disbonded coatings, at pipe supports, at deck penetrations, and in spans over water.

3. If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by subsection (9)(P) within twelve (12) months unless otherwise approved by designated commission personnel.

(R) Remedial Measures—General. (192.483)

1. Each segment of metallic pipe that replaces pipe removed from a buried or submerged pipeline because of external corrosion must have a properly prepared surface and must be provided with an external protective coating that meets the requirements of subsection (9)(G). (192.461)

2. Each segment of metallic pipe that replaces pipe removed from a buried or submerged pipeline because of external corrosion must be cathodically protected and monitored in accordance with this section.

3. Except for cast iron or ductile iron pipe, each segment of buried or submerged pipe that is required to be repaired because of external corrosion must be cathodically protected and monitored in accordance with this section.

(S) Remedial Measures—Transmission Lines. (192.485)

1. General corrosion. Each segment of transmission line with general corrosion and with a remaining wall thickness less than that required for the maximum allowable operating pressure of the pipeline must be replaced or the operating pressure reduced commensurate with the strength of the pipe based on actual remaining wall thickness. However, corroded pipe may be repaired by a method that reliable engineering test and analysis show can permanently restore the serviceability of the pipe. Corrosion pitting so closely grouped as to affect the overall strength of the pipe is considered general corrosion for the purpose of this paragraph.

2. Localized corrosion pitting. Each segment of transmission line pipe with localized corrosion pitting to a degree where leakage might result must be replaced or repaired, or the operating pressure must be reduced commensurate with the strength of the pipe, based on the actual remaining wall thickness in the pits.

3. Under paragraphs (9)(S)1. and (9)(S)2., the strength of pipe based on actual remaining wall thickness may be determined by the procedure in ASME/ANSI B31G (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)) or the procedure in PRCI PR-3-805 (R-STRENG) (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). Both procedures apply to corroded regions that do not penetrate the pipe wall, subject to the limitations prescribed in the procedures.

(T) Remedial Measures—Distribution Lines Other Than Cast Iron or Ductile Iron Lines. (192.487)

1. General corrosion. Except for cast iron or ductile iron pipe, each segment of generally corroded distribution line pipe with a remaining wall thickness less than that required for the maximum allowable operating pressure of the pipeline, or a remaining wall thickness less than thirty percent (30%) of the nominal wall thickness, must be replaced. However, corroded pipe may be repaired by a method that reliable engineering tests and analyses show can permanently restore the serviceability of the pipe. Corrosion pitting so closely grouped as to affect the overall strength of the pipe is considered general corrosion for the purpose of this paragraph.

2. Localized corrosion pitting. Except for cast iron or ductile iron pipe, each segment of distribution line pipe with localized corrosion pitting to a degree where leakage might result must be replaced or repaired.

(U) Remedial Measures—Cast Iron and Ductile Iron Pipelines. (192.489)

1. General graphitization. Each segment

of cast iron or ductile iron pipe on which general graphitization is found to a degree where a fracture or any leakage might result must be replaced.

2. Localized graphitization. Each segment of cast iron or ductile iron pipe on which localized graphitization is found to a degree where any leakage might result must be replaced or repaired, or sealed by internal sealing methods adequate to prevent or arrest any leakage.

(V) Corrosion Control Records. (192.491)

1. Each operator shall maintain records or maps to show the location of cathodically protected piping, cathodic protection facilities, galvanic anodes, and neighboring structures bonded to the cathodic protection system. Records or maps showing a stated number of anodes, installed in a stated manner or spacing, need not show specific distances to each buried anode. Each operator shall develop and maintain maps showing, at a minimum: the location of cathodically protected mains (except for short sections less than one hundred feet (100') in length); feeder lines; and transmission lines; and all cathodic protection facilities such as rectifiers, test points (except for service riser locations that are not used each year), electrical isolating devices that separate protection zones, and interference bonds.

2. Each record or map required by paragraph (9)(V)1. must be retained for as long as the pipeline remains in service.

3. Each operator shall maintain a record of each test, survey, inspection, and remedial action required by this section in sufficient detail to demonstrate the adequacy of corrosion control measures or that a corrosive condition does not exist. These records must be retained for at least five (5) years, except that records related to paragraphs (9)(I)1., (9)(I)4., (9)(I)5., and (9)(N)2. must be retained for as long as the pipeline remains in service.

(W) Direct Assessment. (192.490) Each operator that uses direct assessment as defined in 49 CFR 192.903 (see section (16)) on a transmission line made primarily of steel or iron to evaluate the effects of a threat in the first column must carry out the direct assessment according to the standard listed in the second column. These standards do not apply to methods associated with direct assessment, such as close interval surveys, voltage gradient surveys, or examination of exposed pipelines, when used separately from the direct assessment process.

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



Threat	Standard <sup>1</sup> (see section (16))
External corrosion	49 CFR 192.925 <sup>2</sup>
Internal corrosion in pipelines that transport dry gas	49 CFR 192.927
Stress corrosion cracking	49 CFR 192.929

<sup>1</sup>For lines not subject to 49 CFR part 192, subpart O, the terms “covered segment” and “covered pipeline segment” in 49 CFR 192.925, 192.927, and 192.929 refer to the pipeline segment on which direct assessment is performed.

<sup>2</sup>In 49 CFR 192.925[b], the provision regarding detection of coating damage applies only to pipelines subject to 49 CFR part 192, subpart O.

#### (10) Test Requirements.

(A) Scope. (192.501) This section prescribes minimum leak-test and strength-test requirements for pipelines.

##### (B) General Requirements. (192.503)

1. No person may operate a new segment of pipeline, or return to service a segment of pipeline that has been relocated or replaced, until—

A. It has been tested in accordance with this section and subsection (12)(M) (192.619) to substantiate the maximum allowable operating pressure; and

B. Each potentially hazardous leak has been located and eliminated.

2. The test medium must be liquid, air, natural gas, or inert gas that is—

A. Compatible with the material of which the pipeline is constructed;

B. Relatively free of sedimentary materials; and

C. Except for natural gas, non-flammable.

3. Except as provided in paragraph (10)(C)1. (192.505[a]), if air, natural gas, or inert gas is used as the test medium, the following maximum hoop stress limitations apply:

Class Location	Maximum Hoop Stress Allowed as Percentage of SMYS	
	Natural Gas	Air or Inert Gas
1	80	80
2	30	75
3	30	50
4	30	40

4. Each connection used to tie-in a test segment of pipeline is excepted from the specific test requirements of this section, but it must be leak tested at not less than its operating pressure.

5. If a component other than pipe is the

only item being replaced or added to a pipeline, a strength test after installation is not required, if the manufacturer of the component certifies that—

A. The component was tested to at least the pressure required for the pipeline to which it is being added;

B. The component was manufactured under a quality control system that ensures that each item manufactured is at least equal in strength to a prototype and that the prototype was tested to at least the pressure required for the pipeline to which it is being added; or

C. The component carries a pressure rating established through applicable ASME/ANSI specifications, Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS) specifications, or by unit strength calculations as described in subsection (4)(B).

(C) Strength Test Requirements for Steel Pipeline to Operate at a Hoop Stress of Thirty Percent (30%) or More of SMYS. (192.505)

1. Except for service lines, each segment of a steel pipeline that is to operate at a hoop stress of thirty percent (30%) or more of SMYS must be strength tested in accordance with this subsection to substantiate the proposed maximum allowable operating pressure. In addition, in a Class 1 or Class 2 location, if there is a building intended for human occupancy within three hundred feet (300') (91 meters) of a pipeline, a hydrostatic test must be conducted to a test pressure of at least one hundred twenty-five percent (125%) of maximum operating pressure on that segment of the pipeline within three hundred feet (300') (91 meters) of such a building, but in no event may the test section be less than six hundred feet (600') (183 meters) unless the length of the newly installed or relocated pipe is less than six hundred feet (600') (183 meters). However, if the buildings are evacuated while the hoop stress exceeds fifty percent (50%) of SMYS, air or inert gas may be used as the test medium.

2. In a Class 1 or Class 2 location, each compressor station, regulator station, and measuring station must be tested to at least Class 3 location test requirements.

3. Except as provided in paragraph (10)(C)4., the strength test must be conducted by maintaining the pressure at or above the test pressure for at least eight (8) hours.

4. For fabricated units and short sections of pipe, for which a post-installation test is impractical, a pre-installation strength test must be conducted by maintaining the pressure at or above the test pressure for at least four (4) hours.

(D) Test Requirements for Pipelines to

Operate at a Hoop Stress Less Than Thirty Percent (30%) of SMYS and at or Above One Hundred (100) psi (689 kPa) Gauge. (192.507) Except for service lines and plastic pipelines, each segment of a pipeline that is to be operated at a hoop stress less than thirty percent (30%) of SMYS and at or above one hundred (100) psi (689 kPa) gauge must be tested in accordance with subparagraph (12)(M)1.B. and the following:

1. The pipeline operator must use a test procedure that will ensure discovery of all potentially hazardous leaks in the segment being tested;

2. If, during the test, the segment is to be stressed to twenty percent (20%) or more of SMYS and natural gas, inert gas, or air is the test medium—

A. A leak test must be made at a pressure between one hundred (100) psi (689 kPa) gauge and the pressure required to produce a hoop stress of twenty percent (20%) of SMYS; or

B. The line must be walked to check for leaks while the hoop stress is held at approximately twenty percent (20%) of SMYS;

3. The pressure must be maintained at or above the test pressure for at least one (1) hour.

(E) Test Requirements for Pipelines to Operate Below One Hundred (100) psi (689 kPa) Gauge. (192.509) Except for service lines and plastic pipelines, each segment of a pipeline that is to be operated below one hundred (100) psi (689 kPa) gauge must be leak tested in accordance with the following:

1. The test procedure used must ensure discovery of all potentially hazardous leaks in the segment being tested; and

2. Each main that is to be operated at less than one (1) psi (6.9 kPa) gauge must be tested to at least ten (10) psi (69 kPa) gauge, each main that is to be operated at or above one (1) psi (6.9 kPa) gauge through ninety (90) psi (621 kPa) gauge must be tested to at least ninety (90) psi (621 kPa) gauge, and each main that is to be operated between ninety (90) psi (621 kPa) gauge and one hundred (100) psi (689 kPa) gauge must be tested to at least one hundred (100) psi (689 kPa) gauge.

(F) Test Requirements for Service Lines. (192.511)

1. Each segment of a service line (other than plastic) must be leak tested in accordance with this subsection before being placed in service. If feasible, the service line connection to the main must be included in the test; if not feasible, it must be given a leakage test at the operating pressure when placed in service.

2. Each segment of a service line (other



than plastic) intended to be operated at a pressure of at least one (1) psi (6.9 kPa) gauge but not more than forty (40) psi (276 kPa) gauge must be given a leak test at a pressure of not less than fifty (50) psi (345 kPa) gauge.

3. Each segment of a service line (other than plastic) intended to be operated at pressures of more than forty (40) psi (276 kPa) gauge through ninety (90) psi (621 kPa) gauge must be tested to at least ninety (90) psi (621 kPa) gauge; if the service line is to be operated between ninety (90) psi (621 kPa) gauge and one hundred (100) psi (689 kPa) gauge, it must be tested to at least one hundred (100) psi (689 kPa) gauge; and if the service line may be operated at one hundred (100) psi (689 kPa) gauge; or more, it must, at a minimum, be tested using the appropriate factor in subparagraph (12)(M)1.B. of this rule, except that each segment of the steel service line stressed to twenty percent (20%) or more of SMYS must be tested in accordance with subsection (10)(D).

(G) Test Requirements for Plastic Pipelines. (192.513)

1. Each segment of a plastic pipeline must be tested in accordance with this subsection.

2. The test procedure must ensure discovery of all potentially hazardous leaks in the segment being tested.

3. The test pressure must be at least one hundred fifty percent (150%) of the maximum allowable operating pressure or fifty (50) psi (345 kPa) gauge, whichever is greater. However, the maximum test pressure may not be more than three (3) times the pressure determined under subsection (3)(I), at a temperature not less than the pipe temperature during the test.

4. During the test, the temperature of thermoplastic material may not be more than 100 °F (38 °C), or the temperature at which the material's long-term hydrostatic strength has been determined under the listed specification, whichever is greater.

(H) Environmental Protection and Safety Requirements. (192.515)

1. In conducting tests under this section, each operator shall ensure that every reasonable precaution is taken to protect its employees and the general public during the testing. Whenever the hoop stress of the segment of the pipeline being tested will exceed fifty percent (50%) of SMYS, the operator shall take all practicable steps to keep persons not working on the testing operation outside of the testing area until the pressure is reduced to or below the proposed maximum allowable operating pressure.

2. The operator shall ensure that the test

medium is disposed of in a manner that will minimize damage to the environment.

(I) Records. (192.517)

1. For mains, each operator shall make and retain for the useful life of the pipeline, a record of each test performed under subsections (10)(C)–(E) and (G). (192.505, 192.507, 192.509, and 192.513) Where applicable to the test performed, the record must contain at least the following information, except as noted in subparagraph (10)(I)1.B.

A. The operator's name, the name of the operator's employee responsible for making the test, and the name of any test company used;

B. Test medium used, except for tests performed pursuant to subsections (10)(E) and (G);

C. Test pressure;

D. Test duration;

E. Pressure recording charts or other record of pressure readings;

F. Elevation variations, whenever significant for the particular test;

G. Leaks and failures noted and their disposition;

H. Test date; and

I. Description of facilities being tested.

2. For service lines, each operator shall make and retain for the useful life of the pipeline, a record of each test performed under subsections (10)(F) and (G) (192.511 and 192.513) Where applicable to the test performed, the record must contain the test pressure, leaks, and failures noted and their disposition and the date.

(J) Test Requirements for Customer-Owned Fuel Lines.

1. At the initial time an operator physically turns on the flow of gas to new fuel line installations—

A. Each segment of fuel line must be tested for leakage to at least the delivery pressure;

B. A visual inspection of the exposed, accessible customer gas piping, interior and exterior, and all connected equipment shall be conducted to determine that the requirements of any applicable industry codes, standards or procedures adopted by the operator to assure safe service are met; and

C. The requirements of any applicable local (city, county, etc.) codes must be met.

2. The temperature of thermoplastic material must not be more than one hundred degrees Fahrenheit (100 °F) during the test.

3. A record of the test and inspection performed in accordance with this subsection shall be maintained by the operator for a peri-

od of not less than two (2) years.

(11) Upgrading.

(A) Scope. (192.551) This section prescribes minimum requirements for increasing maximum allowable operating pressures (uprating) for pipelines.

(B) General Requirements. (192.553)

1. Pressure increases. Whenever the requirements of this section require that an increase in operating pressure be made in increments, the pressure must be increased gradually, at a rate that can be controlled and in accordance with the following:

A. At the end of each incremental increase, the pressure must be held constant while the entire segment of the pipeline that is affected is checked for leaks. When a combustible gas is being used for uprating, all buried piping must be checked with a leak detection instrument after each incremental increase; and

B. Each leak detected must be repaired before a further pressure increase is made, except that a leak determined not to be potentially hazardous need not be repaired, if it is monitored during the pressure increase and it does not become potentially hazardous.

2. Records. Each operator who uprates a segment of pipeline shall retain for the life of the segment a record of each investigation required by this section, of all work performed, and of each pressure test conducted, in connection with the uprating.

3. Written plan. Each operator who uprates a segment of pipeline shall establish a written procedure that will ensure compliance with each applicable requirement of this section.

4. Limitation on increase in maximum allowable operating pressure. Except as provided in (11)(C)3., a new maximum allowable operating pressure established under this section may not exceed the maximum that would be allowed under subsections (12)(M) and (12)(N) for a new segment of pipeline constructed of the same materials in the same location. However, when uprating a steel pipeline, if any variable necessary to determine the design pressure under the design formula in subsection (3)(C) is unknown, the MAOP may be increased as provided in subparagraph (12)(M)1.A.

5. Establishment of a new maximum allowable operating pressure. Subsections (12)(M) and (N) (192.619 and 192.621) must be reviewed when establishing a new MAOP. The pressure to which the pipeline is raised during the uprating procedure is the test pressure that must be divided by the appropriate factors in subparagraph (12)(M)1.B. (192.619[a][2]) except that pressure tests conducted on steel and plastic pipelines after July 1, 1965 are applicable.



(C) Upgrading to a Pressure That Will Produce a Hoop Stress of Thirty Percent (30%) or More of SMYS in Steel Pipelines. (192.555)

1. Unless the requirements of this subsection have been met, no person may subject any segment of a steel pipeline to an operating pressure that will produce a hoop stress of thirty percent (30%) or more of SMYS and that is above the established maximum allowable operating pressure.

2. Before increasing operating pressure above the previously established maximum allowable operating pressure the operator shall—

A. Review the design, operating, and maintenance history and previous testing of the segment of pipeline and determine whether the proposed increase is safe and consistent with the requirements of this rule; and

B. Make any repairs, replacements, or alterations in the segment of pipeline that are necessary for safe operation at the increased pressure.

3. After complying with paragraph (11)(C)2., an operator may increase the maximum allowable operating pressure of a segment of pipeline constructed before September 12, 1970, to the highest pressure that is permitted under subsection (12)(M) (192.619), using as test pressure the highest pressure to which the segment of pipeline was previously subjected (either in a strength test or in actual operation).

4. After complying with paragraph (11)(C)2., an operator that does not qualify under paragraph (11)(C)3. may increase the previously established maximum allowable operating pressure if at least one (1) of the following requirements is met:

A. The segment of pipeline is successfully tested in accordance with the requirements of this rule for a new line of the same material in the same location; or

B. An increased maximum allowable operating pressure may be established for a segment of pipeline in a Class 1 location if the line has not previously been tested, and if—

(I) It is impractical to test it in accordance with the requirements of this rule;

(II) The new maximum operating pressure does not exceed eighty percent (80%) of that allowed for a new line of the same design in the same location; and

(III) The operator determines that the new maximum allowable operating pressure is consistent with the condition of the segment of pipeline and the design requirements of this rule.

5. Where a segment of pipeline is upgraded in accordance with paragraph (11)(C)3. or

subparagraph (11)(C)4.B., the increase in pressure must be made in increments that are equal to—

A. Ten percent (10%) of the pressure before the upgrading; or

B. Twenty-five percent (25%) of the total pressure increase, whichever produces the fewer number of increments.

(D) Upgrading—Steel Pipelines to a Pressure That Will Produce a Hoop Stress Less Than Thirty Percent (30%) of SMYS—Plastic, Cast Iron, and Ductile Iron Pipelines. (192.557)

1. Unless the requirements of this subsection have been met, no person may subject—

A. A segment of steel pipeline to an operating pressure that will produce a hoop stress less than thirty percent (30%) of SMYS and that is above the previously established maximum allowable operating pressure; or

B. A plastic, cast iron, or ductile iron pipeline segment to an operating pressure that is above the previously established maximum allowable operating pressure.

2. Before increasing operating pressure above the previously established maximum allowable operating pressure, the operator shall—

A. Review the design, operating, and maintenance history of the segment of pipeline;

B. Conduct a leak detection instrument survey (if it has been more than one (1) year since the last survey conducted with a leak detection instrument) and repair any leaks that are found, except that a leak determined not to be potentially hazardous need not be repaired, if it is monitored during the pressure increase and it does not become potentially hazardous;

C. Make any repairs, replacements, or alterations in the segment of pipeline that are necessary for safe operation at the increased pressure;

D. Reinforce or anchor offsets, bends, and dead ends in pipe joined by compression couplings or bell and spigot joints to prevent failure of the pipe joint, if the offset, bend, or dead end is exposed in an excavation;

E. Isolate the segment of pipeline in which the pressure is to be increased from any adjacent segment that will continue to be operated at a lower pressure; and

F. If the pressure in mains or service lines, or both, is to be higher than the pressure delivered to the customer, install a service regulator on each service line and test each regulator to determine that it is functioning. Pressure may be increased as necessary to test each regulator, after a regulator has been installed on each pipeline subject to the increased pressure.

3. After complying with paragraph

(11)(D)2., the increase in maximum allowable operating pressure must be made in accordance with paragraph (11)(B)5. The pressure must be increased in increments that are equal to ten (10) psi (69 kPa) gauge or twenty-five percent (25%) of the total pressure increase, whichever produces the fewer number of increments. Whenever the requirements of subparagraph (11)(D)2.F. apply, there must be at least two (2) approximately equal incremental increases.

4. If records for cast iron or ductile iron pipeline facilities are not complete enough to determine stresses produced by internal pressure, trench loading, rolling loads, beam stresses, and other bending loads, in evaluating the level of safety of the pipeline when operating at the proposed increased pressure, the following procedures must be followed:

A. In estimating the stresses, if the original laying conditions cannot be ascertained, the operator shall assume that cast iron pipe was supported on blocks with tamped backfill and that ductile iron pipe was laid without blocks with tamped backfill;

B. Unless the actual maximum cover depth is known, the operator shall measure the actual cover in at least three (3) places where the cover is most likely to be greatest and shall use the greatest cover measured;

C. Unless the actual nominal wall thickness is known, the operator shall determine the wall thickness by cutting and measuring coupons from at least three (3) separate pipe lengths. The coupons must be cut from pipe lengths in areas where the cover depth is most likely to be the greatest. The average of all measurements taken must be increased by the allowance indicated in the following table:

Allowance inches (millimeters)			
Cast Iron Pipe			
Pipe Size inches (millimeters)	Pit Cast Pipe	Centrifugally Cast Pipe	Ductile Iron Pipe
3 to 8 (76 to 203)	0.075 (1.91)	0.065 (1.65)	0.065 (1.65)
10 to 12 (254 to 305)	0.08 (2.03)	0.07 (1.78)	0.07 (1.78)
14 to 24 (356 to 610)	0.08 (2.03)	0.08 (2.03)	0.075 (1.91)
30 to 42 (762 to 1067)	0.09 (2.29)	0.09 (2.29)	0.075 (1.91)
48 (1219)	0.09 (2.29)	0.09 (2.29)	0.08 (2.03)
54 to 60 (1372 to 1524)	0.09 (2.29)	—	—

D. For cast iron pipe, unless the pipe manufacturing process is known, the operator



shall assume that the pipe is pit cast pipe with a bursting tensile strength of eleven thousand (11,000) psi (76 MPa) and a modulus of rupture of thirty-one thousand (31,000) psi (214 MPa).

**(12) Operations.**

(A) Scope. (192.601) This section prescribes minimum requirements for the operation of pipeline facilities.

**(B) General Provisions. (192.603)**

1. No person may operate a segment of pipeline unless it is operated in accordance with this section.

2. Each operator shall keep records necessary to administer the procedures established under subsection (12)(C). (192.605)

3. Each operator is responsible for ensuring that all work completed on its pipelines by its consultants and contractors complies with this rule.

4. Designated commission personnel may require the operator to amend its plans and procedures as necessary to provide a reasonable level of safety. In the event of a dispute between designated commission personnel and the operator with respect to the appropriateness of a required amendment, the operator may file with the commission a request for a hearing before the commission, or the designated commission personnel may request that a complaint be filed against the operator by the general counsel of the commission.

**(C) Procedural Manual for Operations, Maintenance, and Emergencies. (192.605)**

1. General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines that are not exempt under subparagraph (12)(C)3.E., the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding fifteen (15) months, but at least once each calendar year. This manual must be prepared before initial operations of a pipeline system commence and appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

2. Maintenance and normal operations. The manual required by paragraph (12)(C)1. must include procedures for the following, if applicable, to provide safety during maintenance and normal operations:

A. Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this section and sections (13) and (14);

B. Controlling corrosion in accor-

dance with the operations and maintenance requirements of section (9);

C. Making construction records, maps, and operating history available to appropriate operating personnel;

D. Gathering of data needed for reporting incidents under 4 CSR 240-40.020 in a timely and effective manner;

E. Starting up and shutting down any part of a pipeline in a manner designed to assure operation within the MAOP limits prescribed by this rule, plus the build-up allowed for operation of pressure limiting and control devices;

F. Maintaining compressor stations, including provisions for isolating units or sections of pipe and for purging before returning to service;

G. Starting, operating, and shutting down gas compressor units;

H. Periodically reviewing the work done by operator personnel to determine the effectiveness and adequacy of the procedures used in normal operation and maintenance and modifying the procedures when deficiencies are found;

I. Inspecting periodically to ensure that operating pressures are appropriate for the class location;

J. Taking adequate precautions in excavated trenches to protect personnel from the hazards of unsafe accumulations of vapor or gas, and making available, when needed at the excavation, emergency rescue equipment including a breathing apparatus and a rescue harness and line;

K. Systematically and routinely testing and inspecting pipe-type or bottle-type holders including:

(I) Provision for detecting external corrosion before the strength of the container has been impaired;

(II) Periodic sampling and testing of gas in storage to determine the dew point of vapors contained in the stored gas that, if condensed, might cause internal corrosion or interfere with the safe operation of the storage plant; and

(III) Periodic inspection and testing of pressure limiting equipment to determine that it is in a safe operating condition and has adequate capacity;

L. Continuing observations during all routine activities including, but not limited to, meter reading and cathodic protection work, for the purpose of detecting potential leaks by observing vegetation and odors. Potential leak indications must be recorded and responded to in accordance with section (14);

M. Testing and inspecting of customer-owned gas piping and equipment in

accordance with subsection (12)(S);

N. Responding promptly to a report of a gas odor inside or near a building, unless the operator's emergency procedures under subparagraph (12)(J)1.C. specifically apply to these reports; and

O. Implementing the applicable control room management procedures required by subsection (12)(T).

3. Abnormal operation. For transmission lines the manual required by paragraph (12)(C)1. must include procedures for the following to provide safety when operating design limits have been exceeded:

A. Responding to, investigating, and correcting the cause of—

(I) Unintended closure of valves or shutdowns;

(II) Increase or decrease in pressure or flow rate outside normal operating limits;

(III) Loss of communications;

(IV) Operation of any safety device; and

(V) Any other foreseeable malfunction of a component, deviation from normal operation, or personnel error which could cause a hazard to persons or property;

B. Checking variations from normal operation after abnormal operation has ended at sufficient critical locations in the system to determine continued integrity and safe operation;

C. Notifying responsible operator personnel when notice of an abnormal operation is received;

D. Periodically reviewing the response of operator personnel to determine the effectiveness of the procedures controlling abnormal operation and taking corrective action where deficiencies are found; and

E. The requirements of this paragraph (12)(C)3. do not apply to natural gas distribution operations that are operating transmission lines in connection with their distribution system.

4. Safety-related conditions. The manual required by paragraph (12)(C)1. must include instructions enabling personnel who perform operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the commission's reporting requirements.

5. Surveillance, emergency response, and accident investigation. The procedures required by paragraph (12)(H)1. and subsections (12)(J) and (L) (192.613[a], 192.615 and 192.617) must be included in the manual required by paragraph (12)(C)1.

**(D) Qualification of Pipeline Personnel.**

**1. Scope. (192.801)**

A. This subsection prescribes the



## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



minimum requirements for operator qualification of individuals performing covered tasks on a pipeline facility. This subsection applies to all individuals who perform covered tasks, regardless of whether they are employed by the operator, a contractor, a subcontractor, or any other entity performing covered tasks on behalf of the operator.

B. For the purpose of this subsection, a covered task is an activity, identified by the operator, that—

(I) Is performed on a pipeline facility;

(II) Is an operations, maintenance, or emergency-response task;

(III) Is performed as a requirement of this rule; and

(IV) Affects the operation or integrity of the pipeline.

### 2. Definitions. (192.803)

A. Abnormal operating condition means a condition identified by the operator that may indicate a malfunction of a component or deviation from normal operations that may:

(I) Indicate a condition exceeding design limits;

(II) Result in a hazard(s) to persons, property, or the environment; or

(III) Require an emergency response.

B. Evaluation (or evaluate) means a process consisting of training and examination, established and documented by the operator, to determine an individual's ability to perform a covered task and to demonstrate that an individual possesses the knowledge and skills under paragraph (12)(D)4. After initial evaluation for paragraph (12)(D)4., subsequent evaluations for paragraph (12)(D)4. can consist of examination only. The examination portion of this process may be conducted by one (1) or more of the following:

(I) Written examination;

(II) Oral examination;

(III) Hands-on examination, which could involve observation supplemented by appropriate queries. Observations can be made during:

(a) Performance on the job;

(b) On the job training; or

(c) Simulations.

C. Qualified means that an individual has been evaluated and can:

(I) Perform assigned covered tasks; and

(II) Recognize and react to abnormal operating conditions.

3. Qualification program. (192.805) Each operator shall have and follow a written qualification program. The program shall include provisions to:

A. Identify covered tasks;

B. Provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities;

C. Ensure through evaluation that individuals performing covered tasks are qualified and have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities;

D. Allow individuals that are not qualified pursuant to this subsection to perform a covered task if directed and observed by an individual that is qualified;

E. Evaluate an individual if the operator has reason to believe that the individual's performance of a covered task contributed to an incident meeting the Missouri reporting requirements in 4 CSR 240-40.020(4)(A);

F. Evaluate an individual if the operator has reason to believe that the individual is no longer qualified to perform a covered task;

G. Communicate changes, including changes to rules and procedures, that affect covered tasks to individuals performing those covered tasks and their supervisors, and incorporate those changes in subsequent evaluations;

H. Identify the interval for each covered task at which evaluation of the individual's qualifications is needed, with a maximum interval of thirty-nine (39) months;

I. Evaluate an individual's possession of the knowledge and skills under paragraph (12)(D)4. at intervals not to exceed thirty-nine (39) months;

J. Ensure that covered tasks are—

(I) Performed by qualified individuals; or

(II) Directed and observed by qualified individuals; and

K. Submit each program change to designated commission personnel as required by subsection (1)(J).

4. Personnel to whom this subsection applies must possess the knowledge and skills necessary to—

A. Follow the requirements of this rule that relate to the covered tasks they perform;

B. Carry out the procedures in the procedural manual for operations, maintenance, and emergencies established under subsection (12)(C) (192.605) that relate to the covered tasks they perform;

C. Utilize instruments and equipment that relate to the covered task they perform in accordance with manufacturer's instructions;

D. Know the characteristics and hazards of the gas transported, including

flammability range, odorant characteristics, and corrosive properties;

E. Recognize potential ignition sources;

F. Recognize conditions that are likely to cause emergencies, including equipment or facility malfunctions or failure and gas leaks, predict potential consequences of these conditions, and take appropriate corrective action;

G. Take steps necessary to control any accidental release of gas and to minimize the potential for fire or explosion; and

H. Know the proper use of firefighting procedures and equipment, fire suits, and breathing apparatus by utilizing, where feasible, a simulated pipeline emergency condition.

5. Each operator shall continue to meet the training and annual review requirements regarding the operator's emergency procedures in subparagraph (12)(J)2.B., in addition to the qualification program required in paragraph (12)(D)3.

6. Each operator shall provide instruction to the supervisors or designated persons who will determine when an evaluation is necessary under subparagraph (12)(D)3.F.

7. Each operator shall select appropriately knowledgeable individuals to provide training and to perform evaluations. Where hands-on examinations and observations are used, the evaluator should possess the required knowledge to ascertain an individual's ability to perform covered tasks and react to abnormal operating conditions that might occur while performing those tasks.

8. Record keeping. (192.807) Each operator shall maintain records that demonstrate compliance with this subsection.

A. Qualification records shall include:

(I) Identification of the qualified individual(s);

(II) Identification of the covered tasks the individual is qualified to perform;

(III) Date(s) of current qualification; and

(IV) Qualification method(s).

B. Records supporting an individual's current qualification shall be maintained while the individual is performing the covered task. Records of prior qualification and records of individuals no longer performing covered tasks shall be retained for a period of five (5) years.

### 9. General. (192.809)

A. Operators must have a written qualification program by April 27, 2001. The program must be available for review by designated commission personnel.



B. Operators must complete the qualification of individuals performing covered tasks by October 28, 2002.

C. After December 16, 2004, observation of on-the-job performance may not be used as the sole method of evaluation.

(E) *(Reserved)* (192.607)

(F) Change in Class Location—Required Study. (192.609) Whenever an increase in population density indicates a change in class locations for a segment of an existing steel pipeline operating at a hoop stress that is more than forty percent (40%) of SMYS or indicates that the hoop stress corresponding to the established maximum allowable operating pressure for a segment of existing pipeline is not commensurate with the present class location, the operator shall immediately make a study to determine—

1. The present class location for the segment involved;

2. The design, construction, and testing procedures followed in the original construction and a comparison for these procedures with those required for the present class location by the applicable provisions of this rule;

3. The physical condition of the segment to the extent it can be ascertained from available records;

4. The operating and maintenance history of the segment;

5. The maximum actual operating pressure and the corresponding operating hoop stress, taking pressure gradient into account, for the segment of pipeline involved; and

6. The actual area affected by the population density increase and physical barriers or other factors which may limit further expansion of the more densely populated area.

(G) Change in Class Location—Confirmation or Revision of Maximum Allowable Operating Pressure. (192.611) If the hoop stress corresponding to the established maximum allowable operating pressure of a segment of pipeline is not commensurate with the present class location, and the segment is in satisfactory physical condition, the maximum allowable operating pressure of that segment of pipeline must be confirmed or revised according to one (1) of the following three (3) paragraphs:

1. If the segment involved has been previously tested in place for a period of not less than eight (8) hours, the maximum allowable operating pressure is 0.8 times the test pressure in Class 2 locations, 0.667 times the test pressure in Class 3 locations, or 0.555 times the test pressure in Class 4 locations. The corresponding hoop stress may not exceed seventy-two percent (72%) of SMYS of the pipe in Class 2 locations, sixty percent (60%)

of SMYS in Class 3 locations or fifty percent (50%) of SMYS in Class 4 locations;

2. The maximum allowable operating pressure of the segment involved must be reduced so that the corresponding hoop stress is not more than that allowed by this rule for new segments of pipelines in the existing class location; or

3. The segment of pipeline involved must be tested in accordance with the applicable requirements of section (10), and its maximum allowable operating pressure must then be established according to the following criteria:

A. The maximum allowable operating pressure after the requalification test is 0.8 times the test pressure for Class 2 locations, 0.667 times the test pressure for Class 3 locations and 0.555 times the test pressure for Class 4 locations; and

B. The corresponding hoop stress may not exceed seventy-two percent (72%) of the SMYS of the pipe in Class 2 locations, sixty percent (60%) of SMYS in Class 3 locations or fifty percent (50%) of the SMYS in Class 4 locations.

4. The maximum allowable operating pressure confirmed or revised in accordance with this subsection may not exceed the maximum allowable operating pressure established before the confirmation or revision.

5. Confirmation or revision of the maximum allowable operating pressure of a segment of pipeline in accordance with this subsection does not preclude the application of subsections (11)(B) and (C). (192.553 and 192.555)

6. Confirmation or revision of the maximum allowable operating pressure that is required as a result of a study under subsection (12)(F) must be completed within twenty-four (24) months of the change in class location. Pressure reduction under paragraph (12)(G)1. or 2. within the twenty-four- (24-) month period does not preclude establishing a maximum allowable operating pressure under paragraph (12)(G)3., at a later date.

(H) Continuing Surveillance. (192.613)

1. Each operator shall have a procedure for continuing surveillance of its facilities to determine and take appropriate action concerning changes in class location, failures, leakage history, corrosion, substantial changes in cathodic protection requirements, and other unusual operating and maintenance conditions.

2. If a segment of pipeline is determined to be in unsatisfactory condition but no immediate hazard exists, the operator shall initiate a program to recondition or phase out the segment involved or, if the segment cannot be reconditioned or phased out, reduce

the maximum allowable operating pressure in accordance with paragraphs (12)(M)1. and 2. (192.619[a] and [b])

(I) Damage Prevention Program. (192.614)

1. Except for pipelines listed in paragraphs (12)(I)6. and 7., each operator of a buried pipeline shall carry out in accordance with this subsection a written program to prevent damage to that pipeline by excavation activities. For the purpose of this subsection, excavation activities include excavation, blasting, boring, tunneling, backfilling, the removal of aboveground structures by either explosive or mechanical means, and other earthmoving operations. Particular attention should be given to excavation activities in close proximity to cast iron mains with remedial actions taken as required by subsection (13)(Z). (192.755).

2. An operator may perform any of the duties specified in paragraph (12)(I)3. through participation in a public service program, such as a one-call system, but such participation does not relieve the operator of responsibility for compliance with this subsection. However, an operator must perform the duties of subparagraph (12)(I)3.D. through participation in the qualified one-call system for Missouri. An operator's pipeline system must be covered by the qualified one-call system for Missouri.

3. The damage prevention program required by paragraph (12)(I)1. must, at a minimum—

A. Include the identity, on a current basis, of persons who normally engage in excavation activities in the area in which the pipeline is located. A listing of persons involved in excavation activities shall be maintained and updated at least once each calendar year with intervals not exceeding fifteen (15) months. If an operator chooses to participate in an excavator education program of a one-call notification center, as provided for in subparagraphs (12)(I)3.B. and C., then such updated listing shall be provided to the one-call notification center prior to December 1 of each calendar year. This list should at least include, but not be limited to, the following:

(I) Excavators, contractors, construction companies, engineering firms, etc.—Identification of these should at least include a search of the phone book yellow pages, checking with the area and/or state office of the Associated General Contractors, and checking with the operating engineers local union hall(s);

(II) Telephone company;

(III) Electric utilities and co-ops;

(IV) Water and sewer utilities;

(V) City governments;

(VI) County governments;

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



(VII) Special road districts;  
(VIII) Special water and sewer districts; and

(IX) Highway department district(s);  
B. Provide for at least a semiannual general notification of the public in the vicinity of the pipeline. Provide for actual notification of the persons identified in subparagraph (12)(I)3.A., at least once each calendar year at intervals not exceeding fifteen (15) months by registered or certified mail, or notification through participation in an excavator education program of a one-call notification center meeting the requirements of subparagraph (12)(I)3.C. Mailings to excavators shall include a copy of the applicable sections of Chapter 319, RSMo, or a summary of the provisions of Chapter 319, RSMo, approved by designated commission personnel, concerning underground facility safety and damage prevention pertaining to excavators. The operator's public notifications and excavator notifications shall include information concerning the existence and purpose of the operator's damage prevention program, as well as information on how to learn the location of underground pipelines before excavation activities are begun;

C. In order to provide for an operator's compliance with the excavator notification requirements of subparagraph (12)(I)3.B., a one-call system's excavator education program must—

(I) Maintain and update a comprehensive listing of excavators who use the one-call notification center and who are identified by the operators pursuant to the requirements of subparagraph (12)(I)3.A.;

(II) Provide for at least semiannual educational mailings to the excavators named on the comprehensive listing maintained pursuant to part (12)(I)3.C.(I), by first class mail; and

(III) Provide for inclusion of the following in at least one (1) of the semiannual mailings specified in part (12)(I)3.C.(II): Chapter 319, RSMo or a summary of the provisions of Chapter 319, RSMo, approved by designated commission personnel, concerning underground facility safety and damage prevention which pertain to excavators; an explanation of the types of temporary markings normally used to identify the approximate location of underground facilities; and a description of the availability and proper use of the one-call system's notification center;

D. Provide a means of receiving and recording notification of planned excavation activities;

E. Include maintenance of records for subparagraphs (12)(I)3.B.–D. as follows:

(I) Copies of the two (2) most

recent annual notifications sent to excavators identified in subparagraph (12)(I)3.A., or the four (4) most recent semiannual notifications sent in accordance with subparagraph (12)(I)3.C., must be retained;

(II) Copies of notifications required in subparagraph (12)(I)3.D. shall be retained for at least two (2) years. At a minimum, these records should include the date and the time the request was received, the actions taken pursuant to the request, and the date the response actions were taken; and

(III) Copies of notification records required by Chapter 319, RSMo, to be maintained by the notification center shall be available to the operator for at least five (5) years;

F. If the operator has buried pipelines in the area of excavation activity, provide for actual notification of persons who give notice of their intent to excavate of the type of temporary marking to be provided and how to identify the markings;

G. Provide for temporary marking of buried pipelines in the area of excavation activity before, as far as practical, the activity begins; and

H. Provide as follows for inspection of pipelines that an operator has reason to believe could be damaged by excavation activities:

(I) The inspection must be done as frequently as necessary during and after the activities to verify the integrity of the pipeline; and

(II) In the case of blasting, any inspection must include leakage surveys.

4. Each notification identified in subparagraph (12)(I)3.D. should be evaluated to determine the need for and the extent of inspections. The following factors should be considered in determining the need for and extent of those inspections:

A. The type and duration of the excavation activity involved;

B. The proximity to the operator's facilities;

C. The type of excavating equipment involved;

D. The importance of the operator's facilities;

E. The type of area in which the excavation activity is being performed;

F. The potential for serious incident should damage occur;

G. The prior history of the excavator with the operator; and

H. The potential for damage occurring which may not be easily recognized by the excavator.

5. The operator should pay particular attention, during and after excavation activi-

ties, to the possibility of joint leaks and breaks due to settlement when excavation activities occur near cast iron and threaded-coupled steel.

6. A damage prevention program under this subsection is not required for the following pipelines:

A. Pipelines to which access is physically controlled by the operator; and

B. Pipelines that are part of a petroleum gas system subject to subsection (1)(F) (192.11) or part of a distribution system operated by a person in connection with that person's leasing of real property or by a condominium or cooperative association.

7. Pipelines operated by persons other than municipalities (including operators of master meters) whose primary activity does not include the transportation of gas need not comply with the following:

A. The requirement of paragraph (12)(I)1. that the damage prevention program be written; and

B. The requirements of paragraphs (12)(I)3.A., (12)(I)3.B., and (12)(I)3.C.

(J) Emergency Plans. (192.615)

1. Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:

A. Receiving, identifying, and classifying notices of events which require immediate response by the operator;

B. Establishing and maintaining adequate means of communication with appropriate fire, police, and other public officials;

C. Responding promptly and effectively to a notice of each type of emergency, including the following:

(I) Gas detected inside or near a building;

(II) Fire located near or directly involving a pipeline facility;

(III) Explosion occurring near or directly involving a pipeline facility; and

(IV) Natural disaster;

D. Making available personnel, equipment, tools, and materials, as needed at the scene of an emergency;

E. Taking actions directed toward protecting people first and then property;

F. Causing an emergency shutdown and pressure reduction in any section of the operator's pipeline system necessary to minimize hazards to life or property;

G. Making safe any actual or potential hazard to life or property;

H. Notifying appropriate fire, police, and other public officials of gas pipeline emergencies and coordinating with them both



planned responses and actual responses during an emergency;

I. Safely restoring any service outage;

J. Beginning action under subsection (12)(L), if applicable, as soon after the end of the emergency as possible; and

K. Actions required to be taken by a controller during an emergency in accordance with subsection (12)(T).

2. Each operator shall—

A. Furnish its supervisors who are responsible for emergency action a copy of that portion of the latest edition of the emergency procedures established under paragraph (12)(J)1. as necessary for compliance with those procedures;

B. Train the appropriate operating personnel and conduct an annual review to assure that they are knowledgeable of the emergency procedures and verify that the training is effective; and

C. Review employee activities to determine whether the procedures were effectively followed in each emergency.

3. Each operator shall establish and maintain liaison with appropriate fire, police, and other public officials to—

A. Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency;

B. Acquaint the officials with the operator's ability in responding to a gas pipeline emergency;

C. Identify the types of gas pipeline emergencies of which the operator notifies the officials; and

D. Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.

(K) Public Awareness. (192.616)

1. Except for an operator of a master meter system covered under paragraph (12)(K)10., each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the *American Petroleum Institute's (API) Recommended Practice (RP) 1162* (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). In addition, the program must provide for notification of the intended groups on the following schedule:

A. Appropriate government organizations and persons engaged in excavation related activities must be notified at least annually;

B. The public must be notified at least semiannually; and

C. Customers must be notified at least semiannually by mailings or hand-delivered messages and at least nine (9) times a calen-

dar year by billing messages.

2. The operator's program must follow the general program recommendations of API RP 1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

3. The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety.

4. The operator's program must specifically include provisions to educate the public, appropriate government organizations, and persons engaged in excavation related activities on:

A. Use of a one-call notification system prior to excavation and other damage prevention activities;

B. Possible hazards associated with unintended releases from a gas pipeline facility;

C. Physical indications that such a release may have occurred;

D. Steps that should be taken for public safety in the event of a gas pipeline release; and

E. Procedures for reporting such an event.

5. The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations.

6. The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas.

7. The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area.

8. Operators in existence on June 20, 2005, must have completed their written programs no later than June 20, 2006. The operator of a master meter covered under paragraph (12)(K)10. must complete development of its written procedure by June 13, 2008. Operators must submit their completed programs and any program changes to designated commission personnel as required by subsection (1)(J).

9. The operator's program documentation and evaluation results must be available for periodic review by designated commission personnel.

10. Unless the operator transports gas as a primary activity, the operator of a master meter is not required to develop a public

awareness program as prescribed in paragraphs (12)(K)1.-7. Instead the operator must develop and implement a written procedure to provide its customers public awareness messages twice annually. If the master meter is located on property the operator does not control, the operator must provide similar messages twice annually to persons controlling the property. The public awareness message must include:

A. A description of the purpose and reliability of the pipeline;

B. An overview of the hazards of the pipeline and prevention measures used;

C. Information about damage prevention;

D. How to recognize and respond to a leak; and

E. How to get additional information.

(L) Investigation of Failures. (192.617) Each operator shall establish procedures for analyzing accidents and failures, including the selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of a recurrence.

(M) Maximum Allowable Operating Pressure—Steel or Plastic Pipelines. (192.619 and 192.620)

1. Except as provided in paragraph (12)(M)3., no person may operate a segment of steel or plastic pipeline at a pressure that exceeds the lowest of the following:

A. The design pressure of the weakest element in the segment, determined in accordance with sections (3) and (4). However, for steel pipe in pipelines being converted under subsection (1)(H) or uprated under section (11), if any variable necessary to determine the design pressure under the design formula in subsection (3)(C) is unknown, one (1) of the following pressures is to be used as design pressure:

(I) Eighty percent (80%) of the first test pressure that produces yield under section N5 of Appendix N of ASME B31.8 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), reduced by the appropriate factor in part (12)(M)1.B.(II); or

(II) If the pipe is twelve and three-quarter inches (12 3/4") (three hundred twenty-four (324) mm) or less in outside diameter and is not tested to yield under this paragraph, two hundred (200) psi (one thousand three hundred seventy-nine (1379) kPa) gauge;

B. The pressure obtained by dividing the highest pressure to which the segment was tested after construction or uprated as follows:

**Chapter 40—Gas Utilities and Gas Safety Standards****20 CSR 4240-40**

(I) For plastic pipe in all locations, the test pressure is divided by a factor of 1.5; and

(II) For steel pipe operated at one hundred (100) psi (six hundred eighty-nine (689) kPa) gauge or more, the test pressure is divided by a factor determined in accordance with the following table:

Class Location	Factors <sup>1</sup> , segment -		
	Installed before (Nov. 12, 1970)	Installed after (Nov. 11, 1970)	Converted under subsection (1)(H) (192.14)
1	1.1	1.1	1.25
2	1.25	1.25	1.25
3	1.4	1.5	1.5
4	1.4	1.5	1.5

<sup>1</sup>For segments installed, uprated, or converted after July 31, 1977 that are located on a platform in inland navigable waters, including a pipe riser, the factor is 1.5.

C. The highest actual operating pressure to which the segment was subjected during the five (5) years preceding the applicable date in the second column. This pressure restriction applies unless the segment was tested in accordance with subparagraph (12)(M)1.B. after the applicable date in the third column or the segment was uprated in accordance with section (11);

Pipeline Segment	Pressure Date	Test date
Onshore gathering line that first became subject to 49 CFR 192.8 and 192.9 after April 13, 2006 (see subsection (1)(E)).	March 15, 2006, or date line becomes subject to this rule, whichever is later.	Five (5) years preceding applicable date in second column.
Onshore transmission line that was a gathering line not subject to 49 CFR 192.8 and 192.9 before March 15, 2006 (see subsection (1)(E)).	March 15, 2006	March 15, 2001
All other pipelines.	July 1, 1970	July 1, 1965

D. The pressure determined by the operator to be the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressure.

2. No person may operate a segment of pipeline to which this subsection applies unless overpressure protective devices are installed for the segment in a manner that will prevent the maximum allowable operating pressure from being exceeded, in accordance with subsection (4)(CC). (192.195)

3. The requirements on pressure restrictions in this subsection do not apply in the following instance. An operator may operate a segment of pipeline found to be in satisfactory condition, considering its operating and maintenance history, at the highest actual operating pressure to which the segment was subjected during the five (5) years preceding the applicable date in the second column of the table in subparagraph (12)(M)1.C. An operator must still comply with subsection (12)(G).

4. Alternative maximum allowable operating pressure for certain steel pipelines. (192.620) The federal regulations at 49 CFR 192.620 are not adopted in this rule.

(N) Maximum Allowable Operating Pressure—High-Pressure Distribution Systems. (192.621)

1. No person may operate a segment of a high pressure distribution system at a pressure that exceeds the lowest of the following pressures, as applicable:

A. The design pressure of the weakest element in the segment, determined in accordance with sections (3) and (4);

B. Sixty (60) psi (414 kPa) gauge, for a segment of a distribution system otherwise designated to operate at over sixty (60) psi (414 kPa) gauge, unless the service lines in the segment are equipped with service regulators or other pressure limiting devices in series that meet the requirements of subsection (4)(DD) (192.197[c]);

C. Twenty-five (25) psi (172 kPa) gauge in segments of cast iron pipe in which there are unreinforced bell and spigot joints;

D. The pressure limits to which a joint could be subjected without the possibility of its parting; and

E. The pressure determined by the operator to be the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressures.

2. No person may operate a segment of pipeline to which this subsection applies, unless overpressure protective devices are installed for the segment in a manner that will prevent the maximum allowable operating



pressure from being exceeded, in accordance with subsection (4)(CC). (192.195)

(O) Maximum and Minimum Allowable Operating Pressure—Low-Pressure Distribution Systems. (192.623)

1. No person may operate a low-pressure distribution system at a pressure greater than—

A. A pressure high enough to make unsafe the operation of any connected and properly adjusted low-pressure gas utilization equipment; or

B. An equivalent of fourteen inches (14") water column.

2. No person may operate a low-pressure distribution system at a pressure lower than—

A. The minimum pressure at which the safe and continuing operation of any connected and properly adjusted low-pressure gas utilization equipment can be assured; or

B. An equivalent of four inches (4") water column.

(P) Odorization of Gas. (192.625)

1. A combustible gas in a transmission line or distribution line must contain a natural odorant or be odorized so that at a concentration in air of one-fifth (1/5) of the lower explosive limit, the gas is readily detectable by a person with a normal sense of smell. However, for transmission lines in operation before May 28, 1995, the section of transmission line between the supplier's delivery point and the odorizer need not meet the requirements of this paragraph.

2. For installations made after May 28, 1995, a combustible gas in a transmission line must comply with the requirements of paragraph (12)(P)1., and the odorizer must be located as close as practical to the delivery point from the supplier.

3. In the concentrations in which it is used, the odorant in combustible gases must comply with the following:

A. The odorant may not be deleterious to persons, materials, or pipe; and

B. The products of combustion from the odorant may not be toxic when breathed nor may they be corrosive or harmful to those materials to which the products of combustion will be exposed.

4. The odorant may not be soluble in water to an extent greater than two and one-half (2 1/2) parts to one hundred (100) parts by weight.

5. Equipment for odorization must introduce the odorant without wide variations in the level of odorant.

6. To assure the proper concentration of odorant in accordance with this subsection, each operator must conduct, at least monthly, odor intensity tests with an instrument capa-

ble of determining the percentage of gas in air at which the odor becomes readily detectable. At individually odorized service lines, the odor intensity shall be checked at least once each calendar year at intervals not to exceed fifteen (15) months. Operators of master meter systems may comply with this paragraph by—

A. Receiving written verification from their gas source that the gas has the proper concentration of odorant; and

B. Conducting periodic "sniff" tests at the extremities of the system to confirm that the gas contains odorant.

7. All odorant tanks should be checked periodically to assure adequate odorant is available. Odorant injection rates can be a useful monitoring tool for some systems. Each operator should consider when and where to use odorant injection rates.

(Q) Tapping Pipelines Under Pressure. (192.627) Each tap made on a pipeline under pressure must be performed by a crew qualified to make hot taps.

(R) Purging of Pipelines. (192.629)

1. When a pipeline is being purged of air by use of gas, the gas must be released into one (1) end of the line in a moderately rapid and continuous flow. If gas cannot be supplied in sufficient quantity to prevent the formation of a hazardous mixture of gas and air, a slug of inert gas must be released into the line before the gas.

2. When a pipeline is being purged of gas by use of air, the air must be released into one (1) end of the line in a moderately rapid and continuous flow. If air cannot be supplied in sufficient quantity to prevent the formation of a hazardous mixture of gas and air, a slug of inert gas must be released into the line before the air.

(S) Providing Service to Customers.

1. At the time an operator physically turns on the flow of gas to a customer (see requirements in subsection (10)(J) for new fuel line installations)—

A. Each segment of fuel line must be tested for leakage to at least the delivery pressure; and

B. A visual inspection of the exposed, accessible customer gas piping, interior and exterior, and all connected equipment shall be conducted to determine that the requirements of any applicable industry codes, standards, or procedures adopted by the operator to assure safe service are met. This visual inspection need not be met for emergency outages or curtailments. In the event a large commercial or industrial customer denies an operator access to the customer's premises, the operator does not need to comply with the above requirement if the operator obtains a

signed statement from the customer stating that the customer will be responsible for inspecting its exposed, accessible gas piping, and all connected equipment, to determine that the piping and equipment meets any applicable codes, standards, or procedures adopted by the operator to assure safe service. In the event the customer denies an operator access to its premises and refuses to sign a statement as described above, the operator may file with the commission an application for waiver of compliance with this provision.

2. When providing gas service to a new customer or a customer relocated from a different operating district, the operator must provide the customer with the following as soon as possible, but within seven (7) calendar days, unless the operator can demonstrate that the information would be the same:

A. Information on how to contact the operator in the event of an emergency or to report a gas odor;

B. Information on how and when to contact the operator when excavation work is to be performed; and

C. Information concerning the customer's responsibility for maintaining his/her gas piping and utilization equipment. In addition, the operator should determine if a customer notification is applicable per subsection (1)(K).

3. The operator shall discontinue service to any customer whose fuel lines or gas utilization equipment are determined to be unsafe. The operator, however, may continue providing service to the customer if the unsafe conditions are removed or effectively eliminated.

4. A record of the test and inspection performed in accordance with this subsection shall be maintained by the operator for a period of not less than two (2) years.

(T) Control Room Management. (192.631)

1. General.

A. This subsection applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this subsection, except as follows. For each control room where an operator's activities are limited to either or both of distribution with less than two hundred fifty thousand (250,000) services or transmission without a compressor station, the operator must have and follow written procedures that implement only paragraphs (12)(T)4. (regarding fatigue), (12)(T)9. (regarding compliance validation), and (12)(T)10.

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



(regarding compliance and deviations).

B. The procedures required by this subsection must be integrated, as appropriate, with operating and emergency procedures required by subsections (12)(C) and (12)(J). An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. The procedures required by paragraph (12)(T)2.; subparagraphs (12)(T)3.E. and (12)(T)4.B. and C.; and paragraphs (12)(T)6. and (12)(T)7. must be implemented no later than October 1, 2011. The procedures required by subparagraphs (12)(T)3.A.–D. and (12)(T)4.A. and D.; and paragraph (12)(T)5. must be implemented no later than August 1, 2012. The training procedures required by paragraph (12)(T)8. must be implemented no later than August 1, 2012, except that any training required by another paragraph or subparagraph of this subsection must be implemented no later than the deadline for that paragraph or subparagraph.

2. Roles and responsibilities. Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following:

A. A controller's authority and responsibility to make decisions and take actions during normal operations;

B. A controller's role when an abnormal operating condition is detected, even if the controller is not the first to detect the condition, including the controller's responsibility to take specific actions and to communicate with others;

C. A controller's role during an emergency, even if the controller is not the first to detect the emergency, including the controller's responsibility to take specific actions and to communicate with others;

D. A method of recording controller shift-changes and any hand-over of responsibility between controllers; and

E. The roles, responsibilities and qualifications of others with the authority to direct or supersede the specific technical actions of a controller.

3. Provide adequate information. Each operator must provide its controllers with the information, tools, processes, and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following:

A. Implement sections 1, 4, 8, 9, 11.1, and 11.3 of API RP 1165 (incorporated by reference in 49 CFR 192.7 and adopted in (1)(D)) whenever a SCADA system is added, expanded, or replaced, unless the operator

demonstrates that certain provisions of sections 1, 4, 8, 9, 11.1, and 11.3 of API RP 1165 are not practical for the SCADA system used;

B. Conduct a point-to-point verification between SCADA displays and related field equipment when field equipment is added or moved and when other changes that affect pipeline safety are made to field equipment or SCADA displays;

C. Test and verify an internal communication plan to provide adequate means for manual operation of the pipeline safely, at least once each calendar year, but at intervals not to exceed fifteen (15) months;

D. Test any backup SCADA systems at least once each calendar year, but at intervals not to exceed fifteen (15) months; and

E. Establish and implement procedures for when a different controller assumes responsibility, including the content of information to be exchanged.

4. Fatigue mitigation. Each operator must implement the following methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:

A. Establish shift lengths and schedule rotations that provide controllers off-duty time sufficient to achieve eight (8) hours of continuous sleep;

B. Educate controllers and supervisors in fatigue mitigation strategies and how off-duty activities contribute to fatigue;

C. Train controllers and supervisors to recognize the effects of fatigue; and

D. Establish a maximum limit on controller hours-of-service, which may provide for an emergency deviation from the maximum limit if necessary for the safe operation of a pipeline facility.

5. Alarm management. Each operator using a SCADA system must have a written alarm management plan to provide for effective controller response to alarms. An operator's plan must include provisions to:

A. Review SCADA safety-related alarm operations using a process that ensures alarms are accurate and support safe pipeline operations;

B. Identify at least once each calendar month points affecting safety that have been taken off scan in the SCADA host, have had alarms inhibited, generated false alarms, or that have had forced or manual values for periods of time exceeding that required for associated maintenance or operating activities;

C. Verify the correct safety-related alarm set-point values and alarm descriptions at least once each calendar year, but at inter-

vals not to exceed fifteen (15) months;

D. Review the alarm management plan required by this paragraph at least once each calendar year, but at intervals not exceeding fifteen (15) months, to determine the effectiveness of the plan;

E. Monitor the content and volume of general activity being directed to and required of each controller at least once each calendar year, but at intervals not to exceed fifteen (15) months, that will assure controllers have sufficient time to analyze and react to incoming alarms; and

F. Address deficiencies identified through the implementation of subparagraphs (12)(T)5.A.–E.

6. Change management. Each operator must assure that changes that could affect control room operations are coordinated with the control room personnel by performing each of the following:

A. Establish communications between control room representatives, operator's management, and associated field personnel when planning and implementing physical changes to pipeline equipment or configuration;

B. Require its field personnel to contact the control room when emergency conditions exist and when making field changes that affect control room operations; and

C. Seek control room or control room management participation in planning prior to implementation of significant pipeline hydraulic or configuration changes.

7. Operating experience. Each operator must assure that lessons learned from its operating experience are incorporated, as appropriate, into its control room management procedures by performing each of the following:

A. Review federal incidents that must be reported pursuant to 4 CSR 240-40.020 to determine if control room actions contributed to the event and, if so, correct, where necessary, deficiencies related to—

- (I) Controller fatigue;
- (II) Field equipment;
- (III) The operation of any relief device;
- (IV) Procedures;
- (V) SCADA system configuration; and
- (VI) SCADA system performance.

B. Include lessons learned from the operator's experience in the training program required by this subsection.

8. Training. Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed fifteen (15) months. An operator's program must provide for training each controller to carry out the roles and responsibilities



defined by the operator. In addition, the training program must include the following elements:

A. Responding to abnormal operating conditions likely to occur simultaneously or in sequence;

B. Use of a computerized simulator or non-computerized (tabletop) method for training controllers to recognize abnormal operating conditions;

C. Training controllers on their responsibilities for communication under the operator's emergency response procedures;

D. Training that will provide a controller a working knowledge of the pipeline system, especially during the development of abnormal operating conditions;

E. For pipeline operating setups that are periodically, but infrequently used, providing an opportunity for controllers to review relevant procedures in advance of their application; and

F. Control room team training and exercises that include both controllers and other individuals, defined by the operator, who would reasonably be expected to operationally collaborate with controllers (control room personnel) during normal, abnormal, or emergency situations. Operators must comply with the team training requirements under this paragraph by no later than January 23, 2018.

9. Compliance validation. Operators must submit their procedures to designated commission personnel per subsection (1)(J).

10. Compliance and deviations. An operator must maintain for review during inspection—

A. Records that demonstrate compliance with the requirements of this subsection; and

B. Documentation to demonstrate that any deviation from the procedures required by this subsection was necessary for the safe operation of a pipeline facility.

(13) Maintenance.

(A) Scope. (192.701) This section prescribes minimum requirements for maintenance of pipeline facilities.

(B) General. (192.703)

1. No person may operate a segment of pipeline unless it is maintained in accordance with this section.

2. Each segment of pipeline that becomes unsafe must be replaced, repaired, or removed from service.

3. Leaks must be investigated, classified, and repaired in accordance with section (14).

(C) Transmission Lines—Patrolling. (192.705)

1. Each operator shall have a patrol program to observe surface conditions on and

adjacent to the transmission line right-of-way for indications of leaks, construction activity, and other factors affecting safety and operation.

2. The frequency of patrols is determined by the size of the line, the operating pressures, the class location, terrain, weather, and other relevant factors, but intervals between patrols may not be longer than prescribed in the following table:

**Maximum Interval Between Patrols**

Class Location of Line	At Highway and Railroad Crossing Locations	At All Other Locations
1, 2	7 1/2 months; but at least twice each calendar year	15 months; but at least once each calendar year
3	4 1/2 months; but at least four times each calendar year	7 1/2 months; but at least twice each calendar year
4	4 1/2 months; but at least four times each calendar year	4 1/2 months; but at least four times each calendar year

3. Methods of patrolling include walking, driving, flying, or other appropriate means of traversing the right-of-way.

(D) Transmission Lines—Leakage Surveys. (192.706)

1. Instrument leak detection surveys of a transmission line must be conducted—

A. In Class 3 locations, at intervals not exceeding seven and one-half (7 1/2) months but at least twice each calendar year;

B. In Class 4 locations, at intervals not exceeding four and one-half (4 1/2) months but at least four (4) times each calendar year; and

C. In all other locations, at intervals not exceeding fifteen (15) months but at least once each calendar year.

2. Distribution lines, yard lines, and buried fuel lines connected to a transmission line must be leak surveyed in accordance with subsection (13)(M).

(E) Line Markers for Mains and Transmission Lines. (192.707)

1. Buried pipelines. Except as provided in paragraph (13)(E)2., a line marker must be placed and maintained as close as practical over each buried main and transmission line—

A. At each crossing of a public road or railroad. Some crossings may require markers to be placed on both sides due to visibility limitations or crossing widths; and

B. Wherever necessary to identify the location of the transmission line or main to reduce the possibility of damage or interference.

2. Exceptions for buried pipelines. Line

markers are not required for the following buried pipelines—

A. Mains and transmission lines located at crossings of or under waterways and other bodies of water;

B. Feeder lines and transmission lines located in Class 3 or Class 4 locations where placement of a marker is impractical; or

C. Mains other than feeder lines in Class 3 or Class 4 locations where a damage prevention program is in effect under (12)(I).

3. Pipelines aboveground. Line markers must be placed and maintained along each section of a main and transmission line that is located aboveground.

4. Marker warning. The following must be written legibly on a background of sharply contrasting color on each line marker:

A. The word "Warning," "Caution," or "Danger," followed by the words "Gas (or name of gas transported) Pipeline" all of which, except for markers in heavily developed urban areas, must be in letters at least one inch (1") (25 millimeters) high with one-quarter inch (1/4") (6.4 millimeters) stroke; and

B. The name of the operator and telephone number (including area code) where the operator can be reached at all times.

(F) Record Keeping. (192.709)

1. For transmission lines each operator shall keep records covering each leak discovered, repair made, line break, leakage survey, line patrol, and inspection for as long as the segment of transmission line involved remains in service. (192.709)

2. For feeder lines, mains, and service lines, each operator shall maintain—

A. Records pertaining to each original leak report for not less than six (6) years;

B. Records pertaining to each leak investigation and classification for not less than six (6) years. These records shall at least contain sufficient information to determine if proper assignment of the leak class was made, the promptness of actions taken, the address of the leak and the frequency of reevaluation and/or reclassification;

C. Records pertaining to each leak repair for the life of the facility involved, except no record is required for repairs of aboveground Class 4 leaks. These records shall at least contain sufficient information to determine the promptness of actions taken, address of the leak, pipe condition at the leak site, leak classification at the time of repair, and other such information necessary for proper completion of DOT annual Distribution and Transmission Line report forms (PHMSA F 7100.1-1 and PHMSA F 7100.2-1); and

D. Records pertaining to leakage surveys and line patrols conducted over each



**Chapter 40—Gas Utilities and Gas Safety Standards****20 CSR 4240-40**

segment of pipeline for not less than six (6) years. These records shall at least contain sufficient information to determine the frequency, scope, and results of the leakage survey or line patrol.

3. For yard lines and buried fuel lines, each operator shall maintain records of notifications and leakage surveys required by subsection (13)(M) for not less than six (6) years.

(G) Transmission Lines—General Requirements for Repair Procedures. (192.711)

1. Temporary repairs. Each operator must take immediate temporary measures to protect the public whenever—

A. A leak, imperfection, or damage that impairs its serviceability is found in a segment of steel transmission line operating at or above forty percent (40%) of the SMYS; and

B. It is not feasible to make a permanent repair at the time of discovery.

2. Permanent repairs. An operator must make permanent repairs on its pipeline system according to the following:

A. Non integrity management repairs: The operator must make permanent repairs as soon as feasible; and

B. Integrity management repairs: When an operator discovers a condition on a pipeline covered under section (16)—Pipeline Integrity Management for Transmission Lines (Subpart O), the operator must remediate the condition as prescribed by 49 CFR 192.933(d) (this federal regulation is incorporated by reference and adopted in section (16)).

3. Welded patch. Except as provided in subparagraph (13)(J)2.C. (192.717[b][3]), no operator may use a welded patch as a means of repair.

(H) Transmission Lines—Permanent Field Repair of Imperfections and Damages. (192.713)

1. Each imperfection or damage that impairs the serviceability of pipe in a steel transmission line operating at or above forty percent (40%) of SMYS must be—

A. Removed by cutting out and replacing a cylindrical piece of pipe; or

B. Repaired by a method that reliable engineering tests and analyses show can permanently restore the serviceability of the pipe.

2. Operating pressure must be at a safe level during repair operations.

(I) Transmission Lines—Permanent Field Repair of Welds. (192.715) Each weld that is unacceptable under paragraph (5)(I)3. (192.241[c]) must be repaired as follows:

1. If it is feasible to take the segment of transmission line out of service, the weld

must be repaired in accordance with the applicable requirements of subsection (5)(K) (192.245);

2. A weld may be repaired in accordance with subsection (5)(K) (192.245) while the segment of transmission line is in service if—

A. The weld is not leaking;

B. The pressure in the segment is reduced so that it does not produce a stress that is more than twenty percent (20%) of the SMYS of the pipe; and

C. Grinding of the defective area can be limited so that at least one-eighth inch (1/8") (3.2 millimeters) thickness in the pipe weld remains; and

3. A defective weld which cannot be repaired in accordance with paragraph (13)(I)1. or 2. must be repaired by installing a full encirclement welded split sleeve of appropriate design.

(J) Transmission Lines—Permanent Field Repair of Leaks. (192.717). Each permanent field repair of a leak on a transmission line must be made by—

1. Removing the leak by cutting out and replacing a cylindrical piece of pipe; or

2. Repairing the leak by one (1) of the following methods:

A. Install a full encirclement welded split sleeve of appropriate design, unless the transmission line is joined by mechanical couplings and operates at less than forty percent (40%) of SMYS;

B. If the leak is due to a corrosion pit, install a properly designed bolt-on-leak clamp;

C. If the leak is due to a corrosion pit and on pipe of not more than forty thousand (40,000) psi (276 MPa) SMYS, fillet weld over the pitted area a steel plate patch with rounded corners, of the same or greater thickness than the pipe, and not more than one-half (1/2) of the diameter of the pipe in size;

D. If the leak is on a submerged pipeline in inland navigable waters, mechanically apply a full encirclement split sleeve of appropriate design; or

E. Apply a method that reliable engineering tests and analyses show can permanently restore the serviceability of the pipe.

(K) Transmission Lines—Testing of Repairs. (192.719)

1. Testing of replacement pipe. If a segment of transmission line is repaired by cutting out the damaged portion of the pipe as a cylinder, the replacement pipe must be tested to the pressure required for a new line installed in the same location. This test may be made on the pipe before it is installed.

2. Testing of repairs made by welding. Each repair made by welding in accordance with subsections (13)(H), (I), and (J) (192.713, 192.715, and 192.717) must be examined in accordance with subsection (5)(I). (192.241)

(L) Distribution Systems—Patrolling. (192.721)

1. The frequency of patrolling mains must be determined by the severity of the conditions which could cause failure or leakage and the consequent hazards to public safety.

2. Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage must be patrolled—

A. In business districts, at intervals not exceeding four and one-half (4 1/2) months but at least four (4) times each calendar year; and

B. Outside business districts, at intervals not exceeding seven and one-half (7 1/2) months, but at least twice each calendar year.

3. Feeder lines shall be patrolled at intervals not exceeding fifteen (15) months but at least once each calendar year.

(M) Distribution Systems—Leakage Surveys. (192.723)

1. Each operator of a distribution line or system shall conduct periodic instrument leakage surveys in accordance with this subsection.

2. The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions but it must meet the following minimum requirements:

A. An instrument leak detection survey must be conducted in business districts, including tests of the atmosphere in gas, electric, telephone, sewer, and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks, at intervals not exceeding fifteen (15) months but at least once each calendar year;

B. Except as provided for in subparagraph (13)(M)2.C., instrument leak detection surveys must be conducted outside of business districts as frequently as necessary, but at intervals not exceeding—

(I) Fifteen (15) months, but at least once each calendar year, for unprotected steel pipelines and unprotected steel yard lines;

(II) Thirty-nine (39) months, but at least once each third calendar year, for all other pipelines and yard lines; and

(III) Thirty-nine (39) months, but at least once each third calendar year, for buried fuel lines operating above low pressure, except for buried fuel lines to large



commercial/industrial customers that are notified in accordance with paragraph (13)(M)3. Instrument leak detection surveys of buried fuel lines may be conducted around a portion of the perimeter of the building. This perimeter-type survey shall be conducted along the side of the building nearest the meter location (or the fuel line entrances in the case of multiple buildings) and along the closest adjacent side; and

C. For yard lines and buried fuel lines that are required to be leak surveyed under subparagraph (13)(M)2.B., but are located within high security areas such as prisons, notifications to the customer as described in paragraph (13)(M)3. may be conducted instead of a leak survey.

3. The operator must notify large commercial/industrial customers with buried fuel lines operating above low pressure at one (1) or more buildings, that are not leak surveyed in accordance with part (13)(M)2.B.(III), that maintenance is the customer's responsibility and leak surveys should be conducted. Notification must be provided once each third calendar year, at intervals not exceeding thirty-nine (39) months.

4. Record keeping requirements for leak surveys and notifications are contained in subsection (13)(F).

(N) Test Requirements for Reinstating Service Lines and Fuel Lines. (192.725)

1. Except as provided in paragraphs (13)(N)2. and 4., each disconnected service line must be tested in the same manner as a new service line and the associated fuel line must meet the requirements of subsection (12)(S) before being reinstated.

2. Before reconnecting, each service line temporarily disconnected from the transmission line or main for any reason must be tested from the point of disconnection to the service line valve in the same manner as a new service line. However, if provisions are made to maintain continuous service, such as by installation of a bypass, any part of the original service line used to maintain continuous service need not be tested. If continuous service is not maintained, the requirements in subsection (12)(S) must be met for the associated fuel line.

3. For system outages, each fuel line to which service has been discontinued shall have service resumed in accordance with subsection (12)(S). Each fuel line restored after a system outage shall have service resumed in accordance with subparagraph (12)(S)1.A. and the procedures required under subparagraph (12)(J)1.I. (192.615[a][9])

4. Each service line temporarily disconnected from the transmission line or main due

to third party damage must be tested from the point of disconnection to the main in the same manner as a new service line, or it may be surveyed from the point of disconnection to the main using a leak detection instrument.

(O) Abandonment or Deactivation of Facilities. (192.727)

1. Each operator shall perform abandonment or deactivation of pipelines in accordance with the requirements of this subsection.

2. Each pipeline abandoned in place must be disconnected from all sources and supplies of gas, purged of gas, and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.

3. Except for service lines, each inactive pipeline that is not being maintained under this rule must be disconnected from all sources and supplies of gas, purged of gas, and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.

4. Whenever service to a customer is discontinued, one (1) of the following must be complied with:

A. The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator;

B. A mechanical device or fitting that will prevent the flow of gas must be installed in the service line or in the meter assembly; or

C. The customer's piping must be physically disconnected from the gas supply and the open pipe ends sealed.

5. If air is used for purging, the operator shall ensure that a combustible mixture is not present after purging.

6. Each abandoned vault must be filled with a suitable compacted material.

7. For each abandoned pipeline facility that crosses over, under, or through a commercially navigable waterway, the last operator of that facility must file a report upon abandonment of that facility. The addresses (mail and email) and phone numbers given in this paragraph are from 49 CFR 192.727(g) as published on October 1, 2009. Please consult the current edition of 49 CFR part 192 for any updates to these addresses and phone numbers.

A. The preferred method to submit data on pipeline facilities abandoned after October 10, 2000, is to the National Pipeline Mapping System (NPMS) in accordance with the NPMS "Standards for Pipeline and Liquefied Natural Gas Operator Submissions."

To obtain a copy of the NPMS Standards, please refer to the NPMS homepage at [www.npms.phmsa.dot.gov](http://www.npms.phmsa.dot.gov) or contact the NPMS National Repository at (703) 317-3073. A digital data format is preferred, but hard copy submissions are acceptable if they comply with the NPMS Standards. In addition to the NPMS-required attributes, operators must submit the date of abandonment, diameter, method of abandonment, and certification that, to the best of the operator's knowledge, all of the reasonably available information requested was provided and, to the best of the operator's knowledge, the abandonment was completed in accordance with applicable laws. Refer to the NPMS Standards for details in preparing your data for submission. The NPMS Standards also include details of how to submit data. Alternatively, operators may submit reports by mail, fax, or email to the Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Information Resources Manager, PHP-10, 1200 New Jersey Avenue SE, Washington, DC 20590-0001; fax (202) 366-4566; email, [InformationResourcesManager@phmsa.dot.gov](mailto:InformationResourcesManager@phmsa.dot.gov). The information in the report must contain all reasonably available information related to the facility, including information in the possession of a third party. The report must contain the location, size, date, method of abandonment, and a certification that the facility has been abandoned in accordance with all applicable laws.

B. (Reserved)

(P) Compressor Stations—Inspection and Testing of Relief Devices. (192.731)

1. Except for rupture discs, each pressure relieving device in a compressor station must be inspected and tested in accordance with subsections (13)(R) and (T) (192.739 and 192.743), and must be operated periodically to determine that it opens at the correct set pressure.

2. Any defective or inadequate equipment found must be promptly repaired or replaced.

3. Each remote control shutdown device must be inspected and tested at intervals not exceeding fifteen (15) months but at least once each calendar year to determine that it functions properly.

(Q) Compressor Stations—Storage of Combustible Materials and Gas Detection. (192.735 and 192.736)

1. Flammable or combustible materials in quantities beyond those required for everyday use, or other than those normally used in compressor buildings, must be stored a safe distance from the compressor building.

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



2. Aboveground oil or gasoline storage tanks must be protected in accordance with NFPA-30 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

3. Not later than September 16, 1996, each compressor building in a compressor station must have a fixed gas detection and alarm system, unless the building is—

A. Constructed so that at least fifty percent (50%) of its upright side area is permanently open; or

B. Located in an unattended field compressor station of one thousand (1,000) horsepower (746 kW) or less.

4. Except when shutdown of the system is necessary for maintenance under paragraph (13)(Q)5., each gas detection and alarm system required by this subsection must—

A. Continuously monitor the compressor building for a concentration of gas in air of not more than twenty-five percent (25%) of the lower explosive limit; and

B. If gas at that concentration is detected, warn persons about to enter the building and persons inside the building of the danger.

5. Each gas detection and alarm system required by this subsection must be maintained to function properly. The maintenance must include performance tests.

(R) Pressure Limiting and Regulating Stations—Inspection and Testing. (192.739)

1. Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding fifteen (15) months but at least once each calendar year to inspections and tests to determine that it is—

A. In good mechanical condition;

B. Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;

C. Except as provided in paragraph (13)(R)2., set to control or relieve at the correct pressures that will prevent downstream pressures from exceeding the allowable pressures under subsections (4)(FF) and (12)(M)–(O);

D. Properly installed and protected from dirt, liquids, and other conditions that might prevent proper operation;

E. Properly protected from unauthorized operation of valves in accordance with paragraph (4)(EE)8.;

F. Equipped to indicate regulator malfunctions in accordance with paragraphs (4)(EE)10. and 11. in a manner that is adequate from the standpoint of reliability of operation; and

G. Equipped with adequate over-pres-

sure protection in accordance with paragraph (4)(EE)9.

2. For steel pipelines whose MAOP is determined under paragraph (12)(M)3., if the MAOP is sixty (60) psi (four hundred fourteen (414) kPa) gauge or more, the control or relief pressure limit is as follows:

A. If the MAOP produces a hoop stress that is greater than seventy-two percent (72%) of SMYS, then the pressure limit is MAOP plus four percent (4%); or

B. If the MAOP produces a hoop stress that is unknown as a percentage of SMYS, then the pressure limit is a pressure that will prevent unsafe operation of the pipeline considering its operating and maintenance history and MAOP.

3. For individual service lines directly connected to production, gathering, or transmission pipelines, requirements for inspecting and testing devices and equipment are provided in subsection (13)(BB).

(S) Pressure Limiting and Regulating Stations—Telemetry or Recording Gauges. (192.741)

1. Each distribution system supplied by more than one (1) district pressure regulating station and/or furnishing service to more than one thousand (1000) customers must be equipped with graphic telemetry, recording pressure gauges, or another device (other than pressure gauges unless they are continuously monitored) to indicate the gas pressure in the district.

2. On distribution systems supplied by a single district pressure regulating station, the operator shall determine the necessity of installing telemetry or recording gauges in the district, taking into consideration the number of customers supplied, the operating pressures, the capacity of the installation and other operating conditions.

3. If there are indications of abnormally high or low pressure, the regulator and the auxiliary equipment must be inspected and the necessary measures employed to correct any unsatisfactory operating conditions.

4. All telemetered or recorded pressure data shall be identified, dated, and kept on file for a minimum of two (2) years.

(T) Pressure Limiting and Regulating Stations—Capacity of Relief Devices. (192.743)

1. Pressure relief devices at pressure limiting stations and pressure regulating stations must have sufficient capacity to protect the facilities to which they are connected. Except as provided in paragraph (13)(R)2., these devices must have sufficient capacity to limit the pressure on the facilities to which they are connected to the desired maximum pressure which does not exceed the pressure

allowed by subsection (4)(FF). This capacity must be determined at intervals not exceeding fifteen (15) months, but at least once each calendar year, by testing the devices in place or by review and calculations.

2. If review and calculations are used to determine if a relief device has sufficient capacity, the calculated capacity must be compared with the rated or experimentally determined relieving capacity of the device for the conditions under which it operates. After the initial calculations, subsequent calculations need not be made if the annual review documents that parameters have not changed to cause the rated or experimentally determined relieving capacity to be insufficient.

3. If a relief device is of insufficient capacity, a new or additional device must be installed to provide the capacity required by paragraph (13)(T)1.

(U) Valve Maintenance—Transmission Lines. (192.745)

1. Each transmission line valve that might be required during any emergency must be inspected and partially operated at intervals not exceeding fifteen (15) months but at least once each calendar year.

2. Each operator must take prompt remedial action to correct any valve found inoperable, unless the operator designates an alternative valve.

(V) Valve Maintenance—Distribution Systems. (192.747)

1. Each valve, the use of which may be necessary for the safe operation of a distribution system, must be checked for accessibility and serviced at intervals not exceeding fifteen (15) months but at least once each calendar year.

2. Feeder line and distribution line valves, the use of which may be necessary for the safe operation of a distribution system, shall be inspected at intervals not exceeding fifteen (15) months but at least once each calendar year. At a minimum, the valves that are metallic must be partially operated during alternating calendar years.

3. Valves necessary for the safe operation of a distribution system include, but are not limited to, those which provide:

A. One hundred percent (100%) isolation of the system or any portion of it;

B. Control of a district regulator station, preferably from a remote location;

C. Zones of isolation sized such that the operator could relight the lost customer services within a period of eight (8) hours after restoration of system pressure; or

D. Extensive zone isolation capabilities where historical records indicate conditions of greater than normal pipeline failure



risk.

4. Each operator must take prompt remedial action to correct any valve found inoperable, unless the operator designates an alternative valve.

(W) Vault Maintenance. (192.749)

1. Each vault housing pressure regulating and pressure limiting equipment, and having a volumetric internal content of two hundred (200) cubic feet (5.66 cubic meters) or more must be inspected at intervals not exceeding fifteen (15) months but at least once each calendar year to determine that it is in good physical condition and adequately ventilated.

2. If gas is found in the vault, the equipment in the vault must be inspected for leaks and any leaks found must be repaired.

3. The ventilating equipment must also be inspected to determine that it is functioning properly.

4. Each vault cover must be inspected to assure that it does not present a hazard to public safety.

(X) Prevention of Accidental Ignition. (192.751) Each operator shall take steps to minimize the danger of accidental ignition of gas in any structure or area where the presence of gas constitutes a hazard of fire or explosion, including the following:

1. When a hazardous amount of gas is being vented into open air, each potential source of ignition must be removed from the area and a fire extinguisher must be provided;

2. Gas or electric welding or cutting may not be performed on pipe or on pipe components that contain a combustible mixture of gas and air in the area of work; and

3. Warning signs shall be posted, where appropriate.

(Y) Caulked Bell and Spigot Joints. (192.753)

1. Each cast iron caulked bell and spigot joint that is subject to pressures of more than twenty-five (25) psi (172 kPa) gauge must be sealed with—

A. A mechanical leak clamp; or

B. A material or device which—

(I) Does not reduce the flexibility of the joint;

(II) Permanently bonds, either chemically or mechanically, or both, with the bell and spigot metal surfaces or adjacent pipe metal surfaces; and

(III) Seals and bonds in a manner that meets the strength, environmental, and chemical compatibility requirements of paragraphs (2)(B)1. and 2. and subsection (4)(B). (192.53[a] and [b] and 192.143)

2. Each cast iron caulked bell and spigot joint that is subject to pressures of twenty-five (25) psi (172 kPa) gauge or less and is

exposed for any reason must be sealed by a means other than caulking.

(Z) Protecting or Replacing Disturbed Cast Iron Pipelines. (192.755) When an operator has knowledge that the support for a segment of a buried cast iron pipeline is disturbed or that an excavation or erosion is nearby, the operator shall determine if more than half the pipe diameter lies within the area of affected soil. For the purposes of this subsection, “area of affected soil” refers to the area above a line drawn from the bottom of the excavation or erosion, at the side nearest the main, at a forty-five degree (45°) angle from the horizontal (a lesser angle should be used for sandy or loose soils, or a greater angle may be used for certain consolidated soils if the angle can be substantiated by the operator). If more than half the pipe diameter lies within the area of affected soil, the following measures/precautions must be taken—

1. That segment of the pipeline must be protected, as necessary, against damage during the disturbance by—

A. Vibrations from heavy construction equipment, trains, trucks, buses, or blasting;

B. Impact forces by vehicles;

C. Earth movement;

D. Water leaks or sewer failures that could remove or undermine pipe support;

E. Apparent future excavations near the pipeline; or

F. Other foreseeable outside forces which may subject that segment of the pipeline to bending stress;

2. If eight inches (8") or less in nominal diameter, then as soon as feasible, this segment of cast iron pipeline, which shall include a minimum of ten feet (10') beyond the area of affected soil, must be replaced, except as noted in paragraph (13)(Z)4.;

3. If greater than eight inches (8") in nominal diameter, then as soon as feasible, appropriate steps must be taken to provide permanent protection for the disturbed segment from damage that might result from external loads, including compliance with applicable requirements of subsection (7)(J) (192.319) and paragraph (7)(I)1. (192.317[a]); and

4. Replacement of cast iron pipelines would not necessarily be required if—

A. The support beneath the pipe is removed for a length less than ten (10) times the nominal pipe diameter not to exceed six feet (6');;

B. For parallel excavations, the pipe lies within the area of affected soil for a length less than ten (10) times the nominal pipe diameter not to exceed six feet (6');;

C. The excavation is made by the

operator in the course of routine maintenance, such as leak repairs to the main or service line installation, where the exposed portion of the main does not exceed six feet (6'), and the backfill supporting the pipe is replaced and compacted by the operator; or

D. Permanent or temporary shoring was adequately installed to protect the cast iron pipeline during excavation and backfilling.

(AA) Repair of Plastic Pipe. Each leak, imperfection or damage that impairs the serviceability of a plastic pipe must be removed, except that heat fusion patching saddles may be used to repair holes that have been tapped into the main for service installations, and full-encirclement heat fusion couplings may be used to repair and reinforce butt fusion joints. These patching saddles and couplings shall not be used for the repair of any imperfections or third-party damage sustained by the plastic pipe.

(BB) Pressure Regulating, Limiting, and Overpressure Protection—Individual Service Lines Directly Connected to Production, Gathering, or Transmission Pipelines. (192.740)

1. This subsection applies, except as provided in paragraph (13)(BB)3., to any service line directly connected to a production, gathering, or transmission pipeline that is not operated as part of a distribution system.

2. Each pressure regulating or limiting device, relief device (except rupture discs), automatic shutoff device, and associated equipment must be inspected and tested at least once every three (3) calendar years, not exceeding thirty-nine (39) months, to determine that it is:

A. In good mechanical condition;

B. Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;

C. Set to control or relieve at the correct pressure consistent with the pressure limits of paragraph (4)(DD)2.; and to limit the pressure on the inlet of the service regulator to sixty (60) psi (414 kPa) gauge or less in case the upstream regulator fails to function properly; and

D. Properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation.

3. This subsection does not apply to equipment installed on service lines that only serve engines that power irrigation pumps.

(14) Gas Leaks.

(A) Scope. This section prescribes the procedures for the investigation and classification of gas leaks and for scheduling the repair of these leaks.

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



## (B) Investigation and Classification Procedures.

1. Each operator-detected leak indication or any leak or odor call from the general public, police, fire, or other authorities or notification of damage to facilities by contractors or other outside sources shall require immediate investigation and classification.

2. Investigation of each inside leak or odor notice shall include the use of gas detection equipment upon initial entry into the structure and during investigations within the structure. When investigating an outside leak or odor notice, special attention must be given to those situations where conditions could impair the venting of natural gas to the atmosphere or impair the ability of gas detection equipment to properly detect the presence of gas, such as excessive ground moisture, rain, snow, frozen soil, or wind.

3. Investigation of underground leaks shall be conducted using gas detection equipment. Sampling of the subsurface atmosphere shall be done at sufficient intervals and locations to assure safety to persons and property in the immediate and adjacent area.

4. Except for obvious Class 1 leaks, all leak classifications shall be substantiated by the use of gas detection equipment.

5. A follow-up leak investigation shall be conducted immediately after the repair of each Class 1 or Class 2 leak, and continued as necessary, to determine the effectiveness of the repair and to assure all hazardous leaks in the affected area are corrected.

6. Whenever the operator conducts work on a customer's premises for any type of customer gas service order or call, including all premises odor calls, tests of the subsurface atmosphere must be made using gas detection equipment, except as noted below. At least one test must be made at a location where the buried service line or yard line is near the structure; for copper service lines, at least one (1) additional test must be made at the customer's property line, approximately one hundred feet (100') from the structure, or at the service tap at the main, whichever is closest to the structure. In lieu of conducting the tests of the subsurface atmosphere, the operator may conduct a leak survey of this pipe with gas detection equipment capable of detecting gas concentrations of three hundred (300) parts per million, gas-in-air. These tests are not required for collections, discontinuance of service for nonpayment, meter readings, read-ins/read-outs, line locations, atmospheric corrosion protection work or general painting, when relighting after emergency outages or curtailments, when lighting customer pilot lights, cathodic protection work, or if leak tests have been conducted at

the location within the previous fifteen (15) months.

(C) Leak Classifications. The leak classifications in this subsection apply to pipelines, and do not apply to fuel lines. The definitions for "pipeline," "fuel line," "reading," "sustained reading," "building," "tunnel," and "vault or manhole" are included in subsection (1)(B). The definition for "reading" is the highest sustained reading when testing in a bar hole or opening without induced ventilation. Thus, the leak classification examples involving a gas reading do not apply to outside pipelines located aboveground. Even though the leak classifications do not apply to fuel lines, an operator must respond immediately to each notice of an inside leak or odor as required in paragraphs (12)(J)1., (14)(B)1., and (14)(B)2. In addition, the requirements in paragraph (12)(S)3. apply to fuel lines that are determined to be unsafe.

1. Class 1 leak is a gas leak which, due to its location and/or magnitude, constitutes an immediate hazard to a building and/or the general public. A Class 1 leak requires immediate corrective action. Examples of Class 1 leaks are: a gas fire, flash, or explosion; broken gas facilities such as contractor damage, main failures or blowing gas in a populated area; an indication of gas present in a building emanating from operator-owned facilities; a gas reading equal to or above the lower explosive limit in a tunnel, sanitary sewer, or confined area; gas entering a building or in imminent danger of doing so; and any leak which, in the judgment of the supervisor at the scene, is regarded as immediately hazardous to the public and/or property. When venting at or near the leak is the immediate corrective action taken for Class 1 leaks where gas is detected entering a building, the leak may be reclassified to a Class 2 leak if the gas is no longer entering the building, nor is in imminent danger of doing so. However, the leak shall be rechecked daily and repaired within fifteen (15) days. Leaks of this nature, if not repaired within five (5) days, may need to be reported as a safety-related condition, as required in 4 CSR 240-40.020(12) and (13). (191.23 and 191.25)

2. Class 2 leak is a leak that does not constitute an immediate hazard to a building or to the general public, but is of a nature requiring action as soon as possible. The leak of this classification must be rechecked every fifteen (15) days, until repaired, to determine that no immediate hazard exists. A Class 2 leak may be properly reclassified to a lower leak classification within fifteen (15) days after the initial investigation. Class 2 leaks due to readings in sanitary sewers, tunnels, or confined areas must be repaired or properly

reclassified within fifteen (15) days after the initial investigation. All other Class 2 leaks must be eliminated within forty-five (45) days after the initial investigation, unless it is definitely included and scheduled in a rehabilitation or replacement program to be completed within a period of one (1) year, in which case the leak must be rechecked every fifteen (15) days to determine that no immediate hazard exists. Examples of Class 2 leaks are: a leak from a transmission line discernible twenty-five feet (25') or more from the line and within one hundred feet (100') of a building; any reading outside a building at the foundation or within five feet (5') of the foundation; any reading greater than fifty percent (50%) gas-in-air located five to fifteen feet (5'-15') from a building; any reading below the lower explosive limit in a tunnel, sanitary sewer, or confined area; any reading equal to or above the lower explosive limit in a vault, catch basin, or manhole other than a sanitary sewer; or any leak, other than a Class 1 leak, which in the judgment of the supervisor at the scene, is regarded as requiring Class 2 leak priority.

3. Class 3 leak is a leak that does not constitute a hazard to property or to the general public but is of a nature requiring routine action. These leaks must be repaired within five (5) years and be rechecked twice per calendar year, not to exceed six and one-half (6 1/2) months, until repaired or the facility is replaced. Examples of Class 3 leaks are: any reading of fifty percent (50%) or less gas-in-air located between five and fifteen feet (5'-15') from a building; any reading located between fifteen and fifty feet (15'-50') from a building, except those defined in Class 4; a reading less than the lower explosive limit in a vault, catch basin, or manhole other than a sanitary sewer; or any leak, other than a Class 1 or Class 2 which, in the judgment of the supervisor at the scene, is regarded as requiring Class 3 priority.

4. Class 4 leak is a confined or localized leak which is completely nonhazardous. No further action is necessary.

## (15) Replacement Programs.

(A) Scope. This section prescribes minimum requirements for the establishment of replacement programs for certain pipelines.

(B) Replacement Programs—General Requirements. Each operator shall establish written programs to implement the requirements of this section. The requirements of this section apply to pipelines as they existed on December 15, 1989.

(C) Replacement Program—Unprotected Steel Service Lines and Yard Lines. At a minimum, each investor-owned, municipal, or



master meter operator shall establish instrument leak detection survey and replacement programs for unprotected operator-owned and customer-owned steel service lines and yard lines. The operator may choose from the following options, unless otherwise ordered by the commission:

1. Conduct annual instrument leak detection surveys on all unprotected steel service lines and yard lines and implement a replacement program where all unprotected steel service lines and yard lines will be replaced by May 1, 1994;

2. Conduct annual instrument leak detection surveys on all unprotected steel service lines and unprotected steel yard lines. The operator shall compile a historical summary listing the cumulative number of unprotected steel service lines and yard lines installed, replaced, or repaired due to underground leakage and with active underground leaks in a defined area. Based on the results of the summary, the operator shall initiate replacement, to be completed within eighteen (18) months, of all unprotected steel service lines and yard lines in a defined area once twenty-five percent (25%) or more meet the previously mentioned repair, replacement, and leakage conditions. At a minimum, ten percent (10%) of the customer-owned unprotected steel service lines in the system as of December 15, 1989, must be replaced annually. Beginning with calendar year 1994, a minimum of five percent (5%) of the unprotected steel yard lines, and operator-owned and installed unprotected steel service lines in the system as of December 15, 1989, must be replaced annually;

3. Conduct annual instrument leak detection surveys on all unprotected steel service lines and unprotected steel yard lines and implement a replacement program. The program must prioritize replacements based on the greatest potential for hazards. At a minimum, ten percent (10%) of the customer-owned unprotected steel service lines in the system as of December 15, 1989, must be replaced annually. Beginning with calendar year 1994, a minimum of five percent (5%) of the unprotected steel yard lines, and operator-owned and installed unprotected steel service lines in the system as of December 15, 1989, must be replaced annually.

**(D) Replacement Program—Cast Iron.**

1. Operators who have cast iron transmission lines, feeder lines, or mains shall develop a replacement program to be submitted with an explanation to the commission by May 1, 1990, for commission review and approval. This systematic replacement program shall be prioritized to identify and eliminate pipelines in those areas that present the

greatest potential for hazard in an expedited manner. These high priority replacement areas would include, but not be limited to:

A. High-pressure cast iron pipelines located beneath pavement which is continuous to building walls;

B. High-pressure cast iron pipelines located near concentrations of the general public such as Class 4 locations, business districts and schools;

C. Small diameter cast iron pipelines;

D. Areas where extensive excavation, blasting or construction activities have occurred in close proximity to cast iron pipelines;

E. Sections of cast iron pipeline that have had sections replaced as a result of requirements in subsection (13)(Z) (192.755);

F. Sections of cast iron pipeline that lie in areas of planned future development projects, such as city, county, or state highway construction/relocations, urban renewal, etc.; and

G. Sections of cast iron pipeline that exhibit a history of leakage or graphitization.

2. A long-term, organized replacement program and schedule shall also be established for cast iron pipelines not identified by the operator as being high priority.

3. Operators who have cast iron service lines shall replace them by December 31, 1991.

(E) Replacement/Cathodic Protection Program—Unprotected Steel Transmission Lines, Feeder Lines, and Mains. Operators who have unprotected steel transmission lines, feeder lines, or mains shall develop a program to be submitted with an explanation to the commission by May 1, 1990, for commission review and approval. This program shall be prioritized to identify and cathodically protect or replace pipelines in those areas that present the greatest potential for hazard in an expedited manner. These high priority areas should include, but not be limited to:

1. High-pressure unprotected steel pipelines located beneath pavement which is continuous to building walls;

2. High-pressure unprotected steel pipelines near concentrations of the general public such as Class 4 locations, business districts, and schools;

3. Areas where extensive excavation, blasting, or construction activities have occurred in close proximity to unprotected steel pipelines;

4. Sections of unprotected steel pipeline that lie in areas of planned future development projects, such as city, county, or state highway construction/relocations, urban renewal, etc.;

5. Sections of unprotected steel pipeline

that exhibit a history of leakage or corrosion; and

6. Sections of unprotected steel pipeline subject to stray current.

**(16) Pipeline Integrity Management for Transmission Lines.**

(A) As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2015, the federal regulations in 49 CFR part 192, subpart O and in 49 CFR part 192, appendix E are incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to subpart O and appendix E to 49 CFR part 192.

(B) The *Code of Federal Regulations* and the *Federal Register* are published by the Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. The October 1, 2015 version of 49 CFR part 192 is available at [www.gpo.gov/fdsys/search/showcitation.action](http://www.gpo.gov/fdsys/search/showcitation.action).

(C) Subpart O and appendix E to 49 CFR part 192 contain the federal regulations regarding pipeline integrity management for transmission lines. Subpart O includes sections 192.901 through 192.951. Information regarding subpart O is available at <http://primis.phmsa.dot.gov/gasimp>.

(D) When sending a notification or filing a report with PHMSA in accordance with this section, a copy must also be submitted concurrently to designated commission personnel. This is consistent with the requirement in 4 CSR 240-40.020(5)(A) for reports to PHMSA.

(E) In 49 CFR 192.911(m) and (n), the references to "A State or local pipeline safety authority when the covered segment is located in a State where OPS has an interstate agent agreement" do not apply to Missouri and are replaced with "designated commission personnel." As a result, the communication plan required by 49 CFR 192.911(m) must include procedures for addressing safety concerns raised by designated commission personnel and the procedures required by 49 CFR 192.911(n) must address providing a copy of the operator's risk analysis or integrity management program to designated commission personnel.

(F) For the purposes of this section, the following substitutions should be made for certain references in the federal pipeline safety regulations that are incorporated by reference in subsection (16)(A).

1. In 49 CFR 192.909(b), 192.921(a)(4), and 192.937(c)(4), the references to "a State or local pipeline safety authority when either a covered segment is located in a State where



OPS has an interstate agent agreement, or an intrastate covered segment is regulated by that State” should refer to “designated commission personnel” instead.

2. In 49 CFR 192.917(e)(5), the reference to “part 192” should refer to “4 CSR 240-40.030” instead.

3. In 49 CFR 192.921(a)(2) and 192.937(c)(2), the references to “subpart J of this part” should refer to “4 CSR 240-40.030(10)” instead.

4. In 49 CFR 192.933(a)(1) and (2), the references to “a State pipeline safety authority when either a covered segment is located in a State where PHMSA has an interstate agent agreement, or an intrastate covered segment is regulated by that State” should refer to “designated commission personnel” instead.

5. In 49 CFR 192.935(b)(1)(ii), the reference to “an incident under part 191” should refer to “a federal incident under 4 CSR 240-40.020” instead.

6. In 49 CFR 192.935(d)(2), the reference to “section 192.705” should refer to “4 CSR 240-40.030(13)(C)” instead.

7. In 49 CFR 192.941(b)(2)(i), the reference to “section 192.706” should refer to “4 CSR 240-40.030(13)(D)” instead.

8. In 49 CFR 192.945(a), the reference to “section 191.17 of this subchapter” should refer to “4 CSR 240-40.020(10)” instead.

9. In 49 CFR 192.947(i), the reference to “a State authority with which OPS has an interstate agent agreement, and a State or local pipeline safety authority that regulates a covered pipeline segment within that State” should refer to “designated commission personnel” instead.

10. In 49 CFR 192.951, the reference to “section 191.7 of this subchapter” should refer to “4 CSR 240-40.020(5)(A)” instead.

#### (17) Gas Distribution Pipeline Integrity Management (IM)

(A) What Definitions Apply to this Section? (192.1001) The following definitions apply to this section.

1. Excavation damage means any impact that results in the need to repair or replace an underground facility due to a weakening, or the partial or complete destruction, of the facility, including, but not limited to, the protective coating, lateral support, cathodic protection, or the housing for the line device or facility.

2. Hazardous leak means a Class 1 leak as defined in paragraph (14)(C)1.

3. Integrity management plan or IM plan means a written explanation of the mechanisms or procedures the operator will use to implement its integrity management

program and to ensure compliance with this section.

4. Integrity management program or IM program means an overall approach by an operator to ensure the integrity of its gas distribution system.

5. Mechanical fitting means a mechanical device used to connect sections of pipe. The term “Mechanical fitting” applies only to—

- A. Stub Type fittings;
- B. Nut Follower Type fittings;
- C. Bolted Type fittings; or
- D. Other Compression Type fittings.

(B) What Do the Regulations in this Section Cover? (192.1003)

1. General. Unless exempted in paragraph (17)(B)2., this section prescribes minimum requirements for an IM program for any gas distribution pipeline covered under this rule, including liquefied petroleum gas systems. A gas distribution operator, other than a master meter operator, must follow the requirements in subsections (17)(C)–(G). A master meter operator must follow the requirements in subsection (17)(H).

2. Exceptions. Section (17) does not apply to an individual service line directly connected to a transmission, gathering, or production pipeline.

(C) What Must a Gas Distribution Operator (Other than a Master Meter Operator) Do to Implement this Section? (192.1005) No later than August 2, 2011, a gas distribution operator must develop and implement an integrity management program that includes a written integrity management plan as specified in subsection (17)(D).

(D) What Are the Required Elements of an Integrity Management Plan? (192.1007) A written integrity management plan must contain procedures for developing and implementing the following elements:

1. Knowledge. An operator must demonstrate an understanding of its gas distribution system developed from reasonably available information.

A. Identify the characteristics of the pipeline’s design and operations and the environmental factors that are necessary to assess the applicable threats and risks to its gas distribution pipeline.

B. Consider the information gained from past design, operations, and maintenance.

C. Identify additional information needed and provide a plan for gaining that information over time through normal activities conducted on the pipeline (e.g., design, construction, operations, or maintenance activities).

D. Develop and implement a process

by which the IM program will be reviewed periodically and refined and improved as needed.

E. Provide for the capture and retention of data on any new pipeline installed. The data must include, at a minimum, the location where the new pipeline is installed and the material of which it is constructed.

2. Identify threats. The operator must consider the following categories of threats to each gas distribution pipeline: corrosion, natural forces, excavation damage, other outside force damage, material or welds, equipment failure, incorrect operation, and other concerns that could threaten the integrity of its pipeline. An operator must consider reasonably available information to identify existing and potential threats. Sources of data may include, but are not limited to, incident and leak history, corrosion control records, continuing surveillance records, patrolling records, maintenance history, and excavation damage experience.

3. Evaluate and rank risk. An operator must evaluate the risks associated with its distribution pipeline. In this evaluation, the operator must determine the relative importance of each threat and estimate and rank the risks posed to its pipeline. This evaluation must consider each applicable current and potential threat, the likelihood of failure associated with each threat, and the potential consequences of such a failure. An operator may subdivide its pipeline into regions with similar characteristics (e.g., contiguous areas within a distribution pipeline consisting of mains, services, and other appurtenances; areas with common materials or environmental factors), and for which similar actions likely would be effective in reducing risk.

4. Identify and implement measures to address risks. Determine and implement measures designed to reduce the risks from failure of its gas distribution pipeline. These measures must include an effective leak management program (unless all leaks are repaired when found).

5. Measure performance, monitor results, and evaluate effectiveness.

A. Develop and monitor performance measures from an established baseline to evaluate the effectiveness of its IM program. An operator must consider the results of its performance monitoring in periodically re-evaluating the threats and risks. These performance measures must include the following:

(I) Number of hazardous leaks either eliminated or repaired as required by paragraph (14)(C)1. (or total number of leaks if all leaks are repaired when found), categorized by cause;



(II) Number of excavation damages;

(III) Number of excavation tickets (receipt of information by the underground facility operator from the notification center);

(IV) Total number of leaks either eliminated or repaired, categorized by cause;

(V) Number of hazardous leaks either eliminated or repaired as required by paragraph (14)(C)1. (or total number of leaks if all leaks are repaired when found), categorized by material; and

(VI) Any additional measures the operator determines are needed to evaluate the effectiveness of the operator's IM program in controlling each identified threat.

6. Periodic evaluation and improvement. An operator must re-evaluate threats and risks on its entire pipeline and consider the relevance of threats in one (1) location to other areas. Each operator must determine the appropriate period for conducting complete program evaluations based on the complexity of its system and changes in factors affecting the risk of failure. An operator must conduct a complete program re-evaluation at least every five (5) years. The operator must consider the results of the performance monitoring in these evaluations.

7. Report results. Report, on an annual basis, the four (4) measures listed in parts (17)(D)5.A.(I)–(IV), as part of the annual report required by 4 CSR 240-40.020(7)(A). An operator also must report the four (4) measures to designated commission personnel.

(E) What Must an Operator Report When a Mechanical Fitting Fails? (192.1009)

1. Except as provided in paragraph (17)(E)2., each operator of a distribution pipeline system must submit a report on each mechanical fitting failure, excluding any failure that results only in a nonhazardous leak. The report(s) must be submitted in accordance with 4 CSR 240-40.020(7)(B) (191.12).

2. The mechanical fitting failure reporting requirements in paragraph (17)(E)1. do not apply to master meter operators.

(F) What Records Must an Operator Keep? (192.1011) An operator must maintain records demonstrating compliance with the requirements of this section for at least ten (10) years. The records must include copies of superseded integrity management plans developed under this section.

(G) When May an Operator Deviate from Required Periodic Inspections Under this Rule? (192.1013)

1. An operator may propose to reduce the frequency of periodic inspections and tests required in this rule on the basis of the

engineering analysis and risk assessment required by this section.

2. An operator must submit its written proposal to the secretary of the commission. The commission may accept the proposal on its own authority, with or without conditions and limitations as the commission deems appropriate, on a showing that the operator's proposal, which includes the adjusted interval, will provide an equal or greater overall level of safety.

3. An operator may implement an approved reduction in the frequency of a periodic inspection or test only where the operator has developed and implemented an integrity management program that provides an equal or improved overall level of safety despite the reduced frequency of periodic inspections.

(H) What Must a Master Meter Operator Do to Implement this Section? (192.1015)

1. General. No later than August 2, 2011, the operator of a master meter system must develop and implement an IM program that includes a written IM plan as specified in paragraph (17)(G)2. The IM program for these pipelines should reflect the relative simplicity of these types of pipelines.

2. Elements. A written integrity management plan must address, at a minimum, the following elements:

A. Knowledge. The operator must demonstrate knowledge of its pipeline, which, to the extent known, should include the approximate location and material of its pipeline. The operator must identify additional information needed and provide a plan for gaining knowledge over time through normal activities conducted on the pipeline (e.g., design, construction, operations, or maintenance activities);

B. Identify threats. The operator must consider, at minimum, the following categories of threats (existing and potential): corrosion, natural forces, excavation damage, other outside force damage, material or weld failure, equipment failure, and incorrect operation;

C. Rank risks. The operator must evaluate the risks to its pipeline and estimate the relative importance of each identified threat;

D. Identify and implement measures to mitigate risks. The operator must determine and implement measures designed to reduce the risks from failure of its pipeline;

E. Measure performance, monitor results, and evaluate effectiveness. The operator must monitor, as a performance measure, the number of leaks eliminated or repaired on its pipeline and their causes; and

F. Periodic evaluation and improve-

ment. The operator must determine the appropriate period for conducting IM program evaluations based on the complexity of its pipeline and changes in factors affecting the risk of failure. An operator must re-evaluate its entire program at least every five (5) years. The operator must consider the results of the performance monitoring in these evaluations.

3. Records. The operator must maintain, for a period of at least ten (10) years, the following records:

A. A written IM plan in accordance with this subsection, including superseded IM plans;

B. Documents supporting threat identification; and

C. Documents showing the location and material of all piping and appurtenances that are installed after the effective date of the operator's IM program and, to the extent known, the location and material of all pipe and appurtenances that were existing on the effective date of the operator's program.

(18) Waivers of Compliance. Upon written request to the secretary of the commission, the commission, by authority order and under such terms and conditions as the commission deems appropriate, may waive in whole or part compliance with any of the requirements contained in this rule. Waivers will be granted only on a showing that gas safety is not compromised. If the waiver request would waive compliance with a federal requirement in 49 CFR part 192, additional actions shall be taken in accordance with 49 USC 60118 except when the provisions of subsection (17)(G) apply.

#### **Appendix A—4 CSR 240-40.030** (Reserved)

#### **Appendix B to 4 CSR 240-40.030** **Appendix B—Qualification of Pipe**

##### **I. Listed Pipe Specifications.**

ANSI/API Specification 5L—Steel pipe, “API Specification for Line Pipe” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM A53/A53M—Steel pipe, “Standard Specification for Pipe, Steel Black and Hot-Dipped, Zinc-Coated, Welded and Seamless” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM A106/A106M—Steel pipe, “Standard Specification for Seamless Carbon Steel Pipe for High Temperature Service” (incorporated



## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM A333/A333M—Steel pipe, “Standard Specification for Seamless and Welded Steel Pipe for Low Temperature Service” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM A381—Steel pipe, “Standard Specification for Metal-Arc-Welded Steel Pipe for Use with High-Pressure Transmission Systems” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM A671/A671M—Steel pipe, “Standard Specification for Electric-Fusion-Welded Pipe for Atmospheric and Lower Temperatures” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM A672/A672M—Steel pipe, “Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM A691/A691M—Steel pipe, “Standard Specification for Carbon and Alloy Steel Pipe, Electric-Fusion-Welded for High-Pressure Service at High Temperatures” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM D2513-99, “Standard Specification for Thermoplastic Gas Pressure Pipe, Tubing, and Fittings” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

ASTM D2513-09a—Polyethylene thermoplastic pipe and tubing, “Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and Fittings” (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)).

### II. Steel pipe of unknown or unlisted specification.

A. Bending properties. For pipe two inches (2") (51 millimeters) or less in diameter, a length of pipe must be cold bent through at least ninety degrees (90°) around a cylindrical mandrel that has a diameter twelve (12) times the diameter of the pipe, without developing cracks at any portion and without opening the longitudinal weld. For pipe more than two inches (2") (51 millimeters) in diameter, the pipe must meet the requirements of the

flattening tests set forth in ASTM A53/A53M (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)), except that the number of tests must be at least equal to the minimum required in paragraph II.D. of this appendix to determine yield strength.

B. Weldability. A girth weld must be made in the pipe by a welder who is qualified under section (5) of 4 CSR 240-40.030. The weld must be made under the most severe conditions under which welding will be allowed in the field and by means of the same procedure that will be used in the field. On pipe more than four inches (4") (102 millimeters) in diameter, at least one (1) test weld must be made for each one hundred (100) lengths of pipe. On pipe four inches (4") (102 millimeters) or less in diameter, at least one (1) test weld must be made for each four hundred (400) lengths of pipe. The weld must be tested in accordance with API Standard 1104 (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). If the requirements of API Standard 1104 cannot be met, weldability may be established by making chemical tests for carbon and manganese, and proceeding in accordance with section IX of the ASME Boiler and Pressure Vessel Code (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). The same number of chemical tests must be made as are required for testing a girth weld.

C. Inspection. The pipe must be clean enough to permit adequate inspection. It must be visually inspected to ensure that it is reasonably round and straight and there are no defects which might impair the strength or tightness of the pipe.

D. Tensile properties. If the tensile properties of the pipe are not known, the minimum yield strength may be taken as twenty-four thousand (24,000) psi (165 MPa) or less, or the tensile properties may be established by performing tensile tests as set forth in API Specification 5L (incorporated by reference in 49 CFR 192.7 and adopted in subsection (1)(D)). All test specimens shall be selected at random and the following number of tests must be performed:

#### Number of Tensile Tests—All Sizes

10 lengths or less	1 set of tests for each length.
11 to 100 lengths	1 set of tests for each 5 lengths, but not less than 10 tests.
Over 100 lengths	1 set of tests for each 10 lengths, but not less than 20 tests.

If the yield-tensile ratio, based on the properties determined by those tests, exceeds 0.85, the pipe may be used only as provided

in paragraph (2)(C)3. of 4 CSR 240-40.030. (192.55[c])

III. Steel pipe manufactured before November 12, 1970 to earlier editions of listed specifications. Steel pipe manufactured before November 12, 1970, in accordance with a specification of which a later edition is listed in section I. of this appendix, is qualified for use under this rule if the following requirements are met:

A. Inspection. The pipe must be clean enough to permit adequate inspection. It must be visually inspected to ensure that it is reasonably round and straight and that there are no defects which might impair the strength or tightness of the pipe; and

B. Similarity of specification requirements. The edition of the listed specification under which the pipe was manufactured must have substantially the same requirements with respect to the following properties as a later edition of that specification listed in section I. of this appendix:

1) Physical (mechanical) properties of pipe, including yield and tensile strength, elongation and yield to tensile ratio, and testing requirements to verify those properties; and

2) Chemical properties of pipe and testing requirements to verify those properties.

C. Inspection or test of welded pipe. On pipe with welded seams, one (1) of the following requirements must be met:

1) The edition of the listed specification to which the pipe was manufactured must have substantially the same requirements with respect to nondestructive inspection of welded seams and the standards for acceptance or rejection and repair as a later edition of the specification listed in section I. of this appendix; or

2) The pipe must be tested in accordance with section (10) of 4 CSR 240-40.030 to at least one and one-fourth (1.25) times the maximum allowable operating pressure if it is to be installed in a Class 1 location and to at least one and one-half (1.5) times the maximum allowable operating pressure if it is to be installed in a Class 2, 3, or 4 location. Notwithstanding any shorter time period permitted under section (10) of 4 CSR 240-40.030, the test pressure must be maintained for at least eight (8) hours.

### Appendix C to 4 CSR 240-40.030 Appendix C—Qualification of Welders for Low Stress Level Pipe

I. Basic test. The test is made on pipe twelve inches (12") (305 millimeters) or less in diameter. The test weld must be made with



the pipe in a horizontal fixed position so that the test weld includes at least one (1) section of overhead position welding. The beveling, root opening and other details must conform to the specifications of the procedure under which the welder is being qualified. Upon completion, the test weld is cut into four (4) coupons and subjected to a root bend test. If, as a result of this test, two (2) or more of the four (4) coupons develop a crack in the weld material, or between the weld material and base metal, that is more than one-eighth inch (1/8") (3.2 millimeters) long in any direction, the weld is unacceptable. Cracks that occur on the corner of the specimen during testing are not considered. A welder who successfully passes a butt-weld qualification test under this section shall be qualified to weld on all pipe diameters less than or equal to twelve inches (12").

II. Additional tests for welders of service line connections to mains. A service line connection fitting is welded to a pipe section with the same diameter as a typical main. The weld is made in the same position as it is made in the field. The weld is unacceptable if it shows a serious undercutting or if it has rolled edges. The weld is tested by attempting to break the fitting off the run pipe. The weld is unacceptable if it breaks and shows incomplete fusion, overlap, or poor penetration at the junction of the fitting and run pipe.

III. Periodic tests for welders of small service lines. Two (2) samples of the welder's work, each about eight inches (8") (203 millimeters) long with the weld located approximately in the center, are cut from steel service line and tested as follows:

1) One sample is centered in a guided bend testing machine and bent to the contour of the die for a distance of two inches (2") (51 millimeters) on each side of the weld. If the sample shows any breaks or cracks after removal from the bending machine, it is unacceptable; and

2) The ends of the second sample are flattened and the entire joint subjected to a tensile strength test. If failure occurs adjacent to or in the weld metal, the weld is unacceptable. If a tensile strength testing machine is not available, this sample must also pass the bending test prescribed in paragraph III.1) of this appendix.

#### **Appendix D—Criteria for Cathodic Protection and Determination of Measurements**

##### **I. Criteria for cathodic protection.**

###### **A. Steel, cast iron and ductile iron struc-**

tures.

1) A negative (cathodic) polarized voltage of at least 0.85 volt, with reference to a saturated copper-copper sulfate half cell. Determination of this voltage must be made in accordance with sections II. and IV. of this appendix.

2) A minimum negative (cathodic) polarization voltage shift of one hundred (100) millivolts. This polarization voltage shift must be determined in accordance with sections III. and IV. of this appendix.

3) A voltage at least as negative (cathodic) as that originally established at the beginning of the Tafel segment of the E-log-I curve. This voltage must be measured in accordance with section IV. of this appendix.

4) A net protective current from the electrolyte into the structure surface as measured by an earth current technique applied at predetermined current discharge (anodic) points of the structure.

###### **B. Aluminum structures.**

1) Except as provided in I.B.3) and 4) of this appendix, a minimum negative (cathodic) voltage shift of one hundred fifty (150) millivolts, produced by the application of protective current. The voltage shift must be determined in accordance with sections II. and IV. of this appendix.

2) Except as provided in paragraphs I.B.3) and 4) of this appendix, a minimum negative (cathodic) polarization voltage shift of one hundred (100) millivolts. This polarization voltage shift must be determined in accordance with sections III. and IV. of this appendix.

3) Notwithstanding the alternative minimum criteria in paragraphs I.B.1) and 2) of this appendix, aluminum, if cathodically protected at voltages in excess of one and two-tenths (1.20) volts as measured with reference to a copper-copper sulfate half cell, in accordance with section IV. of this appendix, and compensated for the voltage (IR) drops other than those across the structure-electrolyte boundary may suffer corrosion resulting from the buildup of alkalis on the metal surface. A voltage in excess of one and two-tenths (1.20) volts may not be used unless previous test results indicate no appreciable corrosion will occur in the particular environment.

4) Because aluminum may suffer from corrosion under high pH conditions and because application of cathodic protection tends to increase the pH at the metal surface, careful investigation or testing must be made before applying cathodic protection to stop pitting attack on aluminum structures in environments with a natural pH in excess of eight (8).

C. Copper structures. A minimum negative (cathodic) polarization voltage shift of one hundred (100) millivolts. This polarization voltage shift must be determined in accordance with sections III. and IV. of this appendix.

D. Metals of different anodic potentials. A negative (cathodic) voltage, measured in accordance with section IV. of this appendix, equal to that required for the most anodic metal in the system must be maintained. If amphoteric structures are involved that could be damaged by high alkalinity covered by paragraphs I.B.3) and 4) of this appendix, they must be electrically isolated with insulating flanges or the equivalent.

II. Interpretation of voltage measurement. Voltage (IR) drops other than those across the structure-electrolyte boundary must be adequately compensated for in order to obtain a valid interpretation of the voltage measurement in paragraphs I.A.1) and I.B.1) of this appendix. Possible methods of compensating for IR drops include:

1) Determining the cathodic voltage immediately upon interruption of the protective current; or

2) If interruption of the protective current is impractical for galvanic systems, the voltage measurements must be obtained at locations where the influence of potential gradients from nearby sacrificial anodes is minimized.

III. Determination of polarization voltage shift. The polarization voltage shift must be determined by interrupting the protective current and measuring the polarization decay. When the current is initially interrupted, an immediate voltage shift occurs. The voltage reading after the immediate shift must be used as the base reading from which to measure polarization decay in I.A.2), I.B.2), and I.C. of this appendix.

##### **IV. Reference half cells.**

A. Except as provided in paragraphs IV.B. and IV.C. of this appendix, negative (cathodic) voltage must be measured between the structure surface and a saturated copper-copper sulfate half cell contacting the electrolyte.

B. Other standard reference half cells may be substituted for the saturated copper-copper sulfate half cell. Two (2) commonly used reference half cells are listed here along with their voltage equivalent to -0.85 volt as referred to a saturated copper-copper sulfate half cell:

1) Saturated KCl calomel half cell: -0.78 volt; and

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



2) Silver-silver chloride half cell used in sea water:—0.80 volt.

C. In addition to the standard reference half cells, an alternate metallic material or structure may be used in place of the saturated copper-copper sulfate half cell if its potential stability is assured and if its voltage equivalent referred to a saturated copper-copper sulfate half cell is established.

#### Appendix E to 4 CSR 240-40.030

#### Appendix E—Table of Contents—Safety Standards—Transportation of Gas by Pipeline.

#### 4 CSR 240-40.030(1) General

- (A) What Is the Scope of this Rule? (192.1)
- (B) Definitions. (192.3)
- (C) Class Locations. (192.5)
- (D) Incorporation By Reference of the Federal Regulation at 49 CFR 192.7. (192.7)
- (E) Gathering Lines. (192.8 and 192.9)
- (F) Petroleum Gas Systems. (192.11)
- (G) What General Requirements Apply to Pipelines Regulated under this Rule? (192.13)
- (H) Conversion to Service Subject to this Rule. (192.14)
- (I) Rules of Regulatory Construction. (192.15)
- (J) Filing of Required Plans, Procedures, and Programs.
- (K) Customer Notification Required by Section 192.16 of 49 CFR 192. (192.16)
- (L) Customer Notification, Paragraph (12)(S)2.

#### 4 CSR 240-40.030(2) Materials

- (A) Scope. (192.51)
- (B) General. (192.53)
- (C) Steel Pipe. (192.55)
- (D) Plastic Pipe. (192.59)
- (E) Marking of Materials. (192.63)
- (F) Transportation of Pipe. (192.65)

#### 4 CSR 240-40.030(3) Pipe Design

- (A) Scope. (192.101)
- (B) General. (192.103)
- (C) Design Formula for Steel Pipe. (192.105)
- (D) Yield Strength (S) for Steel Pipe. (192.107)
- (E) Nominal Wall Thickness (t) for Steel Pipe. (192.109)
- (F) Design Factor (F) for Steel Pipe. (192.111)
- (G) Longitudinal Joint Factor (E) for Steel Pipe. (192.113)
- (H) Temperature Derating Factor (T) for Steel Pipe. (192.115)
- (I) Design of Plastic Pipe. (192.121)
- (J) Design Limitations for Plastic Pipe.

(192.123)

(K) Design of Copper Pipe for Repairs. (192.125)

(L) Additional Design Requirements for Steel Pipe Using Alternative Maximum Allowable Operating Pressure. (192.112)

#### 4 CSR 240-40.030(4) Design of Pipeline Components

- (A) Scope. (192.141)
- (B) General Requirements. (192.143)
- (C) Qualifying Metallic Components. (192.144)
- (D) Valves. (192.145)
- (E) Flanges and Flange Accessories. (192.147)
- (F) Standard Fittings. (192.149)
- (G) Tapping. (192.151)
- (H) Components Fabricated by Welding. (192.153)
- (I) Welded Branch Connections. (192.155)
- (J) Extruded Outlets. (192.157)
- (K) Flexibility. (192.159)
- (L) Supports and Anchors. (192.161)
- (M) Compressor Stations—Design and Construction. (192.163)
- (N) Compressor Stations—Liquid Removal. (192.165)
- (O) Compressor Stations—Emergency Shutdown. (192.167)
- (P) Compressor Stations—Pressure Limiting Devices. (192.169)
- (Q) Compressor Stations—Additional Safety Equipment. (192.171)
- (R) Compressor Stations—Ventilation. (192.173)
- (S) Pipe-Type and Bottle-Type Holders. (192.175)
- (T) Additional Provisions for Bottle-Type Holders. (192.177)
- (U) Transmission Line Valves. (192.179)
- (V) Distribution Line Valves. (192.181)
- (W) Vaults—Structural Design Requirements. (192.183)
- (X) Vaults—Accessibility. (192.185)
- (Y) Vaults—Sealing, Venting, and Ventilation. (192.187)
- (Z) Vaults—Drainage and Waterproofing. (192.189)
- (AA) Design Pressure of Plastic Fittings. (192.191)
- (BB) Valve Installation in Plastic Pipe. (192.193)
- (CC) Protection Against Accidental Overpressuring. (192.195)
- (DD) Control of the Pressure of Gas Delivered From Transmission Lines and High-Pressure Distribution Systems to Service Equipment. (192.197)
- (EE) Requirements for Design of Pressure Relief and Limiting Devices. (192.199)
- (FF) Required Capacity of Pressure

Relieving and Limiting Stations. (192.201)

(GG) Instrument, Control, and Sampling Pipe and Components. (192.203)

(HH) Passage of Internal Inspection Devices. (192.150)

#### 4 CSR 240-40.030(5) Welding of Steel in Pipelines

- (A) Scope. (192.221)
- (B) General.
- (C) Welding Procedures. (192.225)
- (D) Qualification of Welders and Welding Operators. (192.227)
- (E) Limitations on Welders and Welding Operators. (192.229)
- (F) Protection From Weather. (192.231)
- (G) Miter Joints. (192.233)
- (H) Preparation for Welding. (192.235)
- (I) Inspection and Test of Welds. (192.241)
- (J) Nondestructive Testing. (192.243)
- (K) Repair or Removal of Defects. (192.245)

#### 4 CSR 240-40.030(6) Joining of Materials Other Than by Welding

- (A) Scope. (192.271)
- (B) General. (192.273)
- (C) Cast Iron Pipe. (192.275)
- (D) Ductile Iron Pipe. (192.277)
- (E) Copper Pipe. (192.279)
- (F) Plastic Pipe. (192.281)
- (G) Plastic Pipe—Qualifying Joining Procedures. (192.283)
- (H) Plastic Pipe—Qualifying Persons to Make Joints. (192.285)
- (I) Plastic Pipe—Inspection of Joints. (192.287)

#### 4 CSR 240-40.030(7) General Construction Requirements for Transmission Lines and Mains

- (A) Scope. (192.301)
- (B) Compliance With Specifications or Standards. (192.303)
- (C) Inspection—General. (192.305)
- (D) Inspection of Materials. (192.307)
- (E) Repair of Steel Pipe. (192.309)
- (F) Repair of Plastic Pipe During Construction. (192.311)
- (G) Bends and Elbows. (192.313)
- (H) Wrinkle Bends in Steel Pipe. (192.315)
- (I) Protection From Hazards. (192.317)
- (J) Installation of Pipe in a Ditch. (192.319)
- (K) Installation of Plastic Pipe. (192.321)
- (L) Casing. (192.323)
- (M) Underground Clearance. (192.325)
- (N) Cover. (192.327)
- (O) Additional Construction Requirements for Steel Pipe Using Alternative Maximum Allowable Operating Pressure. (192.328).



## 20 CSR 4240-40—DEPARTMENT OF COMMERCE AND INSURANCE

## Division 4240—Public Service Commission

### 4 CSR 240-40.030(8) Customer Meters, Service Regulators, and Service Lines

- (A) Scope, Compliance with Specifications or Standards, and Inspections. (192.351)
- (B) Service Lines and Yard Lines.
- (C) Customer Meters and Regulators—Location. (192.353)
- (D) Customer Meters and Regulators—Protection From Damage. (192.355)
- (E) Customer Meters and Regulators—Installation. (192.357)
- (F) Customer Meter Installations—Operating Pressure. (192.359)
- (G) Service Lines—Installation. (192.361)
- (H) Service Lines—Valve Requirements. (192.363)
- (I) Service Lines—Location of Valves. (192.365)
- (J) Service Lines—General Requirements for Connections to Main Piping. (192.367)
- (K) Service Lines—Connections to Cast Iron or Ductile Iron Mains. (192.369)
- (L) Service Lines—Steel. (192.371)
- (M) Service Lines—Plastic. (192.375)
- (N) New Service Lines Not in Use. (192.379)
- (O) Service Lines—Excess Flow Valve Performance Standards. (192.381)
- (P) Excess Flow Valve Installation. (192.383)
- (Q) Manual Service Line Shut-Off Valve Installation (192.385)

### 4 CSR 240-40.030(9) Requirements for Corrosion Control

- (A) Scope. (192.451)
- (B) How Does this Section Apply to Converted Pipelines and Regulated Onshore Gathering Lines? (192.452)
- (C) General. (192.453)
- (D) External Corrosion Control—Buried or Submerged Pipelines Installed After July 31, 1971. (192.455)
- (E) External Corrosion Control—Buried or Submerged Pipelines Installed Before August 1, 1971. (192.457)
- (F) External Corrosion Control—Inspection of Buried Pipeline When Exposed. (192.459)
- (G) External Corrosion Control—Protective Coating. (192.461)
- (H) External Corrosion Control—Cathodic Protection. (192.463)
- (I) External Corrosion Control—Monitoring. (192.465)
- (J) External Corrosion Control—Electrical Isolation. (192.467)
- (K) External Corrosion Control—Test Stations. (192.469)
- (L) External Corrosion Control—Test Leads. (192.471)
- (M) External Corrosion Control—

Interference Currents. (192.473)

- (N) Internal Corrosion Control—General and Monitoring. (192.475 and 192.477)
- (O) Internal Corrosion Control—Design and Construction of Transmission Line. (192.476)
- (P) Atmospheric Corrosion Control—General. (192.479)
- (Q) Atmospheric Corrosion Control—Monitoring. (192.481)
- (R) Remedial Measures—General. (192.483)
- (S) Remedial Measures—Transmission Lines. (192.485)
- (T) Remedial Measures—Distribution Lines Other Than Cast Iron or Ductile Iron Lines. (192.487)
- (U) Remedial Measures—Cast Iron and Ductile Iron Pipelines. (192.489)
- (V) Corrosion Control Records. (192.491)
- (W) Direct Assessment. (192.490)

### 4 CSR 240-40.030(10) Test Requirements

- (A) Scope. (192.501)
- (B) General Requirements. (192.503)
- (C) Strength Test Requirements for Steel Pipelines to Operate at a Hoop Stress of Thirty Percent (30%) or More of SMYS. (192.505)
- (D) Test Requirements for Pipelines to Operate at a Hoop Stress Less Than Thirty Percent (30%) of SMYS and at or Above One Hundred (100) psi (689 kPa) gauge. (192.507)
- (E) Test Requirements for Pipelines to Operate Below One Hundred (100) psi (689 kPa) gauge. (192.509)
- (F) Test Requirements for Service Lines. (192.511)
- (G) Test Requirements for Plastic Pipelines. (192.513)
- (H) Environmental Protection and Safety Requirements. (192.515)
- (I) Records. (192.517)
- (J) Test Requirements for Customer-Owned Fuel Lines.

### 4 CSR 240-40.030(11) Upgrading

- (A) Scope. (192.551)
- (B) General Requirements. (192.553)
- (C) Upgrading to a Pressure That Will Produce a Hoop Stress of Thirty Percent (30%) or More of SMYS in Steel Pipelines. (192.555)
- (D) Upgrading—Steel Pipelines to a Pressure That Will Produce a Hoop Stress Less Than Thirty Percent (30%) of SMYS—Plastic, Cast Iron, and Ductile Iron Pipelines. (192.557)

### 4 CSR 240-40.030(12) Operations

- (A) Scope. (192.601)

(B) General Provisions. (192.603)

- (C) Procedural Manual for Operations, Maintenance, and Emergencies. (192.605)
- (D) Qualification of Pipeline Personnel (Subpart N).
- (E) *Reserved* (192.607)
- (F) Change in Class Location—Required Study. (192.609)
- (G) Change in Class Location—Confirmation or Revision of Maximum Allowable Operating Pressure. (192.611)
- (H) Continuing Surveillance. (192.613)
- (I) Damage Prevention Program. (192.614)
- (J) Emergency Plans. (192.615)
- (K) Public Awareness. (192.616)
- (L) Investigation of Failures. (192.617)
- (M) Maximum Allowable Operating Pressure—Steel or Plastic Pipelines. (192.619 and 192.620)
- (N) Maximum Allowable Operating Pressure—High-Pressure Distribution Systems. (192.621)
- (O) Maximum and Minimum Allowable Operating Pressure—Low-Pressure Distribution Systems. (192.623)
- (P) Odorization of Gas. (192.625)
- (Q) Tapping Pipelines Under Pressure. (192.627)
- (R) Purging of Pipelines. (192.629)
- (S) Providing Service to Customers.
- (T) Control Room Management. (192.631)

### 4 CSR 240-40.030(13) Maintenance

- (A) Scope. (192.701)
- (B) General. (192.703)
- (C) Transmission Lines—Patrolling. (192.705)
- (D) Transmission Lines—Leakage Surveys. (192.706)
- (E) Line Markers for Mains and Transmission Lines. (192.707)
- (F) Record Keeping.
- (G) Transmission Lines—General Requirements for Repair Procedures. (192.711)
- (H) Transmission Lines—Permanent Field Repair of Imperfections and Damages. (192.713)
- (I) Transmission Lines—Permanent Field Repair of Welds. (192.715)
- (J) Transmission Lines—Permanent Field Repair of Leaks. (192.717)
- (K) Transmission Lines—Testing of Repairs. (192.719)
- (L) Distribution Systems—Patrolling. (192.721)
- (M) Distribution Systems—Leakage Surveys. (192.723)
- (N) Test Requirements for Reinstating Service Lines and Fuel Lines. (192.725)
- (O) Abandonment or Deactivation of Facilities. (192.727)
- (P) Compressor Stations—Inspection and

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



Testing of Relief Devices. (192.731)

(Q) Compressor Stations—Storage of Combustible Materials and Gas Detection. (192.735 and 192.736)

(R) Pressure Limiting and Regulating Stations—Inspection and Testing. (192.739)

(S) Pressure Limiting and Regulating Stations—Telemetry or Recording Gauges. (192.741)

(T) Pressure Limiting and Regulating Stations—Capacity of Relief Devices. (192.743)

(U) Valve Maintenance—Transmission Lines. (192.745)

(V) Valve Maintenance—Distribution Systems. (192.747)

(W) Vault Maintenance. (192.749)

(X) Prevention of Accidental Ignition. (192.751)

(Y) Caulked Bell and Spigot Joints. (192.753)

(Z) Protecting or Replacing Disturbed Cast Iron Pipelines. (192.755)

(AA) Repair of Plastic Pipe.

(BB) Pressure Regulating, Limiting, and Overpressure Protection—Individual Service Lines Directly Connected to Production, Gathering, or Transmission Pipelines. (192.740)

### 4 CSR 240-40.030(14) Gas Leaks

(A) Scope.

(B) Investigation and Classification Procedures.

(C) Leak Classifications.

### 4 CSR 240-40.030(15) Replacement Programs

(A) Scope.

(B) Replacement Programs—General Requirements.

(C) Replacement Program—Unprotected Steel Service Lines and Yard Lines.

(D) Replacement Program—Cast Iron.

(E) Replacement/Cathodic Protection Program—Unprotected Steel Transmission Lines, Feeder Lines, and Mains.

### 4 CSR 240-40.030(16) Pipeline Integrity Management for Transmission Lines.

### 4 CSR 240-40.030(17) Gas Distribution Pipeline Integrity Management (IM)

(A) What Definitions Apply to this Section? (192.1001)

(B) What Do the Regulations in this Section Cover? (192.1003)

(C) What Must a Gas Distribution Operator (Other than a Master Meter Operator) Do to Implement this Section? (192.1005)

(D) What Are the Required Elements of an Integrity Management Plan? (192.1007)

(E) What Must an Operator Report When a Mechanical Fitting Fails? (192.1009)

(F) What Records Must an Operator Keep? (192.1011)

(G) When May an Operator Deviate from Required Periodic Inspections Under this Rule? (192.1013)

(H) What Must a Master Meter Operator Do to Implement this Section? (192.1015)

### 4 CSR 240-40.030(18) Waivers of Compliance.

**AUTHORITY:** sections 386.250, 386.310, and 393.140, RSMo 2016. \* This rule originally filed as 4 CSR 240-40.030. Original rule filed Feb. 23, 1968, effective March 14, 1968. Amended: Filed Dec. 28, 1970, effective Jan. 6, 1971. Amended: Filed Dec. 29, 1971, effective Jan. 7, 1972. Amended: Filed Feb. 16, 1973, effective Feb. 26, 1973. Amended: Filed Feb. 1, 1974, effective Feb. 11, 1974. Amended: Filed Dec. 19, 1975, effective Dec. 29, 1975. Emergency amendment filed Jan. 17, 1977, effective Jan. 27, 1977, expired May 27, 1977. Amended: Filed Jan. 17, 1977, effective June 1, 1977. Emergency amendment filed March 15, 1978, effective March 25, 1978, expired July 23, 1978. Amended: Filed March 15, 1978, effective July 13, 1978. Amended: Filed July 5, 1978, effective Oct. 12, 1978. Amended: Filed July 13, 1978, effective Oct. 12, 1978. Amended: Filed Jan. 12, 1979, effective April 12, 1979. Amended: Filed May 27, 1981, effective Nov. 15, 1981. Amended: Filed Dec. 28, 1981, effective July 15, 1982. Amended: Filed Jan. 25, 1983, effective June 16, 1983. Amended: Filed Jan. 17, 1984, effective June 15, 1984. Amended: Filed Nov. 16, 1984, effective April 15, 1985. Amended: Filed Jan. 22, 1986, effective July 18, 1986. Amended: Filed May 4, 1987, effective July 24, 1987. Amended: Filed Feb. 2, 1988, effective April 28, 1988. Rescinded and readopted: Filed May 17, 1989, effective Dec. 15, 1989. Amended: Filed Oct. 7, 1994, effective May 28, 1995. Amended: Filed April 9, 1998, effective Nov. 30, 1998. Amended: Filed Dec. 14, 2000, effective May 30, 2001. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed Nov. 29, 2012, effective May 30, 2013. Amended: Filed Nov. 14, 2016, effective June 30, 2017. Amended: Filed June 4, 2018, effective Jan. 30, 2019.

\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; and 393.140, RSMo 1939, amended 1949, 1967.

**Fields v. Missouri Power & Light Company**, 374 SW2d 17 (Mo. 1963). Violations of general law, municipal ordinances, rules of the Public Service Commission and the like are considered and held to be negligence per se.

Here, violation of a rule of a private gas company filed with the P.S.C. cannot result in the creation of a cause of action in favor of another person separate and apart from an action based on common law negligence.

### 20 CSR 4240-40.033 Safety Standards—Liquefied Natural Gas Facilities

**PURPOSE:** This rule prescribes safety standards for liquefied natural gas (LNG) facilities used in the transportation of gas by pipeline that is subject to the pipeline safety standards in 4 CSR 240-40.030. This rule adopts the federal regulations on this subject matter that apply to operators of liquefied natural gas facilities used in the transportation of gas by pipeline that is subject to the federal pipeline safety laws and pipeline safety standards.

**PUBLISHER'S NOTE:** The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2017, 49 CFR part 193 is incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to 49 CFR part 193. The *Code of Federal Regulations* is published by the Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. The October 1, 2017 version of 49 CFR part 193 is available at [www.gpo.gov/fdsys/search/showcitation.action](http://www.gpo.gov/fdsys/search/showcitation.action).

(2) The commission adopts the federal pipeline safety regulations for liquefied natural gas facilities, 49 CFR part 193, as rules of the commission.

(3) For purposes of this rule, the following substitutions should be made for certain references in the federal pipeline safety regulations adopted by reference in section (2) of this rule:

(A) The references to “state agency” in sections 193.2017, 193.2019, and 193.2515 of 49 CFR part 193 should refer to “the commission” instead;



(B) The reference to “state procedures” in section 193.2017 should refer to “commission procedures” instead;

(C) The reference in 49 CFR 193.2011 to “Part 191 of this subchapter” for reporting of incidents, safety-related conditions, and annual pipeline summary data for LNG plants or facilities should refer to 4 CSR 240-40.020 instead;

(D) The reference in 49 CFR 193.2605 to “Part 191.23 of this subchapter” for reporting requirements for safety related conditions should refer to 4 CSR 240-40.020(12) instead;

(E) The reference in 49 CFR 193.2001 to “Part 192 of this chapter” for applicability of the standards should refer to 4 CSR 240-40.030 instead;

(F) The reference in 49 CFR 193.2629 to “section 192.461 of this chapter” for protective coatings should refer to 4 CSR 240-40.030(9)(G)” instead; and

(G) The references in 49 CFR 193.2629 and 193.2635 to “section 192.463 of this chapter” for cathodic protection should refer to 4 CSR 240-40.030(9)(H) instead.

(4) The federal pipeline safety regulations for liquefied natural gas (49 CFR part 193) adopted in section (2) of this rule contain subparts on general, siting requirements, design, construction, equipment, operations, maintenance, personnel qualifications and training, fire protection, and security.

(A) The general subpart contains sections on: scope, applicability, definitions, Department of Transportation (DOT) rules of regulatory construction reporting, documents incorporated by reference, plans and procedures, and mobile and temporary liquefied natural gas facilities.

(B) The siting requirements subpart contains sections on: scope, thermal radiation protection, flammable vapor-gas dispersion protection, and wind forces.

(C) The design subpart contains sections on: scope, material records, structural requirements for impoundment systems, dikes, covered systems, water removal and impoundment capacity, and requirements pertaining to nonmetallic membrane liners in storage tanks.

(D) The construction subpart contains sections on: scope, construction acceptance, corrosion control, and nondestructive tests for welds.

(E) The equipment subpart contains sections on: scope, control center, and sources of power.

(F) The operations subpart contains sections on: scope, operating procedures, cooldown, monitoring operations, emergency procedures, personnel safety, transfer procedures, investigations of failures, purging,

communication systems, and operating records.

(G) The maintenance subpart contains sections on: scope, general, maintenance procedures, foreign material, support systems, fire protection, auxiliary power sources, isolating and purging, repairs, control systems, testing transfer hoses, inspecting storage tanks, corrosion protection, atmospheric corrosion control, external corrosion control, internal corrosion control, interference currents, monitoring corrosion control, remedial measures, and maintenance records.

(H) The personnel qualifications and training subpart contains sections on: scope, design and fabrication, construction, installation, inspection and testing, operations and maintenance, security, personnel health, operations and maintenance training, security training, fire protection training, and records training.

(I) The fire protection subpart contains a section on fire protection.

(J) The security subpart contains sections on: scope, security procedures, protective enclosures, protective enclosure construction, security communications, security lighting, security monitoring, alternative power sources, and warning signs.

*AUTHORITY: sections 386.250, 386.310, and 393.140, RSMo 2016.\* This rule originally filed as 4 CSR 240-40.033. Emergency rule filed Dec. 19, 2018, effective Dec. 29, 2018, expired June 26, 2019. Original rule filed Dec. 20, 2018, effective July 30, 2019. Moved to 20 CSR 4240-40.033, effective Aug. 28, 2019.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; and 393.140, RSMo 1939, amended 1949, 1967.*

## 20 CSR 4240-40.040 Uniform System of Accounts—Gas Corporations

*PURPOSE: This rule directs gas companies within the commission’s jurisdiction to use the uniform system of accounts prescribed by the Federal Energy Regulatory Commission for major natural gas companies, as modified herein. Requirements regarding the submission of depreciation studies, databases and property unit catalogs are found at 4 CSR 240-3.235 and 4 CSR 240-3.275.*

(1) Beginning January 1, 1994, every gas company subject to the commission’s jurisdiction shall keep all accounts in conformity with the Uniform System of Accounts Prescribed for Natural Gas Companies Subject to the Provisions of the Natural Gas Act, as

prescribed by the Federal Energy Regulatory Commission (FERC) and published at 18 CFR part 201 (1992) and 2 FERC Stat. & Regs. paragraph 20,001 and following (1992), except as otherwise provided in this rule. This uniform system of accounts provides instruction for recording financial information about gas corporations. It contains definitions; general instructions; gas plant instructions; operating expense instructions; accounts that comprise the balance sheet, gas plant, income, operating revenues, and operation and maintenance expenses.

(2) When implementing 4 CSR 240-40.040(1), each gas company subject to the commission’s jurisdiction shall—

(A) Keep its accounts in the manner and detail specified for natural gas companies classified as “major” at Part 201 General Instructions 1.A. and paragraph 20,011.1.A.; and

(B) Assemble by July 1, 1996 and maintain after that, a property unit catalog which contains for each designated property unit, in addition to the provisions of Part 201 General Instructions 6. and paragraph 20,016—

1. A description of each unit;
2. An item list; and
3. Accounting instructions, including instructions for distinguishing between operations expense, maintenance expense and capitalized plant improvements.

(3) Regarding plant acquired or placed in service after 1993, when implementing section (1), each gas corporation subject to the commission’s jurisdiction shall—

(A) Maintain plant records of the year of each unit’s retirement as part of the “continuing plant inventory records,” as the term is otherwise defined at Part 201 Definitions 8. and paragraph 20,001.8.;

(B) State the detailed gas plant accounts (301 to 399, inclusive) on the basis of original cost, estimated if not known, when implementing the provisions of Part 201 Gas Plant Instructions 1.C. and paragraph 20,041.1.C.;

(C) Record gas plant acquired as an operating unit or system at original cost, estimated if not known, except as otherwise provided by the text of the intangible plant accounts, when implementing the provisions of Part 201 Gas Plant Instructions 2.A. and paragraph 20,042.2.A.;

(D) Account for the cost of items not classified as units of property as it would account for the cost of individual items of equipment of small value or of short life, as provided in Part 201 Gas Plant Instructions 3.A.(3) and paragraph 20,043.3.A.(3);

(E) Include in equipment accounts any

## Chapter 40—Gas Utilities and Gas Safety Standards

20 CSR 4240-40



hand or other portable tools which are specifically designated as units of property, when implementing the provisions of Part 201 Gas Plant Instructions 9.B. and paragraph 20,049.9.B.;

(F) Use the list of retirement units contained in its property unit catalog when implementing the provisions of Part 201 Gas Plant Instructions 10.A. and paragraph 20,050.10.A.;

(G) Estimate original cost with an appropriate average of the original cost of the units by vintage year, with due allowance for any difference in size and character, when it is impracticable to determine the original cost of each unit, when implementing the provisions of Part 201 Gas Plant Instructions 10.D. and paragraph 20,050.10.D.;

(H) Charge original cost less net salvage to account 108., when implementing the provisions of Part 201 Gas Plant Instructions 10.F. and paragraph 20,050.10.F.;

(I) Keep its work order system so as to show the nature of each addition to or retirement of gas plant by vintage year, in addition to the other requirements of Part 201 Gas Plant Instructions 11.B. and paragraph 20,051.11.B.;

(J) Maintain records which classify, for each plant account, the amounts of the annual additions and retirements so as to show the number and cost of the various record units or retirement units by vintage year, when implementing the provisions of Part 201 Gas Plant Instructions 11.C. and paragraph 20,051.11.C.;

(K) Maintain subsidiary records which separate account 108. according to primary plant accounts or subaccounts when implementing the provisions of Part 201 Balance Sheet Account 108.C. and paragraph 20,011.108.C.;

(L) Maintain subsidiary records which separate account 111. according to primary plant accounts or subaccounts when implementing the provisions of Part 201 Balance Sheet Accounts 111.C. and paragraph 20,114.111.C.; and

(M) Keep mortality records of property and property retirement as will reflect the average life of retiring property and will aid actuarial analysis of the probable service life of annual additions and aged retirements when implementing the provisions of Part 201 Income Accounts 403.B. and paragraph 20,422.403.B.

(4) In prescribing this system of accounts the commission does not commit itself to the approval or acceptance of any item set out in any account, for the purpose of fixing rates or in determining other matters before the com-

mission. This rule shall not be construed as waiving any recordkeeping requirement in effect prior to 1994.

(5) The commission may waive or grant a variance from the provisions of this rule, in whole or in part, for good cause shown, upon a utility's written application.

**AUTHORITY:** sections 386.250 and 393.140, RSMo 2000.\* This rule originally filed as 4 CSR 240-40.040. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed April 26, 1976, effective Sept. 11, 1976. Amended: Filed Feb. 5, 1993, effective Oct. 10, 1993. Amended: Filed March 19, 1996, effective Oct. 30, 1996. Amended: Filed Aug. 16, 2002, effective April 30, 2003. Moved to 20 CSR 4240-40.040, effective Aug. 28, 2019.

\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; and 393.140, RSMo 1939, amended 1949, 1967.

#### 20 CSR 4240-40.080 Drug and Alcohol Testing

**PURPOSE:** This rule adopts the federal regulations on this subject matter that apply to operators of gas systems. The rule requires operators of gas systems to test certain employees for the presence of prohibited drugs or alcohol and provide an employee assistance program. In addition, the rule provides a description of the technical procedures which must be utilized in conducting the drug and alcohol testing. The rule applies to operators of gas systems subject to the safety jurisdiction of the Public Service Commission.

**PUBLISHER'S NOTE:** The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2017, 49 CFR parts 40 and 199 are incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to 49 CFR parts 40 and 199.

The *Code of Federal Regulations* is published by the Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. The October 1, 2017 version of 49 CFR parts 40 and 199 is available at [www.gpo.gov/fdsys/search/showcitation.action](http://www.gpo.gov/fdsys/search/showcitation.action).

(2) The commission adopts the federal pipeline safety regulations for drug and alcohol testing, 49 CFR part 199, as rules of the commission.

(3) The commission adopts the federal procedures for transportation workplace drug and alcohol testing programs, 49 CFR part 40, as rules of the commission.

(4) For purposes of this rule, the following substitutions should be made for certain references in the federal pipeline safety regulations adopted by reference in section (2) of this rule:

(A) The references to "state agency" in sections 199.3, 199.101, 199.107, 199.115, 199.117, 199.231, and 199.245 of 49 CFR part 199 should refer to "the commission" instead;

(B) The references to "accident" in sections 199.3, 199.100, 199.105, 199.200, 199.221, 199.225, 199.227, and 199.231 of 49 CFR part 199 should refer to a "federal incident reportable under 4 CSR 240-40.020" instead;

(C) The references to "part 192, 193, or 195 of this chapter" or "part 192, 193, or 195" in sections 199.1, 199.3, 199.100, and 199.200 of 49 CFR part 199 should refer to "4 CSR 240-40.030" instead (the commission regulations contained in 4 CSR 240-40.030 parallel 49 CFR part 192, but the commission does not have any rules pertaining to 49 CFR part 193 or 195); and

(D) The references to the applicability exemptions for operators of master meter systems as defined in section "191.3 of this chapter" in 49 CFR 199.2 should refer to "4 CSR 240-40.020(2)(G)" instead.

(5) The federal pipeline safety regulations for drug and alcohol testing (49 CFR part 199) adopted in section (2) of this rule contain subparts on general, drug testing, and alcohol misuse prevention program.

(A) The general subpart contains sections on: scope, applicability, definitions, Department of Transportation (DOT) procedures, stand-down waivers, and preemption of state and local laws.

(B) The drug testing subpart contains sections on: purpose; anti-drug plan; use of persons who fail or refuse a drug test; drug tests





required; drug testing laboratory; review of drug testing results; employee assistance program; contractor employees; record keeping; and reporting of anti-drug testing results.

(C) The alcohol misuse prevention program subpart contains sections on: purpose; alcohol misuse plan; other requirements imposed by operators; requirement for notice; alcohol concentration; on-duty use; pre-duty use; use following an accident; refusal to submit to a required alcohol test; alcohol tests required; retention of records; reporting of alcohol testing results; access to facilities and records; removal from covered function; required evaluation and testing; other alcohol-related conduct; operator obligation to promulgate a policy on the misuse of alcohol; training for supervisors; referral, evaluation, and treatment; and contractor employees.

(6) The federal procedures for transportation workplace drug and alcohol testing programs (49 CFR part 40) adopted by reference in section (3) of this rule contain subparts on administrative provisions; employer responsibilities; urine collection personnel; collection sites, forms, equipment, and supplies used in DOT urine collections; urine specimen collections; drug testing laboratories; medical review officers and the verification process; split specimen tests; problems in drug tests; alcohol testing personnel; testing sites, forms, equipment, and supplies used in alcohol testing; alcohol screening tests; alcohol confirmation tests; problems in alcohol testing; substance abuse professionals and the return-to-duty process; confidentiality and release of information; roles and responsibilities of service agents; and public interest exclusions.

*AUTHORITY: sections 386.250, 386.310, and 393.140, RSMo 2016.\* This rule originally filed as 4 CSR 240-40.080. Original rule filed Nov. 29, 1989, effective April 2, 1990. Rescinded and readopted: Filed Jan. 9, 1996, effective Aug. 30, 1996. Rescinded and readopted: Filed April 9, 1998, effective Nov. 30, 1998. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed Nov. 29, 2012, effective May 30, 2013. Amended: Filed Nov. 14, 2016, effective June 30, 2017. Amended: Filed June 4, 2018, effective Jan. 30, 2019. Moved to 20 CSR 4240-40.080, effective Aug. 28, 2019.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; and 393.140, RSMo 1939, amended 1949, 1967.*

## 20 CSR 4240-40.085 Filing Requirements for Gas Utility Rate Schedules

*PURPOSE: This rule streamlines provisions formerly in Chapter 3.*

(1) Every gas corporation engaged in the manufacture, furnishing, or distribution of gas of any nature whatsoever for light, heat, or power, within the state of Missouri, is directed to have on file with this commission and keep open for public inspection, schedules showing all rates and charges in connection with such service of whatever nature made by the gas corporations for each and every kind of service which it renders together with proper supplements covering all changes in the rate schedules authorized by this commission if any.

(2) Rate schedules shall be published on the gas corporation's website. All sheets, except the title page sheet, must show in the marginal space at the top of the page the name of the gas corporation issuing, the PSC number of schedule, and the number of the page. In the marginal space at the bottom of sheet should be shown the date of issue, the effective date, and the name, title, and address of the officer by whom the schedule is issued. All schedules shall bear a number with the prefix PSC Mo. \_\_\_\_\_. Schedules shall be numbered in consecutive order beginning with number 1 for each gas corporation. If a schedule or part of a schedule is cancelled, a new schedule or part thereof (sheet(s) if loose-leaf) will refer to the schedule canceled by its PSC number; thus: PSC Mo. No. \_\_ canceling PSC Mo. No. \_\_.

(3) All schedules filed with the commission shall be accompanied by a letter of transmittal which shall be prepared consistent with the format designated by the commission. If filing a paper copy and a paper receipt is desired, a duplicate copy should be submitted for return.

(4) All proposed changes in rates, charges, or rentals or in rules that affects rates, charges, or rentals filed with the commission shall be accompanied by a brief summary, approximately one hundred (100) words or less of the effect of the change on the company's customers. A copy of any proposed change and summary shall also be served on the public counsel and be available for public inspection and reproduction during regular office hours at the general business office of the utility.

(5) Thirty (30) days' notice to the commission is required as to every publication relat-

ing to gas rates or service except where publications are made effective on less than statutory notice by permission, rule, or requirement of the commission.

(6) Except as is otherwise provided, no schedule or supplement will be accepted for filing unless it is delivered to the commission via the Electronic Filing and Information System (EFIS), or if filing a paper copy, by transmitting or hand-delivering one (1) copy of each rate schedule, supplement, or other charges or regulations to the commission. Schedules sent for filing must be addressed to: Public Service Commission, PO Box 360, Jefferson City, MO 65102 and be free from all charges or claims for postage, the full thirty (30) days required by law before the date upon which the schedule or supplement is stated to be effective. No consideration will be given to or for the time during which a schedule or supplement may be held by the post office authorities because of insufficient postage. When a schedule or a supplement is issued and as to which the commission is not given the statutory notice, it is as if it had not been issued and a full statutory notice must be given of any reissuance. In those cases the schedule will be returned to the sender and correction of the neglect or omission cannot be made which takes into account any time elapsing between the date upon which the schedule or supplement was received and the date of the attempted correction. For rate schedules and supplements issued on short notice under special permission of the commission, literal compliance with the requirements for notice named in any order, rule, or permission granted by the commission will be exacted.

*AUTHORITY: sections 386.250 and 393.140, RSMo 2016.\* This rule originally filed as 4 CSR 240-40.085. Original rule filed Nov. 28, 2018, effective July 30, 2019. Moved to 20 CSR 4240-40.085, effective Aug. 28, 2019.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996 and 393.140, RSMo 1939, amended 1949, 1967.*

## 20 CSR 4240-40.090 Submission Requirements for Gas Utility Depreciation Studies

*PURPOSE: This rule streamlines provisions from rules formerly in Chapter 3.*

(1) Each gas utility subject to the commission's jurisdiction shall submit a depreciation study, database, and property unit catalog to the manager of the commission's engineering analysis unit and to the Office of the Public





Counsel, as required by the terms of subsection (l)(B).

(A) The depreciation study, database, and property unit catalog shall be compiled as follows:

1. The study shall reflect the average life and remaining life of each primary plant account or subaccount;

2. The database shall consist of dollar amounts, by plant account or subaccount, representing—

- A. Annual dollar additions and dollar retirements by vintage year and year retired, beginning with the earliest year of available data;

- B. Reserve for depreciation;

- C. Surviving plant balance as of the study date; and

- D. Estimated date of final retirement and surviving dollar investment for each warehouse, propane/air production facility, liquefied natural gas facility, underground natural gas storage facility, general office building, or other large structure; and

3. The property unit catalog shall contain a description of each retirement unit used by the utility.

(B) A gas utility shall submit its depreciation study, database, and property unit catalog on the following occasions:

1. Upon the date five (5) years from the last time the commission's staff received a depreciation study, database, and property unit catalog from the utility; and

2. Upon submission of a general rate increase request. However, a gas utility need not submit a depreciation study, database, or property unit catalog to the extent that the commission's staff received these items from the utility during the three (3) years prior to the utility's filing for a general rate increase request.

*AUTHORITY: section 386.250, RSMo 2016.\*  
This rule originally filed as 4 CSR 240-40.090. Original rule filed Nov. 28, 2018, effective July 30, 2019. Moved to 20 CSR 4240-40.090, effective Aug. 28, 2019.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996.*