

June 10, 1975

Mr. Robert P. Grey  
Consulting Engineer, Inc.  
200 Grey Creek Drive  
Athens, Georgia 30601

Dear Mr. Grey:

This responds to your letter of May 15, 1975, asking whether a Georgia State law which requires contractors doing subsurface work to check at the county courthouse relative to the location of buried gas pipeline would qualify as a program under 49 CFR 192.707(b)(1)(ii).

The purpose of Section 192.707(b)(1)(ii) is to exclude from the requirement of Section 192.707(a) that pipeline operators install line markers at certain locations, those areas where the operator and outsiders are participating in a coordinated effort under law to prevent interference with underground pipelines by persons likely to cause damage. The precise role and extent of participation of each party to this program, including appropriate officials where applicable, depends on the nature of the program established by law.

Because you have not furnished a copy of a citation of the State law to which you refer, we are unable to opine whether it established the type of damage prevention program we have described. The important factors which we would consider in rendering an opinion are: (1) Does the State law apply to all persons likely to interfere with underground pipelines; and (2) Are those persons provided with aid or up-to-date information in locating a pipeline before beginning work.

If we may be of further assistance, please let us know.

Sincerely,

Joseph C. Caldwell  
Director  
Office of Pipeline Safety