

December 2, 1994

Raymond J. Barone
Project Service/Safety Coordinator
Gullett & Associates, Inc.
7705 South Loop East
Houston, TX 77223

Dear Mr. Barone:

Thank you for your letter of November 23, 1994, regarding the educational program that pipeline operators must establish under the regulation in 49 CFR 195.440. This regulation requires a continuing educational program to enable the public, appropriate government organizations and persons engaged in excavation-related activities to recognize a hazardous liquid or a carbon dioxide pipeline emergency and to report it to the operator or the fire, police, or other appropriate public officials.

As you have observed, § 195.440 does not specify a range and frequency of notifications, whether by direct mailings or public announcements. However, in view of the purposes of each operator's educational program, the range would be areas that could be affected by a pipeline emergency. Thus, the range of a program depends on the commodity, location, size, and operating pressure of the pipeline. The frequency of notifications would be whatever is necessary to reasonably expect the public, appropriate government officials, and potential excavators in the affected areas to recognize a pipeline emergency and report it as specified. The necessary frequency would depend on the transientness of the affected areas, with stable areas needing less frequent notices.

I hope you find this explanation helpful. Please let me know if you need any further information about the pipeline safety regulations.

Sincerely,

Cesar De Leon
Deputy Associate Administrator for
Pipeline Safety