



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

JUL - 2 2009

Mr. David W. Bredin  
Director of Operations  
Enstar Natural Gas Company  
P.O. Box 190288  
401 E. International Airport Road  
Anchorage, AK 99519-0288

Dear Mr. Bredin:


In a letter to the Pipeline and Hazardous Materials Safety Administration (PHMSA) you requested an interpretation of 49 CFR § 191.3 of the Federal pipeline safety regulations. You stated that a number of structural fires occur every year in Enstar's service area that cause a release of natural gas. You stated that although these structural fires often result in over \$50,000 of property damage meeting the threshold in the § 191.3 definition of an incident, these structural fires are not caused from the release of natural gas. Rather, these fires are caused by other events such as a chimney fire, arson, or an electrical short and then the fire subsequently burns the gas meter or the plastic service line riser melts causing the release of natural gas. You have asked whether a release of gas meeting the applicable threshold caused by a structural fire that started for reasons other than a gas leak is a reportable incident.

Pursuant to Chapter 601, Title 49, United States Code, PHMSA has responsibility for protecting against risks to life, property, and the environment posed by pipelines. In carrying out its responsibilities, PHMSA has established requirements for the reporting of incidents, safety related conditions, and annual pipeline summary data by operators of gas pipeline facilities located in the United States or Puerto Rico, including pipelines within the limits of the Outer Continental Shelf as that term is defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

Under 49 CFR Part 191, pipeline operators are required to report releases of gas from DOT regulated pipelines (i.e., up to the outlet of the meter) that meet the applicable threshold in § 191.3 regardless of the cause of the event that caused the release. Therefore, under current requirements, Enstar needs to continue reporting incidents such as the ones described above consistent with past general guidance to industry from our agency on this topic. However, we are continuing to examine our policy for reporting these events to better improve the overall usefulness of incident information collection and should our policy change, we will alert industry through advisory bulletins or federal register notification, as appropriate. We appreciate your request for clarification on this topic.

If I can further assist you with this, or any other pipeline safety regulatory matter, please contact me at (202) 366-4046.

Sincerely,



John A. Gale  
Director, Office of Regulations

