



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Interpretation Letter Addressing Physically Disconnected Pipeline

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The Pipeline and Hazardous Materials Safety Administration (“PHMSA”) addressed in a June 15th letter the applicability of the Hazardous Materials Regulations (“HMR”) to a physically disconnected pipeline. See PI-21-0005.

PHMSA was responding to a May 21st letter submitted by Wright and Associates LLC.

The question posed was whether a pipeline that has been physically disconnected, cleaned, and purged with nitrogen, does not cross over, under or through a commercially navigable waterway, no longer transports hazardous liquids, and is not intended to be returned to service,:

. . . then would that pipeline be subject to the 49 CFR Part 195 regulations.

PHMSA stated that:

. . . If the pipeline is not an offshore pipeline or is an onshore pipeline that does not cross over, under or through a commercially navigable waterway, is permanently removed from service, safely disconnected from an operating pipeline system, purged of combustibles, and sealed to minimize safety and environmental hazards, then that pipeline is no longer regulated under the 49 CFR Part 195 regulations.

The statement is qualified by the need to confirm with the United States Environmental Protection Agency and the respective State regulator for any applicable compliance requirements (including proper physical disconnection work requirements).

A copy of the letter can be downloaded [here](#).