Chapter PSC 135

GAS SAFETY

History: Chapter PSC 135 as it was in effect on May 31, 1972 was repealed and a new chapter PSC 135 was created, Register, May, 1972, No. 197, effective 6-1-72.

PSC 135.01 Character of construction, maintenance, and operation. All gas transmission, distribution, and utilization equipment and facilities shall be constructed, installed, operated, and maintained in a reasonably adequate and safe manner and as a minimum more specifically provided for herein.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.02 Facilities, inspection and repairs. All facilities shall be cleaned when necessary and inspected at such intervals as experience has shown to be necessary. Any facilities known to be defective so as to endanger life or property shall be promptly repaired, permanently disconnected, or isolated until repairs can be made. Construction, repairs, additions, and changes to gas transmission and distribution facilities shall be made by qualified persons only.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.03 Application of rules. Every gas utility that operates gas transmission or distribution facilities in the state shall comply with the rules in this chapter.

(1) WAIVING RULES. The rules may be modified or waived by the public service commission. They may be so modified or waived in particular cases wherever shown to be impracticable for special reasons or where the advantage of uniformity with existing construction is greater than the advantage of construction in compliance with the rules providing the existing construction is reasonably safe or if equivalent or safer construction is secured in other ways.

(2) TEMPORARY INSTALLATIONS. It will sometimes be necessary to modify or waive certain of the rules in case of temporary installations or installations which are shortly to be dismantled or reconstructed. Such temporary construction may be used for a reasonable length of time provided it is under competent supervision while it or adjoining equipment is under pressure or if it is protected by suitable barriers or warning signs when accessible to any person, without fully complying with this code; but all such construction shall be made reasonably safe.

(3) EMERGENCY. In case of emergency or pending decision of the public service commission, the person responsible for the installation may

decide as to modification or waiver of any rule or order, subject to review by the public service commission.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.04 Protection of utility facilities. A public utility upon receiving notice as provided in section 66.047, Wis. Stats., or section 182.0175 (2) (e), Wis. Stats., of work which may affect its facilities used for serving the public shall:

(1) If the notice is of work covered by section 66.047, Wis. Stats., investigate and decide what action, if any, must reasonably be taken to protect or alter utility facilities in order to protect service to the public and to avoid unnecessary damage. The utility shall take such action as is reasonably necessary to protect, remove, alter, or reconstruct its facilities, and shall perform such work with reasonable dispatch taking into account the conditions to be met. Nothing in this rule shall be deemed to affect any right which the utility may have to require advance payment or adequate assurance of payment of the reasonable cost thereof to the utility by the property owner or contractor.

(2) If the notice is of work covered by section 182.0175 (2) (e), Wis. Stats., and is not covered by section 66.047, Wis. Stats., the utility shall respond as required by section 182.0175 (2) (e).

(3) The utility may, in order to protect its interests, require that the owner or contractor perform certain work upon that part of the service piping or wiring on or being removed from the property upon which the excavating, building, or wrecking operations are being performed.

(4) This rule is not intended to affect the responsibility of the contractor or owner, or the liability or legal rights of any party.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72; r. and recr. Register, May, 1978, No. 269, eff. 6-1-78.

PSC 135.05 Interference with public service structures. (1) A utility having any work upon, over, along, or under any public street, highway or private property near existing utility facilities shall give reasonable notice to the other utility and shall exercise care when working in close proximity to such existing facilities. Sections 66.047, Wis. Stats., and 182.0175, Wis. Stats., shall be observed where applicable. In all other cases such notice shall provide the other utility with a reasonable opportunity to protect or alter its facilities and such work shall not proceed without an agreement concerning the location and nature of the proposed work.

(2) Nothing in the above shall prevent a utility from proceeding as quickly as possible with any emergency construction work which might interfere with existing facilities. (Also see section 182.0175 (2) (d), Wis. Stats.)

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72; r. and recr. Register, May, 1978, No. 269, eff. 6-1-78.

PSC 135.06 Leak survey reports. The department of transportation in accordance with part 191 of title 49 of the Code of Federal Regulations "Transportation of Natural and Other Gas by Pipeline: Reports of Leaks" requires each operator of a distribution system and/or of a transmission system to submit an annual report for the preceding calendar year not later than February 15. The operators of such systems in

Wisconsin shall submit a copy of these reports to this commission on or before the filing date as required by the federal regulations. In addition to this annual report and at the same time, the operators shall report the number of leaks which were found in customer owned facilities by either a survey or complaint during the preceding calendar year.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.07 Over-pressure protection. Over-pressure protection is required by subsection 192.197 of this chapter and shall apply to all installations. All present installations where such protection is not provided shall be changed so that 100% compliance will be attained by the end of the first testing cycle after January 1, 1968 as provided in section PSC 134.30.

History: Cr. Register, May, 1972, No. 197. eff. 6-1-72.

PSC 135.08 Report of proposed construction. History: Cr. Register, May, 1972, No. 197, eff. 6-1-72; r. Register, May, 1978, No. 269, eff. 6-1-78.

PSC 135.09 Adoption of federal minimum safety standards. (1) The federal department of transportation, office of pipeline safety, pursuant to the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1675,— et seq.) has established minimum safety standards for pipeline facilities and the transportation of gas, as set forth in part 192 in title 49, Code of Federal Regulations. In accordance with the Natural Gas Pipeline Safety Act of 1968 and requirements of the federal department of transportation, such minimum safety standards are hereby adopted as state safety standards. (The numbering system and sequence used in said minimum safety standards are herein used for convenience and clarity.) Additions have been made to the minimum safety standards of the federal department of transportation as adopted herein and follow the section of the adopted federal standards to which the additions directly relate or if the additions do not directly relate to any particular adopted federal standard the additions are inserted in the numbering sequence within the appropriate subpart. In all cases the additions appear in italics preceded by *PSC 192* plus the appropriate section number. Copies of the publications referred to are available for inspection at the office of the public service commission, the secretary of state and the revisor of statutes or may be procured for personal use from the addresses listed in Appendix A—Incorporated by Reference, I. Lists of organizations and addresses, which follows section *PSC 192.753.*

(2) The inspection and maintenance plans required to be filed by intrastate gas utilities in accordance with section PSC 135.09—192.17 shall be filed with this commission not later than February 1, 1971. Each change in such plans shall be filed with this commission within 20 days after the change is made.

WISCONSIN CODE ADOPTION OF PART 192 IN TITLE 49 CODE OF FEDERAL REGULATIONS WITH ADDITIONS

*Sections of the Code of Federal Regulations to which additions have been made.

* (Italics) New sections that have been added.

Subpart A—General

192.1 Scope of part.

(a) This part prescribes minimum safety requirements for pipeline facilities and the transportation of gas, including pipeline facilities and the transportation of gas 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).

(b) This part does not apply to:

(1) Offshore gathering of gas upstream from the outlet flange of each facility on the outer continental shelf where hydrocarbons are produced or where produced hydrocarbons are first separated, dehydrated, or otherwise processed, whichever facility is farther downstream; and

(2) Onshore gathering of gas outside of the following areas:

(i) An area within the limits of any incorporated or unincorporated city, town, or village.

(ii) Any designated residential or commercial area such as a subdivision, business or shopping center, or community development.

192.3 Definitions.

As used in this part—