

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 478

Approved September 21, 1973

RESOLVED, that permission is hereby granted to the Providence Gas Company to construct and install a four-inch main in Fields Point Drive, New York Avenue, and Terminal Road, for the purpose of transporting Propane supplies from its City of Providence leasehold along Fields Point Drive to the Providence Gas Company along Allens Avenue, all in accordance with the said petition and the said company's presentation in support of propane pipelines within the City of Providence, a copy of which is hereto attached.

IN CITY COUNCIL

SEP 20 1973

READ AND PASSED

Robert J. Dwyer
CITY CLERK

APPROVED

MAYOR

Joseph A. Parley
SEP 21 1973

THE COMMITTEE ON

Education

Approves Passage of
The Within Resolution

Unanimous Verdict

September 13, 1973 Clerk

RECORDED
INDEXED
OCT 1 1973
CLERK

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

June 19, 1973

The undersigned respectfully petitions your honorable body

That the Providence Gas Company be granted permission to construct and install a four (4") inch main from City of Providence property on Fields Point Drive currently leased to Petrolane, Inc. to the Providence Gas Company plant on Allens Avenue. Said main would be used to transport propane supplies from Petrolane, Inc. to the Company plant storage.

Because of limited supplies of natural gas available for the winter of 1973-1974 Providence Gas has had to contract for substantial amounts of propane to provide gas for its customers. A major portion of this will be purchased from Petrolane, Inc.

The proposed four (4") inch main would be placed in Fields Point Drive, New York Avenue, and Terminal Road.

The main will be of Schedule 80 seamless steel pipe, coal-tar wrapped and cathodically protected. It will be installed according to the specifications of the American National Standard Code for Pressure Piping, B 31.4-1971, Liquid Petroleum Transportation Piping Systems. It will handle propane during hours of delivery only, at which time the operations at each end of the line will be manned. During non-use periods the line will remain dormant. It is anticipated that the line would be used 10 hours per day from December through March.

The principal advantage of the proposed liquid propane transfer pipeline is in the facility of the operation with an optimization of safety benefits. This operation eliminates the need for loading tank trucks at the Petrolane terminal; it eliminates the traffic and accident exposure of as many as 25 tank trucks per day on city streets and it eliminates the accident potential associated with unloading the tank trucks at Providence Gas Company's propane storage tanks. The underground pipeline will be protected by 48 inches of ground cover, a coal tar coating system, a cathodic protection system to prevent corrosion and will be valved and manned at both ends. The pipeline will also be identified above ground at locations critically close to other underground facilities. Overall, the installation and operation of an underground liquid propane piping system in place of tank truck operation offers definite safety advantages both to the City of Providence and to the Providence Gas Company, and ultimately to the public we both serve.

PETITION TO THE CITY COUNCIL


TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

June 19, 1973
Page 2

Providence Gas Company respectfully requests that this Honorable Council grant the foregoing petition and as soon as consistent with this Council's due procedure so that said main may be installed before the winter heating season.

PROVIDENCE GAS COMPANY


Louis R. Hampton, President

THE COMMITTEE ON

RECOMMENDATIONS

FILED

JUN 28 3 07 PM '73

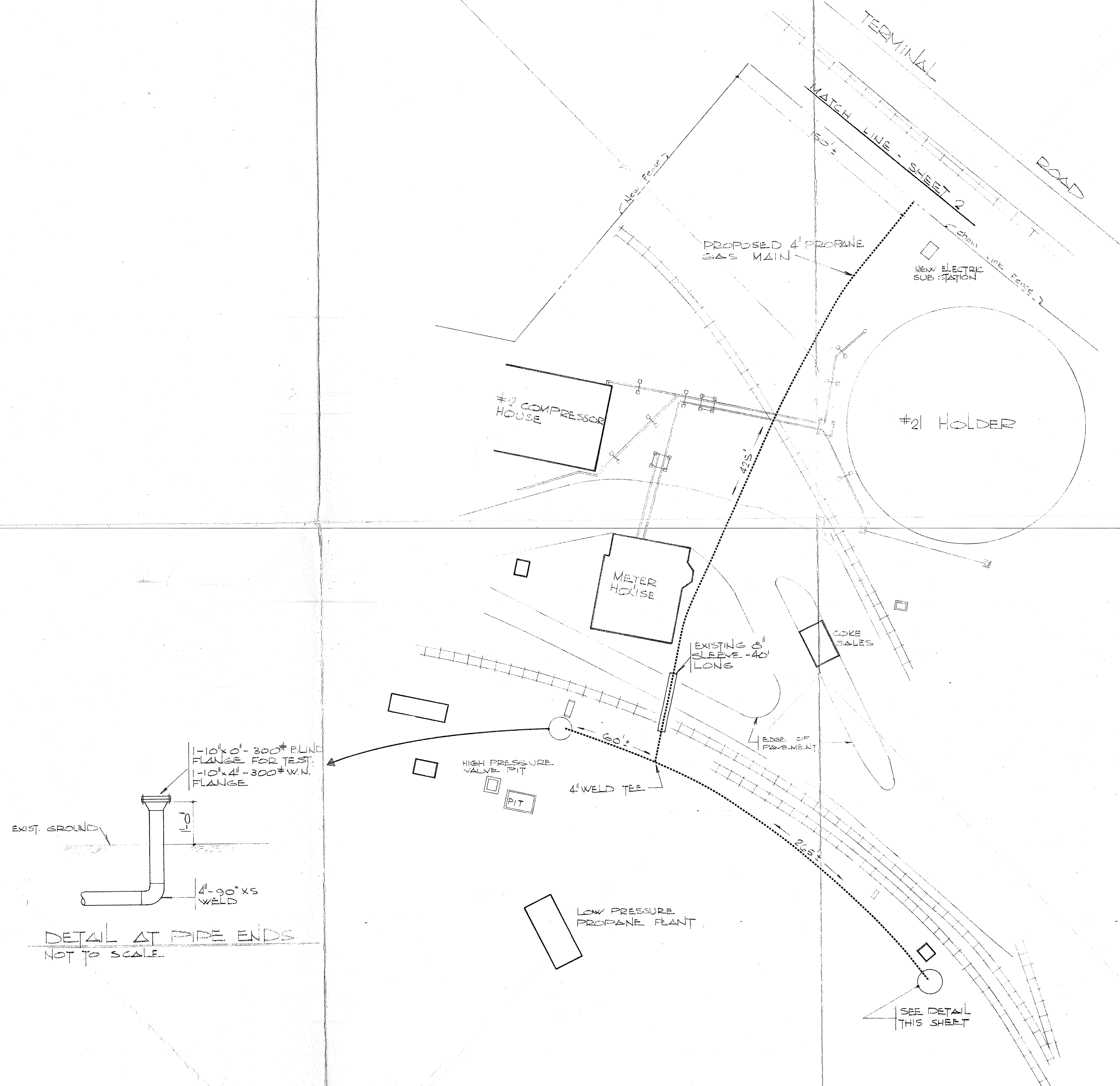
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

THE COMMITTEE ON

Succession
Recommendations
Be continued
Unanimous Verdict
Cliff

Aug 24 1973

From the Clerk's
Desk



4	3	2	1	NO. REV.	DRAWN	CHECKED	DATE	APPROVED	DATE	DISTRIBUTION	DWG. NO.
				MADE BY						PROVIDENCE GAS CO.	1110
				DATE						PROVIDENCE, R.I.	SHEET
				CHECKED							1 OF 5
				DATE							

A Presentation

on

Behalf of

Providence Gas Company

in

Support of a Proposed

Propane Pipeline

within

The City of Providence

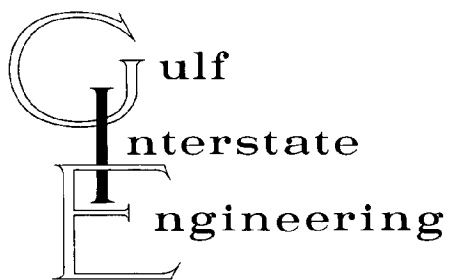


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PROVIDENCE GAS COMPANY

Proposed Pipeline System

I. INTRODUCTION

The Providence Gas Company proposes to construct a 4" pipeline approximately 6000 feet in length from the Providence Plant on Terminal Road to the Petrolane Facilities on Fields Point Drive in Providence, Rhode Island for the purpose of the transportation of liquid propane (LPG) from Petrolane to Providence Gas.

The proposed 4" pipeline will be constructed along a route which was suggested by the Department of Public Works of Providence, Rhode Island. The proposed pipeline would be laid between the street curb and the property line wherever possible. Short sections of the line would be laid under the street itself. The pipeline would exit the Providence Gas Company plant on Terminal Road and proceed east on Terminal Road to the Abbott Glass Company. The line would then proceed south on New York Avenue passing by the city sewerage facilities to Fields Point Drive. The line would then proceed east on Fields Point Drive to the Petrolane Terminal. There are no residential areas along the proposed route.

The pipeline would be a continuously welded system with no flange connections or side connections except within the confines of the Providence Gas Company facilities and the Petrolane Terminal.

II. DISCUSSION

The pipeline system as proposed will provide a very secure and safe means of transportation of liquid propane. According to available statistics, transportation by pipeline not only is the safest means of transportation from the standpoint of the public, but is also the most reliable from the standpoint of Providence Gas Company. The product will be immediately available for the consumption of the residents of Providence without reliance on arranging and scheduling transportation by truck which could be affected by weather and other restrictions.

The Department of Transportation, Minimum Safety Standards for Transportation of Natural and Other Gas by Pipeline, Title 49, Part 192, the ANSI-B31.8 Gas Transmission and Distribution Piping Systems and the API 1104 Standard For Welding Pipe Lines and Related Facilities have received general acceptance for pipeline safety standards. This pipeline system as proposed not only meets the requirements of these codes but either meets the most stringent requirements or exceeds the requirements in the following respects:

- A. As proposed, the pipeline will be laid at a minimum depth of 48". The existing applicable national codes require only 30" of cover.
- B. The pipeline system as proposed will operate at approximately 200 psig, which is 3.8% of the minimum yield strength of the pipe. The most stringent applicable codes would limit the



maximum operating pressure to 40% of the minimum yield strength of the pipe (2096.8 psi). The additional safety factor which is being provided by Providence Gas Company is obvious.

- C. The pipeline system as proposed will be hydrostatically tested to 1000 psig. The existing applicable national codes would require a test pressure of only 300 psig for this line.
- D. The pipeline system as proposed will have 100% x-ray of all circumferential welds. The existing applicable national codes require only 15% of all welds completed each day to be tested non-destructively (by x-ray).
- E. 300 lb ANSI fittings and valves with a maximum working pressure of 720 psi will be installed in the system as proposed. The existing applicable national codes require only 150 lb ANSI fittings and valves with a maximum working pressure of 275 psi for the proposed system.

Another significant safety feature of the proposed pipeline system is to be the installation of a 6" layer of concrete in the ditch over the padded pipe before backfill. This will provide added protection to the pipe from damage by external sources during operation, which is one of the leading causes of pipeline accidents.

Another significant safety precaution is the selection of seamless pipe for the proposed line. By virtue of the manufacturing process, seamless pipe is less subject to rupture in operation due to the absence of the longitudinal welded seam.

The coating on the pipe exceeds the requirements of the applicable codes providing additional protection to the pipe.

This pipeline system as proposed will provide for transportation of propane without any human contact with the product. When such products are transported by rail or truck, people are involved in making connections to load and unload, which increases the possibility of accidents and injury not only to the workers themselves but also to the public. The very presence of the trucks loaded with propane traveling over the city streets is much more of a threat to the safety of the people in Providence than the proposed pipeline would be.

According to published statistics by the National Transportation Safety Board (Report Number NTSB-ST-71-4) transportation of products by pipeline is safer than transportation by rail or truck. A comparison of fatality rates between 1963 and 1968 is included for your review.

III. ENGINEERING DESIGN PARAMETERS

1. Operating Pressures

The pipeline system will be operated at a pressure of approximately 200 psig. The maximum pressure in the pipeline is to be 250 psig.

2. Pipeline materials

A. Pipe -

Size - 4 1/2" OD

Grade - Black, seamless, API 5L, 35,000 psi min. yield
strength

Wall Thickness - 0.337", Schedule 80

Internal Pressure at minimum Yield Strength - 5242 psi

B. Pipe Coating -

2 coats, $\frac{3''}{32}$ plasticized enamel

1 layer of fiberglass wrap

1 coat $\frac{3''}{32}$ plasticized enamel

1 wrap of 15# tar asbestos felt

1 wrap of heavy kraft paper

C. Pipe Fittings -

All flanges will be ANSI 300 lb raised face (max. working
pressure 720 psi)

All weld fittings will be schedule 80 extra strong (max.
working pressure 3145 psi)

3. Protective Devices

A. Automatic shut-in valves -

1. The automatic shut-in valve at the Providence Gas
Company end of the line will be a "Sentry Solenoid

Shut-off valve Model 1700" which will automatically close on low line pressure. The electrically energized solenoid holds the valve in the open position. This shut-off valve is "fail safe" in that the valve closes on loss of power.

2. The automatic shut-in valve at the Petrolane end of the line will be a Fisher control valve which will automatically close on low line pressure. Control air pressure on the diaphragm holds the valve open. This shut-off valve is "fail safe" in that the valve closes on loss of air pressure on the diaphragm.

B. Relief Valves -

Relief valves are to be installed to protect against over pressuring the pipeline.

C. Booster Pump Shut-downs -

The booster pumps will be automatically shut-down in the event of high pressure and in the event of low pressure.

D. Cathodic Protection System -

1. A cathodic protection system to be installed will comply with the latest requirements of the Department of Transportation Codes 49CFR, Part 192, Subpart I. Anodes will be installed at appropriate locations along

the route to adequately protect the pipe from corrosion and stray currents from other lines and sources.

2. Test leads are to be installed at appropriate locations to check the effectiveness of the cathodic protection at regular intervals each year.

E. Odorization -

The product will be odorized to further comply with the existing codes.

F. Surface Markings -

1. Warning markers will be installed along the route of the pipeline on each side of each street crossing and railroad crossing and at other intervals wherever appropriate and to the satisfaction of the Department of Public Works. The wording on the warning markers will be in compliance with the requirements of the Department of Transportation and the Department of Public Works.

G. Underground Markings -

1. It is proposed that all open ditch be padded with 12" of sand or other suitable material above the pipe in the ditch. It is then proposed that a 6" layer of concrete be poured in the ditch over this layer of sand which would be 6" thick and the width of the pipeline ditch.



H. Lateral Stability -

1. The pipeline after installation and backfill will have lateral stability due to the many changes of direction along the proposed route. No additional protection should be needed to maintain the necessary lateral stability, as there will be very little lateral movement of the line in operation. The temperature of the product transported will be relatively stable with very little variation in temperature. The pipeline is to be provided with slack by laying the line in compression during construction. There should be no movement that would either exceed the confines of the pipeline ditch or induce excessive tensile stresses.

4. Construction Techniques and Procedures -

A. Route Location -

Prior to the start of construction the centerline of the ditch is to be clearly marked. The Department of Public Works will then be requested to inspect the location of the proposed ditch for approval.

B. Existing pipelines, facilities and obstructions -

1. Prior to the start of construction all companies and owners of existing facilities are to be notified of the

impending construction. The location of all known lines and facilities is to be clearly marked. Hand excavation is to be employed at all locations where such protective measures are warranted.

2. In all cases where the depth of the proposed 4" pipeline is in conflict with existing lines then the new pipeline is to be installed under the existing line.
3. In all cases where an obstruction exists the new line is to be deviated to pass the obstruction.
4. In all cases the new pipeline is to be installed so as to provide a minimum clearance of 12" from all existing lines, facilities or obstructions.

C. Pipe Depth -

1. The minimum depth of cover over the pipe is to be 48" except for deviations required in 4B.
2. Where solid rock is encountered, the depth of cover is to be 30".

D. Excavation and Backfill -

1. All solid rock excavation is to be disposed of and replaced with suitable backfill material.
2. It is proposed that construction will be delayed until all of the frost is out of the ground.

3. Backfill material above the concrete barrier is to contain no rocks greater than 12" measured along the greatest axis.
4. Where vegetation and sod exists, the top layer of the backfill will be free of rocks and undesirable materials so as to provide for re-sodding and planting.
5. Backfill will be performed in such a manner, so as to protect all existing pipelines and facilities. Backfill is to be by hand shoveling wherever necessary.
6. The Company will provide representatives to exercise close surveillance over the ditching operation at all times to insure protection and detection of all existing lines and facilities to prevent damage.

E. Welding -

1. Only welders qualified in compliance with the A. P. I. Standard 1104 and Sections I and II of Appendix C of (Title 49, Part 192, Department of Transportation) will be allowed to weld on the new line.

F. Non-destructive Testing -

1. To further insure the integrity of the new pipeline, it is proposed that 100% of the circumferential welds be inspected by qualified radiographic inspectors.



G. Hydrostatic Testing -

1. After completion of construction the new pipeline will be hydrostatically tested, in place, to a pressure of 1000 psig for a continuous period of 24 hours.
2. Company will provide representatives to monitor and certify the test during this period.

H. As Built Drawings -

1. Company will conduct an "As Built Survey" during construction for the purpose of accurately locating the new line and all existing lines, facilities and obstructions.
2. Company will provide the Department of Public Works "As Built Drawings" showing the location and profile of the new line and its relative location to existing pipelines, utilities, facilities and obstructions, exposed during construction.

I. Street Encroachment -

1. Where construction is performed within in the city street, the construction will be conducted in such a manner as to cause a minimum of interference to traffic.
2. All necessary warning devices and barricades will be utilized to protect the public during such construction.
3. Excavated materials will be stored at a convenient location until needed for backfill.

4. Road surfaces are to be restored to the satisfaction of all concerned city agencies after construction.

J. Approvals -

1. "Proposed Construction Drawings and Specifications" for the new line will be submitted to the Department of Public Works for approval prior to the start of construction.

IV. MUNICIPAL POLICIES REGARDING PIPE LINE SYSTEMS IN OTHER LOCALITIES

- A. Department of Public Utilities and Transportation of the City of Los Angeles.

The City of Providence has obtained from the City of Los Angeles its specifications for similar pipeline systems. This proposed pipeline as designed will either meet or in many cases exceed the requirements for the City of Los Angeles.

- B. Philadelphia Electric Company

The Philadelphia Electric Company has a 6" pipeline originating in the Sun Oil Plant at Marcus Hook Pa. which extends to the Chester Plant at Delaware Avenue and Tilghman Street. The length of the line is approximately 18,000 feet. The maximum working pressure of the line is 400 psig. A copy of correspondence from Philadelphia Electric Company and the Fire Administrator of the City of Chester regarding this pipeline is attached.



C. Department of Public Works of the City of Houston

The Department of Public Works of the City of Providence has obtained from the "Director of Public Works" of the City of Houston, by transmittal dated November 6, 1972, a copy of the city ordinance for installation of pipeline systems within the city limits. This transmittal also included specifications and policy regarding such construction.

D. Supervisor, Street Permit and Sidewalk Bureau, Department of Public Works of the City of Detroit

A copy of correspondence is included regarding policy for construction of pipelines in the City of Detroit.

E. Assistant City Engineer, Tulsa, Oklahoma

A copy of correspondence is included regarding policy for construction of pipelines in the City of Tulsa.

F. Director of Public Works, Pasadena, Texas

A copy of the City ordinance for construction of pipelines for the transportation of hydrocarbons and hazardous materials within the City of Pasadena, Texas is included with this report.

G. Department of Streets and Sanitation, Chicago, Illinois

A copy of correspondence is included regarding the requirements for relocation of a pipeline in the public right of way in the City of Chicago.

V. CONCLUSION

The design meets or exceeds the minimum requirements of all recognized codes and regulations and will provide a sound pipeline system in keeping with recognized engineering practices. The pipeline system is to be operated at a pressure far below the maximum allowable pressure.

The additional wall thickness of the pipe, the fittings with additional pressure rating, the additional cover over the pipe, the 6" layer of concrete over the pipe, the additional coating, the additional testing, and the operational safety devices all work to provide greater integrity of the system proposed.

The proposed pipeline system as designed should provide the safest means of transportation in this situation.

VI. ENCLOSURES

- A. Photographs of the proposed route.
- B. Fatality Rates for Surface Freight Transportation 1963-1968.
- C. Copy of correspondence - Philadelphia Electric Company.
- D. Copy of correspondence - Fire Administrator of Chester County, Pa.
- E. Copy of correspondence - City of Detroit, Michigan.
- F. Copy of correspondence - City of Tulsa, Oklahoma.
- G. Copy of correspondence and City Ordinance, City of Pasadena, Texas.
- H. Copy of correspondence - City of Chicago, Illinois.

FATALITY RATES FOR SURFACE FREIGHT TRANSPORTATION 1963-1968*

	1963	1964	1965	1966	1967	1968	Six-Year Totals and Rates
<u>Pipelines, Petroleum</u>							
Ton-Miles (in billions)	253.4	268.7	306.4	332.9	361.0	391.3	1913.7
Total Deaths	2	0	4	2	3	11	22
Deaths per billion ton-miles	0.008	0.000	0.013	0.008	0.008	0.028	0.011
<u>Railroads</u>							
Ton-miles (in billions)	629.3	666.2	708.7	750.8	731.2	756.8	4243.0
Killed in freight or maintenance service	1507	1754	1729	1974	1879	1853	10,696
Deaths per billion ton-miles	2.4	2.6	2.4	2.6	2.6	2.4	2.5
<u>Highways (Federally regulated carriers only)</u>							
Ton-miles (in billions)	120.6	126.4	140.3	143.1	139.9	155.4	825.7
Deaths, all persons	1451	1492	1603	1472	1489	1482	8989
Deaths per billion ton-miles	12.0	11.8	11.4	10.3	10.6	9.5	10.9
Percent of intercity highway freight traffic Federally regulated	36	36	39	38	36	39	

*From a report by the National Transportation Safety Board. (Report Number NTSB - STS - 71-4)

PHILADELPHIA ELECTRIC COMPANY

2301 MARKET STREET

PHILADELPHIA, PA. 19101

Area Code 215

841-4000

July 20, 1972

Mr. Robert L. Yeager
Vice President of Operations
Providence Gas Company
100 Weybosset Street
Providence, R. I. 02901

Dear Mr. Yeager:

The following information has been prepared by our Engineering Department in response to the five general questions you raised in your letter.

In response to Question No. 5, the Engineering Department has given the maximum capacity of the line but the hours of operation per day are indefinite depending on how much propane we are putting into the system. Usually we take deliveries from Sun for a period of several hours each day to replace the outage in our propane tanks.

The only other point of general interest, I might add, is where the line passes under railroads or under creeks we have sleeved those portions and maintained a nitrogen atmosphere between the sleeve and the pipe of about fifteen pounds. When the line is not pumping, it is maintained at the Sun Cavern working pressure which varies slightly from summer to winter, but corresponds in general to the vapor pressure of propane at about 55°F.

1. Size: 6" x .280 wall
Length: 2,000' Aboveground on Sun Oil Co. Property
1,000' Underground on Sun Oil Co. Property
7,000' (Approx.) Underground in Public Hwy.
8,000' P.E.Co. Electrical T&D R/W & Private Prpty.
18,000' Total
2. 400 psig max. working pressure
600 psig hydrotest pressure (150% W.P.)

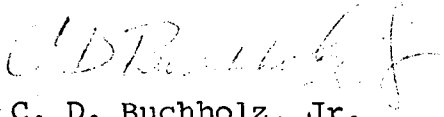
July 20, 1972

3. Borough of Marcus Hook, Delaware County, Borough Secretary, Joseph Bonavita
Borough of Trainer, Delaware County, Borough Secretary, William G. Nealy, Jr.
City of Chester, Delaware County - The director of the Department of Streets and Public Improvements is Councilman Clement J. McGovern and the engineer of that Department is Charles Catania.

(In the case of the boroughs in particular the secretaries may be part time employees and it would probably be advisable to contact them by letter rather than by telephone).

4. P.E.Co. predecessors (the former Delaware County Gas Co.) had franchise rights in the City of Chester and the Township of Lower Chichester, from which township were later incorporated the Boroughs of Marcus Hook and Trainer; these charter rights were sufficient to permit installation of the propane pipelines.
5. 504,000 gal./day
400 psig max. delivery pressure
Residual line pressure = cavern working pressure
Propane line in service since 1962

Very truly yours,


C. D. Buchholz, Jr.
General Superintendent
Gas Production & Supply

CITY OF CHESTER

PUBLIC SAFETY DEPT.

ZIP 19013

EDWARD CHIPMAN
BUILDING OFFICIAL, EXT. 274

DAVID CHAKRABARTY
HEALTH OFFICER, EXT. 260-261

WILLIAM H. SMECK
CHIEF HOUSING INSPECTOR, EXT. 273-277

WILLIAM F. SHARPLESS
FIRE ADMINISTRATOR



PHONE
TREMONT 6-8251

THOMAS J. GROCH
CHIEF ELECTRICAL INSPECTOR, EXT. 278

WILLIAM J. HOOPES
CHIEF PLUMBING INSPECTOR, EXT. 275

C. R. MERCADANTE
CHIEF NUISANCE ABATEMENT INSPECTOR
EXT. 270

December 5, 1972

Mr. Robert Yeager
Providence Gas Company
100 Weybossett Avenue
Providence, R.I. 02901

Dear Sir:

I have checked with John W. Carroll of the Gas Division of Philadelphia Electric Company regarding the 6 inch liquid propane line originating in the Sun Oil Plant, Marcus Hook, Pa. thru Trainer, Pa. to the Chester Plant at Delaware Avenue and Tilghman Street.

This line shows prints of September 11, 1962. Mr. Carroll knows of no problem that the Gas Division has had with this line and to my knowledge the Fire Department nor City has had any problems from any malfunction of this line. Apparently, it has been operating 9 to 10 years without trouble. I have been in the Fire Department 31 years and can recall no problems through operation of this line.

Yours truly,

William F. Sharpless, Jr.
William F. Sharpless, Jr.
Fire Administrator

WFS/lm



CITY OF DETROIT

ROMAN S. GRIBBS, Mayor

DEPARTMENT OF PUBLIC WORKS ■ CENTRAL ACCOUNTING DIVISION — PERMITS AND SIDEWALKS
502 CITY-COUNTY BUILDING, DETROIT, MICHIGAN 48226
(313) 224-3910

March 5, 1973

Mr. F. A. Ford
Gulf Interstate Engineering Company
P. O. Box 1916
Houston, Texas 77001

Dear Mr. Ford:

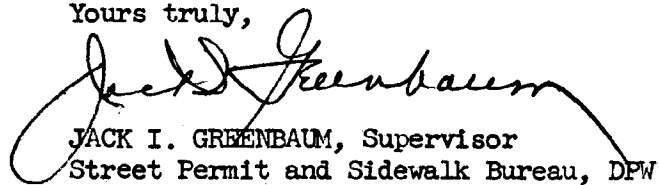
Please be advised that the installation of pipelines through the City of Detroit have been routinely accomplished for many years.

It is necessary that a petition be submitted to our Common Council with detailed plans and routes of the lines. In the past we have approved installations for propane, liquid hydrocarbons, oil and other materials.

Inspections are necessary during the course of the installation and all plans must be further approved by the Michigan Public Service Commission. The project must be designed and built to conform with all applicable Federal, State and Local Codes.

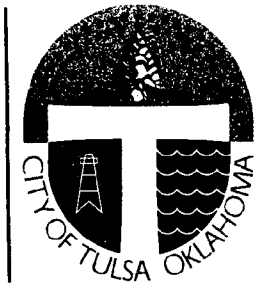
If there are any specific questions, please feel free to contact the writer.

Yours truly,


JACK I. GREENBAUM, Supervisor
Street Permit and Sidewalk Bureau, DPW

JIG:pf

OFFICE
OF
CITY ENGINEER



200 CIVIC CENTER

TULSA, OKLAHOMA

74103

March 14, 1973

F. A. Ford
Gulf Interstate Engineering Company
P. O. Box 1916
Houston, Texas 77001


Dear Mr. Ford:

As per our telephone conversation of March 12th, this is to confirm that the City of Tulsa does allow various types of fuel lines to be placed in roadway right of way.

The City of Tulsa handles this by license agreement between the particular company and the City of Tulsa with plans being submitted and approved by our Protective Inspection Division; the plans reflecting location, depth, area sleeved, etc.,

If we can be of further assistance, please advise.

Yours very truly,


Robert R. Forth
Assistant City Engineer

RRF:r



CLYDE DOYAL-MAYOR

CITY OF PASADENA

P. O. BOX 672
PASADENA, TEXAS 77501

March 14, 1973

Gulf Interstate Engineering
P. O. Box 1916
Houston, Texas 77001

Att: Mr. F. A. Ford

Dear Mr. Ford:

Am enclosing a copy of our Ordinance governing Pipeline Transportation and also list of three pipeline companies. If any more information be needed please contact us.

Sincerely,
CITY of PASADENA

D. R. Jones
Director of Public Works

DRJ:lg

Enclosures:

PHILIPS PETROLEUM COMPANY

GULF REFINING COMPANY

CROWN PETROLEUM COMPANY

ORDINANCE SUMMARY

W
No. _____

Requested by LEGAL DEPARTMENT, Date 3/6/70

Prepared by THEODORE S. ABBOTT, Date 3/6/70
Legal Department

Submitted to CLYDE DOYAL, Date 3/11/70
Mayor

Amount \$ _____

REMARKS

AN ORDINANCE REVISING CHAPTER 24-A, "PIPELINE TRANSPORTATION" OF THE CODE OF ORDINANCES OF THE CITY OF PASADENA, TEXAS; REQUIRING A FRANCHISE TO LAY OR REPLACE PIPELINES; PRESCRIBING FEES FOR SUCH FRANCHISES; REQUIRING REGISTRATION OF EXISTING AND PROPOSED LINES; MAKING CERTAIN EXCEPTIONS; SHUT-OFF VALVE OPERATION; PROVIDING PENALTIES; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING SEVERABILITY.

Approved:

Party Requesting

City Controller

Charles A. Costello
City Attorney

Council Action:

Referred To Committee

Rejected

Mayor

1st 3-24-70

Final 4-7-70

p.

70-59

Hogan - LaFite
Hooper - Isbell

ORDINANCE NO. 70- 54

AN ORDINANCE REVISING CHAPTER 24-A, "PIPELINE TRANSPORTATION" OF THE CODE OF ORDINANCES OF THE CITY OF PASADENA, TEXAS; REQUIRING A FRANCHISE TO LAY OR REPLACE PIPELINES; PRESCRIBING FEES FOR SUCH FRANCHISES; REQUIRING REGISTRATION OF EXISTING AND PROPOSED LINES; MAKING CERTAIN EXCEPTIONS; SHUT-OFF VALVE OPERATION; PROVIDING PENALTIES; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING SEVERABILITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASADENA:

SECTION 1. Chapter 24-A of the Code of Ordinances is hereby revised and amended to read, and shall hereafter read, as follows:

"CHAPTER 24-A"

PIPELINE TRANSPORTATION

SECTION 24-A-1. Definition of Terms.

All terms used herein shall be taken in their ordinary signification except the following:

Commodity - Any substance capable of being transmitted through a pipeline which is, or may become, flammable, toxic or otherwise hazardous to human, animal or plant health and/or life.

Pipeline - A line of pipe with pumps, valves and control devices for conveying a commodity or commodities.

Shut-Off Valve - Any device installed in a pipeline and used to stop the conveyance of a commodity or commodities through a pipeline.

SECTION 24-A-2. Franchise Required.

The right to control and use of the public streets, highways, sidewalks, parks, public squares and public places being invested in the City Council by Article XI of the Charter of the City of Pasadena, no person, firm or corporation shall lay any pipeline, nor shall an existing pipeline be entirely replaced, across, or along and under the public streets, highways, sidewalks, parks, public squares, and/or public places within the City of Pasadena, unless and until a franchise has been obtained for such pipeline

under the terms of this Chapter.

SECTION 24-A-3. Grant of franchise, duration of grant. A franchise to lay or replace and operate a pipeline shall only be granted, renewed and extended by ordinance not in conflict with the Charter of the City of Pasadena which ordinance shall be read and passed at two regular meetings of the Council and shall not be finally acted upon until thirty (30) days after the first reading. The ordinance granting said franchise shall specify the term of the grant provided no franchise shall be granted for a term of more than fifty (50) years.

SECTION 24-A-4. Classification of franchises.

Every franchise granted under the provisions hereof shall be classified as either a Gathering Line Franchise or a Trunk Line Franchise. A Gathering Line Franchise shall be for the laying or replacement of a pipeline or pipelines as an incident to the development and operation of oil and/or gas fields, including what are commonly referred to as gathering lines, and discharge lines together with salt water lines, fresh water lines and lines carrying oil, water or gas produced in such fields to locations in such fields for operational, gathering or drilling purposes. All other pipelines, regardless of commodity or commodities carried, shall be covered by a franchise classified as a Trunk Line Franchise.

SECTION 24-A-5. Gathering Line Franchise-scope, filing maps and drawings.

A single franchise will be granted to a person desiring to lay or replace and maintain and operate pipelines as a facility incident to the development and/or operation of oil and/or gas fields wholly or partly within the city limits or in close proximity to the city limits, including, but without limitation, lines

for: the gathering of oil, gas and/or other minerals from wells, tanks or field pumping stations; the gathering and disposal of salt water; the transportation of water for drilling and other purposes; the transportation of gas within the fields for operational, gathering or drilling purposes; and for the transportation of oil, gas and/or other minerals from a point in such fields to a connection with a trunk pipeline. Such franchise shall authorize the permittee to run any of such lines across or along and under any street but only upon the approval of the Director of Public Works as to the point or points at which the pipeline will cross or run along and under any such street and the depth of line under the street and the means and manner of construction, upon application made to him before any line is so laid under any public street. Such franchise shall provide that any such lines where same cross or are laid within and along and under any street or street right-of-way in existence at the time the line is laid will, at any time thereafter, be relocated or lowered at such point of crossing by the permittee at permittee's cost if found necessary by the Director of Public Works incident to any future street improvement or water, sanitary sewer or storm sewer construction. Before granting any such permit, the city's such Director shall require the permittee to file with him maps and drawings of the area involved to constitute a permanent record in the office of the Director of Public Works of the location of the line so permitted to be carried under city streets. At every point or points where a pipeline is to cross or run along and under a street the pipeline must be buried to a depth of at least six (6) feet measured between the top of the line and the natural surface of the ground.

SECTION 24-A-6. Same - Franchise and permit fees.

The ordinance granting the franchise contemplated by the foregoing Section 24-A-5 shall provide for the payment by the permittee

to the City of an initial franchise fee in the amount of One Hundred and No/100 (\$100.00) Dollars and for the payment of an annual fee thereafter in the amount of Twenty-Five and No/100 (\$25.00) Dollars per year payable annually in advance on or before the anniversary date of the final passage of the ordinance granting such franchise; provided that the permittee may, at its election and option, pay in advance at the time the initial franchise fee is paid the aggregate amount of the annual fees to be thereafter payable for the full term covered by the franchise. In the event advance payment is made of all annual fees for the full term of the franchise, no further annual fees shall be payable during the life and term of the franchise. In addition, such franchise shall provide for the payment by the permittee of Ten and No/100 (\$10.00) Dollars upon the granting by the Director of Public Works of the specific permit for the crossing of and/or running along and under one or more streets by each or any particular line as hereinabove provided for.

SECTION 24-A-7. Trunk Line Franchise - To be granted by Ordinance; depth of pipes.

The right to lay or construct a trunk pipeline across or along and under any street or streets in the City shall only be granted by Ordinance which shall state the streets across or along and under which the pipeline is to be laid and shall state with particularity the point or points at which the pipeline will cross or run along and under any such street. No such right will be granted nor any such ordinance passed unless so much of the entire pipeline as is proposed to be laid through or under any undeveloped or unplatted area within the limits of the city is to be buried and laid to a depth of at least four (4) feet measured between the top of the line and the natural surface of the ground provided that at any point or points where

such line is to cross or run along and under an existing street or streets and/or any proposed street which has been designated on the Master Plan for the City of Pasadena or the official city map of the City of Pasadena, said line must be buried to a depth of at least six (6) feet measured between the top of the line and the natural surface of the ground. Provided further, if at any particular point or points the city's Director of Public Works recommends that a greater or lesser depth be required, if known and reasonable facts presented shows that the recommendation is prudent and reasonable, such franchise will not be granted except upon agreement by the permittee to comply with such required depth.

SECTION 24-A-8. Same - Application for franchise; submitting plans; report to Council.

Any person desiring to construct any trunk pipeline across or along and under any street within the limits of the city shall first submit to the city's Director of Public Works and to the city's Director of City Planning a plan accurately showing the proposed location, course and alignment of the proposed pipeline, accompanied by a written application for the passage of an ordinance as hereinabove provided, which application shall show (unless the same are sufficiently shown on the plan) the time, manner, means and methods of the proposed construction, the particular commodity proposed to be transported through such line and the maximum pressure and maximum temperature under which the same may be pumped or otherwise caused or permitted to flow through any and all of the particular portions of the line. Such plan, which shall consist not only of the plan but also of a suitable alignment map as drawn for the applicant for its own records, shall accurately show the location of all existing streets, all proposed streets designated on Master Plan for the City of Pasadena or on the official map of the City of Pasadena across or along and under which the pipeline is intended to be laid. Two

copies thereof and of the application shall be presented to the Director of City Planning and two copies thereof and of the application shall be presented to the city's Director of Public Works. The city's two such Directors shall report to the City Council upon their examination of such application and plans (including such changes in the plans as the applicant may have made upon their suggestion) with their recommendations as to the granting or denying of the application. They shall, in their report and recommendation, state whether the depth or depths at which it is proposed to be laid through undeveloped or unplatted areas is, to the extent economically feasible, consistent with the probable future development of such areas and with the probable location of and opening of future streets and the probable laying of water, sanitary sewer and storm sewer lines incident to such probable future development.

SECTION 24-A-9. Same - Franchise and permit fees.

Every such ordinance granted for the carrying of trunk pipelines under city streets shall provide that the permittee pay to the city an initial franchise fee in the amount of One Hundred and No/100 (\$100.00) Dollars and shall further provide for the payment of an annual fee thereafter in the amount of Twenty-Five and No/100 (\$25.00) Dollars per year, payable annually in advance on or before the anniversary date of the final passage of the ordinance granting such franchise; provided that the permittee may, at its election and option, pay in advance, at the time the initial franchise fee is paid, the aggregate amount of the annual fees to be thereafter payable for the full term covered by the franchise. In the event advance payment is made of all annual fees for the full term of the franchise, no further annual fees shall be payable during the life and term of the franchise.

SECTION 24-A-10. Conditions imposed by ordinances; saving city harmless, refilling depressions, repairing streets.

The ordinance granting any franchise (whether for a trunk pipeline or for gathering lines as hereinabove contemplated) shall require the permittee to save the city harmless from liability for injury or damage to any person or persons or property caused by the construction, maintenance, operation, repair or removal of any part or all of such pipeline within the right-of-way of any street of the city, whether existing at the time such ordinance is passed or thereafter dedicated or otherwise coming into existence; and shall require the permittee to pay to the city all damages caused to the city or any of its agencies by the construction, maintenance, operation, repair or removal of such pipeline or any part thereof. Such ordinance shall further require the permittee to refill, including the repaving of any cut in any pavement, all excavations made by it within the right-of-way of any street, whether existing at the time such ordinance is passed or thereafter dedicated or otherwise coming into existence, in the construction, operating, maintaining or removing of such pipeline or any part thereof; and if after once refilling such excavation the earth within the excavated area settles so as to leave a depression, the permittee shall be required to make further necessary fills from time to time as ordered by the City Director of Public Works or by the City Council. The permittee will be required by such ordinance to repair all portions of any street across or along and under which its such line is laid and place the same in as good a state of repair and condition as they were in at the time the construction, repair or removal was commenced, such repairs to be to the satisfaction of the City Council. Such ordinance shall further require that all such work of repairing or refilling shall be done under plans and specifications approved by the Director of Public Works and subject to his approval of the completed work; and any excavation in or along and under any such

street shall be replaced with materials of the same kind as those removed unless the city's such Director shall have approved of some other type of fill or material. Except in an emergency, the permittee shall notify the city's Director of Public Works before commencing at any time excavation in any portion of any street, and shall not wholly close any street, but shall at all times maintain a route of travel along and within such roadway area which shall include any sidewalk area, except in the event of an emergency, it being evident that immediate action is necessary for protection of the public and to minimize property damage and loss of investment, permittee may, at its own responsibility and risk make necessary emergency repairs, notifying the city's Director of Public Works and the Mayor or the City Council of this action as soon as practical. Such ordinance shall also provide that in the event the permittee fails to commence or thereafter to diligently prosecute any repair, re-filling or other work required to be done by it within a reasonable time after being notified to do so by the city's Director of Public Works, the city may cause such work to be done at the expense of the permittee and may recover all such expense from the permittee together with all costs and reasonable attorney's fees.

SECTION 24-A-11. Effect of Article.

Except as hereinafter provided in Section 24-A-14, this Chapter shall not apply to or affect, any corporation now or hereafter providing natural gas service to the inhabitants of the City of Pasadena pursuant to a franchise granted to such corporation under the authority of the Charter of the City of Pasadena as a gas distribution utility.

SECTION 24-A-12. Registration of pipelines.

The owner of every pipeline now located across or along and under the public streets, highways, sidewalks, parks, public squares and/or public places within the City of Pasadena and the owner of any pipeline constructed, or replaced under a franchise hereinafter granted under the terms of this Chapter shall prepare and file with the City Building Official three (3) official, scaled, City of Pasadena, Texas street maps, as currently revised by the City Engineer, upon which the owner shall fully delineate the area within the city's corporate limits traversed by the existing or proposed pipeline with the route, distances and shut-off valve locations clearly and indelibly drawn thereon together with the name and mailing address of the owner and the telephone number of at least one (1) office or person available on a twenty-four (24) hour basis who can furnish or obtain immediately, information as to the pressure at the point or points of input nearest to the city and the common name of the commodity carried by the pipeline or pipelines of such owner. Immediately upon receipt of said maps the City Official shall transmit one (1) copy to the City Director of Public Works and one (1) copy to the City of Pasadena Fire Department, and shall retain one (1) copy in his files. The Building Official shall issue a receipt for each registration filed. Any change in the twenty-four (24) hour contact information must be promptly reported to the City Fire Department.

SECTION 24-A-13. Pipeline Signs.

Every pipeline, new or existing, within the corporate limits of the city shall bear at all times, in plain, indelible lettering, signs denoting the ownership of said pipeline, permanently affixed in the pipeline right-of-way. No person, except the owner, or his or its duly authorized agent, shall tamper with or remove any such sign.

SECTION 24-A-14. Exceptions.

The Houston Natural Gas Corporation and Pennzoil United, Inc., successor to the United Gas Corporation, are franchised utilities of the City of Pasadena and have, at least since the year 1945, regularly applied to and advised the city of their extensions, changes and relocations of such pipelines, said utilities shall not be required to file the maps and attachments referred to in Section 24-A-12 hereof for any pipeline construction, extension, change, or relocation since the year 1945 and prior to the effective date hereof; provided; however, said utilities shall file such maps and attachments of all gas trunk pipelines extant within the city's corporate limits prior to the year 1945 and still operated in the original routes and locations of same.

Those lands within the corporate limits of the city north of the Pasadena Freeway (State Highway 225) and north and east of East Red Bluff Access Road are wholly occupied by and subject to industrial development and, therefore, pipelines within said lands are excepted from the operation and effect of this ordinance.

SECTION 24-A-15. Shut-Off Valve Operation; Excavations and Construction on or across pipelines.

No person shall turn off, on, or otherwise operate or tamper with any pipeline shut-off valve within the city's corporate limits unless such person be an employee of the owner or operator of said pipeline or a duly authorized agent of such owner or operator.

No person, other than the owner of the pipeline or his or its duly authorized agent, shall excavate over or change the grade of, operate on or construct anything on or across the right-of-way of any pipeline without first notifying the Director of Public Works and the owner of the pipeline and giving them reasonable opportunity to have an observer present during such activity.

SECTION 24-A-16. Penalties.

Any violation of any section, subsection, or part of this ordinance shall be deemed a misdemeanor and such violation thereof during all or any portion of any day shall be a separate offense and misdemeanor; and, upon final conviction, every person, firm, association, corporation or partnership guilty of such violation shall be fined a sum of money not less than Twenty-Five (\$25.00) Dollars and not more than Two Hundred (\$200.00) Dollars.

SECTION 2. Repealing.

All ordinances in force when this ordinance becomes effective and which ordinances are inconsistent herewith or in conflict with this ordinance are hereby repealed insofar as said ordinances are inconsistent or in conflict with this ordinance.

SECTION 3. Savings Clause.

All rights and remedies which have accrued for or in behalf of the City of Pasadena under any statute, ordinance, rule or regulation, or contract shall be and are hereby preserved for the benefit of the City of Pasadena.

SECTION 4. Severability.

The City Council of the City of Pasadena, Texas does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, word or portion of this ordinance is declared invalid or unconstitutional by final judgment of a court of competent jurisdiction that, in such event, it would have passed and ordained any and all remaining portions of this Ordinance without the


inclusion of that portion or portions which may be so found to be invalid or unconstitutional and declares that its intent is to make no portion of this ordinance dependent upon the validity of any other portion thereof and that all said remaining portions shall remain and continue in full force and effect.

SECTION 5. Effective Date.

This ordinance shall be in full force and effect from and after final passage and publication as required by law.

PASSED on first reading by the City Council of the City of Pasadena, Texas, in regular meeting in the City Hall this 24th day of March, A.D., 1970.

APPROVED this 24th day of March, A.D., 1970.



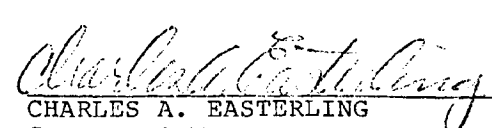
CLYDE DOYAL, MAYOR
OF THE CITY OF PASADENA, TEXAS

ATTEST:

APPROVED:




GENELLE HORTON
ASSISTANT CITY SECRETARY
CITY OF PASADENA, TEXAS



CHARLES A. EASTERLING
CITY ATTORNEY
CITY OF PASADENA, TEXAS

PASSED on second and final reading by the City Council of the
City of Pasadena, Texas, in regular meeting in the City Hall
of the City this 7 day of April, A.D.,
1970.


APPROVED this 7 day of April, A. D.,
1970.



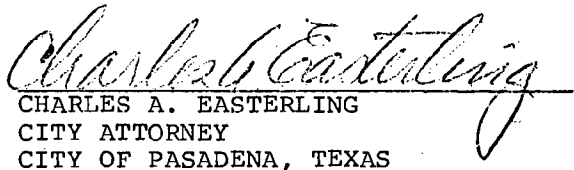
CLYDE DOYAL, MAYOR
OF THE CITY OF PASADENA, TEXAS

ATTEST:

APPROVED:



GENELLE HORTON
ASSISTANT CITY SECRETARY
CITY OF PASADENA, TEXAS



CHARLES A. EASTERLING
CITY ATTORNEY
CITY OF PASADENA, TEXAS

LEGAL NOTICE

ORDINANCE NO. 70-59

AN ORDINANCE
REVISING CHAPTER 24-A,
"PIPELINE TRAN-
SPORTATION", OF THE
CODE OF ORDINANCES
OF THE CITY OF
PASADENA, TEXAS;
REQUIRING A FRAN-
CHISE TO LAY OR
REPLACE PIPELINES;
PRESCRIBING FEES
FOR SUCH FRAN-
CHISES; REQUIRING
REGISTRATION OF
EXISTING AND
PROPOSED LINES;
MAKING CERTAIN EX-
CEPTIONS; SHUT-OFF
VALVE OPERATION;
PROVIDING PENALTIES;
PROVIDING AN EF-
FECTIVE DATE;
PROVIDING A
REPEALING CLAUSE;
CONTAINING A SAVINGS
CLAUSE; AND
PROVIDING
SEVERABILITY.

LEGAL NOTICE

SECTION 24-A-16. Penalties.

Any violation of any section, subsection, or part of this ordinance shall be deemed a misdemeanor and such violation thereof during all or any portion of any day shall be a separate offense and misdemeanor; and, upon final conviction, every person, firm, association, corporation or partnership guilty of such violation shall be fined a sum of money not less than Twenty - Five (\$25.00) Dollars and not more than Two Hundred (\$200.00) Dollars.

SECTION 5. Effective Date.

This ordinance shall be in full force and effect from and after final passage and publication as required by law.

PASSED on first reading by the City Council of the City of Pasadena, Texas, in regular meeting in the City Hall this 24th day of March, A.D., 1970.

APPROVED this 24th day of March, A.D., 1970.

/s/ Clyde Doyal, Mayor OF
THE CITY OF PASADENA,
TEXAS

APPROVED:
/s/ CHARLES A.
EASTERLING
CITY ATTORNEY
CITY OF PASADENA,
TEXAS

ATTEST:
/s/ DARYLENE DANIELS
CITY SECRETARY
CITY OF PASADENA,
TEXAS

PASSED on second and final reading by the City Council of the City of Pasadena, Texas in regular meeting in the City Hall of the City this 7th day of April, A.D., 1970.

APPROVED this 7th day of April, A.D., 1970.

/s/ CLYDE DOYAL,
MAYOR OF THE CITY OF
PASADENA, TEXAS

APPROVED:
/s/ CHARLES A.
EASTERLING
CITY ATTORNEY
CITY OF PASADENA,
TEXAS

ATTEST:
/s/ DARYLENE DANIELS
CITY SECRETARY
CITY OF PASADENA,
TEXAS

PUBLISHER'S CERTIFICATE

State of Texas

County of Harris

Personally appeared before the undersigned, a notary public within and for said county and state, Tex Adams, publisher of the News Citizen newspaper published at Pasadena, County of Harris, State of Texas, being duly sworn, states on oath that the report of ORDINANCE # 70-59 TRANSPORTATION a true copy of which is hereto annexed, was published in said newspaper in its issue of the 9TH day of APRIL, 1970.

Sworn to and subscribed before me this

28th

day of

April 1970

Tex Adams
Publisher

Dorothy Thomas
Notary Public

Harris County, Texas

NOTARY PUBLIC IN AND FOR HARRIS COUNTY, TEXAS
MY COMMISSION EXPIRES JUNE 1, 1971