



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

MAY 01 2019

NOTICE TO NATURAL GAS AND HAZARDOUS LIQUID PIPELINE OPERATORS

Subject: Notice of Exercise of Enforcement Discretion with Respect to API Specification 5L, 45th edition

For the reasons explained in this notice, PHMSA does not intend to take any enforcement action relating to the requirements in 49 C.F.R. §§ 192.7(b)(7), 192.55(e), 192.112(a)-(b), (d)-(e), 192.113; Item I, Appendix B to Part 192; and 49 C.F.R. §§ 195.3(b)(13), 195.106(b), (e) concerning the use of American Petroleum Institute (API) Specification 5L (Spec 5L), “Specification for Line Pipe,” 45th edition, December 2012, if an operator can demonstrate compliance with the more stringent provisions of API Spec 5L, 46th edition, April 2018, including Errata 1 (May 2018).

PHMSA currently incorporates by reference the 45th edition of API Spec 5L, however, API has issued a more recent edition of this standard. The new 46th edition includes more stringent pipe end-straightness tolerances and clarification on how to define and measure end-squareness. The new edition also includes two new annexes that deal with welded jointers and pipe used in strain-based design. The new annexes enhance pipeline safety under the circumstances to which they are applicable.

PHMSA has reviewed the 46th edition and determined that it provides a higher level of safety compared with the 45th edition that is currently incorporated by reference. While PHMSA considers incorporating the 46th edition of API Spec 5L by reference into the regulations, PHMSA does not intend to take any enforcement action relating to the above-referenced regulatory requirements to use the 45th edition if an operator can demonstrate compliance with the applicable provisions of the 46th edition.

Following the effective date of the 46th edition (May 1, 2019), API will require pipeline manufacturers with a license to use the API Monogram to manufacture and certify the line pipe to the 46th edition as part of their license with API. Absent this exercise of enforcement discretion, licensed pipe manufacturers would have to either follow both editions of API Spec 5L or forgo the benefits of the 46th edition and the API Monogram. The above circumstances justify an exercise of enforcement discretion with respect to the 45th edition of API Spec 5L provided the 46th edition is used in its place.

This notice will remain in effect until the effective date of any final action on a proposed rulemaking addressing the 46th edition of API. However, nothing in this letter prohibits PHMSA from rescinding this notice and enforcing the federal pipeline safety regulations if it determines that a significant safety issue or other circumstance warrants doing so, including finding there is no longer a need for this exercise of enforcement discretion. Pipeline operators affected by this exercise of enforcement discretion remain responsible for the safe operation of their systems and nothing in this notice relieves operators from compliance with any other applicable provisions of the federal pipeline safety regulations.

ISSUED IN WASHINGTON, D.C.



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