PUBLIC SERVICE COMMISSION

253

Chapter PSC 135

GAS SAFETY

PSC 135.01	Character of construction,	PSC 135.06	Leak survey reports
PSC 135.02	maintenance and operation Facilities, inspection and re-	PSC 135.07	Over-pressure protection
	pairs Application of rules Protection of utility facilities	PSC 135.08	Report of proposed construc- tion
	Interference with public ser- vice structures	PSC 135.09	Adoption of federal minimum safety standards

History: Chapter PSC 135 as it was in effect on May 31, 1972 was repealed and a new chapter PSC 135 was created, Register, May, 1972, No. 197, effective 6-1-72.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

WISCONSIN ADMINISTRATIVE CODE

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.

254

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

Register, May, 1978, No. 269

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

	Sec	
A-General	192.11	Petroleum gas systems.
Scope of part.	192.12	Liquefied natural gas facilities.
Definitions.	192.13	General.
Class locations.	192.14	Conversion to service subject to
Incorporation by reference.		this part.
Gathering lines.	192.15	Rules of regulatory construction.
	Scope of part. Definitions. Class locations. Incorporation by reference.	A—General192.11Scope of part.192.12Definitions.192.13Class locations.192.14Incorporation by reference.

Register, May, 1978, No. 269

WISCONSIN ADMINISTRATIVE CODE

Sec.		Sec.	
1 92 .17	Filing of inspections and mainte- nance plans.	192.193 *192.195	Valve installation in plastic pipe. Protection against accidental over-pressuring.
Subpart	BMaterials	*192.197	Control of the pressure of gas de-
192.51	Scope.		livered from high-pressure dis-
*192.53	General.		tribution systems.
*192.55	Steel pipe.	*192.199	Requirements for design of pres-
*192.57	Cast iron or ductile iron pipe.		sure relief and limiting devices.
*192.59	Plastic pipe.	192.201	Required capacity of pressure re-
192.61	Copper pipe.		lieving and limiting stations.
192.63	Marking of materials.	192.203	Instrument, control, and sam-
192.65	Transportation of pipe.	· · ·	pling pipe and components. Pipelines on private right-of- way of electric transmission
		*192.204	Pipelines on private right-of-
Subpart	C—Pipe Design		lines.
192.101	Scope.		11/100.
192.103	General.	Subpart	E-Welding of Steel in Pipe-
192.105	Design formula for steel pipe.		lines
192.107	Yield strength (S) for steel pipe.	192.221	Scope.
192.109	Nominal wall thickness (t) for	*192.223	General.
100 111	steel pipe.	192.225	Qualifications of welding proce-
192.111	Design factor (F) for steel pipe.		dures.
192.113	Longitudinal joint factor (E) for	192.227	Qualification of welders.
100 115	steel pipe.	192.229	Limitations on welders.
192.115	Temperature derating factor (T) for steel pipe.	192.231	Protection from weather.
192.117		192.233	Miter joints.
192.117	Design of cast iron pipe. Design of ductile iron pipe.	192.235	Preparation for welding.
192.115	Design of plastic pipe.	192.237	Preheating.
192.121	Design limitations for plastic	192.239	Stress relieving.
194.120	pipe.	192.241	Inspection and test of welds.
*192 125	Design of copper pipe.	*192.243	Nondestructive testing.
102.110	bosign of copper pipe.	192.245 *192.246	Repair or removal of defects. Precautions to avoid explosions
Subpart	D-Design of Pipeline Compo-	102.240	of gas-air mixtures or uncon-
-	nents		trolled fires during construc-
192.141	Scope.		tion operations.
192.143	General requirements.	G	F—Joining of Materials
192.145	Valves.	Subpart	F—Joining of Materials Other Than by Welding
192.147	Flanges and flange accessories.	109 971	
192.149	Standard fittings.	192.271 192.273	Scope.
192.149 192.151	Standard fittings. Tapping.	192.273	Scope. General.
192.149	Standard fittings. Tapping. Components fabricated by weld-	192.273 192.275	Scope. General. Cast iron pipe.
192.149 192.151 192.153	Standard fittings. Tapping. Components fabricated by weld- ing.	192.273	Scope. General. Cast iron pipe. Ductile iron pipe.
192.149 192.151 192.153 192.155	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections.	192.273 192.275 192.277	Scope. General. Cast iron pipe.
192.149 192.151 192.153 192.155 192.155	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets.	192.273 192.275 192.277 *192.279	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe.
192.149 192.151 192.153 192.155 192.155 192.157 192.159	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility	192.273 192.275 192.277 *192.279	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re-
192.149 192.151 192.153 192.155 192.157 192.159 192.161	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors.	192.273 192.275 192.277 *192.279 *192.281	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission
192.149 192.151 192.153 192.155 192.155 192.157 192.159	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and	192.273 192.275 192.277 *192.279 *192.281 Subpart	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains
192.149 192.151 192.153 192.155 192.157 192.159 192.161 *192.163	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope.
192.149 192.151 192.153 192.155 192.157 192.159 192.161	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re-	192.273 192.275 192.277 *192.279 *192.281 Subpart	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications
192.149 192.151 192.153 192.155 192.155 192.157 192.159 192.161 *192.165	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards.
192.149 192.151 192.153 192.155 192.157 192.159 192.161 *192.163	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.305	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general.
192.149 192.151 192.153 192.155 192.157 192.159 192.163 192.163 192.165	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.305 *192.307	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials.
192.149 192.151 192.153 192.155 192.155 192.157 192.159 192.161 *192.165	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.305 *192.307 *192.309	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe.
192.149 192.151 192.153 192.155 192.157 192.159 192.161 *192.163 192.165 192.165 192.167 192.169	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.305 *192.307 *192.307 *192.307	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of plastic pipe.
192.149 192.151 192.153 192.155 192.157 192.159 192.163 192.163 192.165	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: additional	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.303 192.303 192.305 *192.307 *192.309 *192.307	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of plastic pipe. Bends and elbows.
192.149 192.151 192.153 192.155 192.157 192.159 192.161 *192.163 192.165 192.165 192.167 192.169	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.303 192.303 192.305 *192.307 *192.309 192.311 *192.315	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of plastic pipe. Bends and elbows. Wrinkle bends in steel pipe.
192.149 192.151 192.153 192.155 192.159 192.161 *192.163 192.165 192.167 192.167 192.169 *192.171	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: additional safety equipment.	192.273 192.275 192.277 *192.277 *192.281 Subpart 192.301 192.303 192.305 *192.307 *192.307 *192.307 *192.313 192.313	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection: general. Inspection of materials. Repair of steel pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards.
192.149 192.151 192.153 192.157 192.157 192.161 *192.163 192.165 192.167 192.169 *192.169 *192.171	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: additional safety equipment. Compressor stations: ventilation.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.303 192.303 *192.303 *192.303 *192.307 *192.307 *192.313 192.313 192.315	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection: general. Inspection: general. Repair of steel pipe. Repair of plastic pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of pipe in a ditch.
192.149 192.151 192.153 192.157 192.157 192.161 *192.163 192.165 192.167 192.169 *192.169 *192.171	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: additional safety equipment. Compressor stations: ventilation. Pipe-type and bottle-type hold-	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.305 *192.309 192.313 192.313 192.315 192.319 *192.319 *192.319	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of plastic pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of pipe in a ditch. Installation of plastic pipe.
192.149 192.151 192.153 192.155 192.167 192.163 192.165 192.167 192.169 *192.169 *192.171 *192.173 192.175	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: additional safety equipment. Compressor stations: ventilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.303 192.303 *192.303 *192.303 *192.307 *192.307 *192.313 192.313 192.315	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection: general. Inspection: general. Repair of steel pipe. Repair of plastic pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of pipe in a ditch.
192.149 192.151 192.153 192.155 192.157 192.169 192.161 *192.165 192.167 192.167 192.167 192.169 *192.171 *192.173 192.175 192.177	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: ventilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders. Transmission line valves.	192.273 192.275 192.277 *192.277 *192.281 Subpart 192.301 192.303 192.305 *192.305 *192.305 *192.309 192.311 *192.313 192.315 192.319 *192.319 *192.321	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of plastic pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of pipe in a ditch. Installation of plastic pipe. Casing.
192.149 192.151 192.153 192.157 192.157 192.167 192.163 192.165 192.167 192.169 *192.169 *192.171 *192.173 192.175 192.177 192.179 *192.181	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: mergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: ventilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders. Transmission line valves.	192.273 192.275 192.277 *192.277 *192.281 Subpart 192.301 192.303 192.305 *192.305 *192.305 *192.309 192.311 *192.313 192.315 192.319 *192.321 *192.323 *192.325 192.327	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection: general. Inspection: of materials. Repair of steel pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of pipe in a ditch. Installation of plastic pipe. Casing. Underground clearance. Cover.
192.149 192.151 192.153 192.155 192.157 192.169 192.161 *192.165 192.167 192.167 192.167 192.169 *192.171 *192.173 192.175 192.177	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: additional safety equipment. Compressor stations: entilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders. Transmission line valves. Distribution line valves. Vaulta: structural design require-	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.303 192.305 *192.307 *192.307 *192.307 *192.311 *192.313 192.315 192.317 *192.319 *192.321	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of steel pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of plastic pipe. Casing. Underground clearance. Cover.
192.149 192.151 192.153 192.155 192.167 192.169 192.167 192.165 192.167 192.167 192.167 192.167 192.167 192.171 *192.173 192.175 192.177 192.179 *192.181 *192.181	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: ventilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders. Transmission line valves. Distribution line valves. Vaults: structural design require- ments.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.303 192.315 *192.309 192.311 *192.319 *192.317 *192.323 *192.321 *192.323 *192.325 192.327 Subpart	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. GGeneral Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of steel pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of plastic pipe. Casing. Underground clearance. Cover.
192.149 192.151 192.153 192.157 192.157 192.167 192.163 192.165 192.167 192.169 *192.169 *192.171 *192.173 192.175 192.177 192.179 *192.181 *192.181	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: mergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: ventilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders. Transmission line valves. Distribution line valves. Vaults: accessibility.	192.273 192.275 192.277 *192.277 *192.281 Subpart 192.301 192.303 192.305 *192.303 *192.305 *192.307 *192.311 *192.313 192.313 *192.319 *192.323 *192.325 192.327 Subpart 192.351	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection: of materials. Repair of steel pipe. Repair of plastic pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of pipe in a ditch. Installation of plastic pipe. Casing. Underground clearance. Cover. H-Customer Meters, Service Regulators, and Service Lines Scope.
192.149 192.151 192.153 192.155 192.167 192.169 192.167 192.165 192.167 192.167 192.167 192.167 192.167 192.171 *192.173 192.175 192.177 192.179 *192.181 *192.181	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: ventilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders. Transmission line valves. Distribution line valves. Vaults: structural design require- ments. Vaults: sealing, venting, and ven-	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.303 192.315 *192.309 192.311 *192.319 *192.317 *192.323 *192.321 *192.323 *192.325 192.327 Subpart	 Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Requirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection general. Inspection of materials. Repair of steel pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of plastic pipe. Casing. Underground clearance. Cover. H-Customer Meters, Service Regulators, and Service Lines Scope.
192.149 192.151 192.153 192.155 192.167 192.169 192.161 *192.163 192.165 192.167 192.169 *192.171 *192.173 192.175 192.177 192.177 192.179 *192.181 *192.183	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: pressure limiting devices. Compressor stations: pressure limiting devices. Compressor stations: versure limiting devices. Compressor stations: versure limiting devices. Compressor stations: versure limiting devices. Tompressor stations: versure limiting devices. Tompressor stations: versure limition. Xuuts: scuessibility. Yaults: accessibility. Vauts: sealing, venting, and ven- tilation.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.303 192.315 *192.309 192.311 *192.319 *192.319 *192.317 *192.323 *192.323 *192.325 Subpart 192.351 *192.353	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of steel pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of plastic pipe. Casing. Underground clearance. Cover. H-Customer Meters, Service Regulators, and Service Lines Scope.
192.149 192.151 192.153 192.157 192.157 192.167 192.163 192.165 192.167 192.169 *192.169 *192.171 *192.173 192.175 192.177 192.179 *192.181 *192.181	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: inquid re- moval Compressor stations: emergency shutdown. Compressor stations: pressure limiting devices. Compressor stations: ventilation. Pipe-type and bottle-type hold- ers. Additional provisions for bottle- type holders. Transmission line valves. Distribution line valves. Distribution line valves. Vaults: accessibility. Vaults: sealing, venting, and ven- tilation. Vaults: drainage and waterproof-	192.273 192.275 192.277 *192.277 *192.281 Subpart 192.301 192.303 192.305 *192.303 *192.305 *192.307 *192.311 *192.313 192.313 *192.319 *192.323 *192.325 192.327 Subpart 192.351	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. GGeneral Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of plastic pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of pipe in a ditch. Installation of plastic pipe. Casing. Underground clearance. Cover. HCustomer Meters, Service Scope. Customer meters and regulators: location.
192.149 192.151 192.153 192.155 192.167 192.169 192.161 *192.163 192.165 192.167 192.169 *192.171 *192.173 192.175 192.177 192.177 192.179 *192.181 *192.183	Standard fittings. Tapping. Components fabricated by weld- ing. Welded branch connections. Extruded outlets. Flexibility Supports and anchors. Compressor stations: design and construction Compressor stations: liquid re- moval Compressor stations: pressure limiting devices. Compressor stations: pressure limiting devices. Compressor stations: versure limiting devices. Compressor stations: versure limiting devices. Compressor stations: versure limiting devices. Tompressor stations: versure limiting devices. Tompressor stations: versure limition. Xuuts: scuessibility. Yaults: accessibility. Vauts: sealing, venting, and ven- tilation.	192.273 192.275 192.277 *192.279 *192.281 Subpart 192.301 192.303 192.303 192.315 *192.309 192.311 *192.319 *192.319 *192.317 *192.323 *192.323 *192.325 Subpart 192.351 *192.353	Scope. General. Cast iron pipe. Ductile iron pipe. Copper pipe. Plastic pipe. G-General Construction Re- quirements for Transmission Lines and Mains Scope. Compliance with specifications or standards. Inspection: general. Inspection of materials. Repair of steel pipe. Repair of steel pipe. Bends and elbows. Wrinkle bends in steel pipe. Protection from hazards. Installation of plastic pipe. Casing. Underground clearance. Cover. H-Customer Meters, Service Regulators, and Service Lines Scope.

256

PUBLIC SERVICE COMMISSION

Sec.	:
192.359	Customer meter installations: operating pressure.
192,361	Service lines: installation.
192.363	Service lines: valve require- ments.
*192.365	Service lines: location of valves.
192.367	Service lines: general require- ments for connections to main piping.
192.369	Service lines: connections to cast iron or ductile iron mains.
*192.371	Service lines: steel.
192.373	Service lines: cast iron and duc- tile iron.
*192.375	Service lines: plastic.
*192.377	Service lines: copper.
192.379	New service lines not in use.
Subpart 192.451	I—Requirements for Corro- sion Control
	Scope.
192.452 _. 192.453	Applicability to converted pipe- lines. General.
192.455	External corrosion control: bur- ied or submerged pipelines in- stalled after July 31, 1971.
*192.457	External corrosion control: bur- ied or submerged pipelines in-
	stalled before August 1, 1971.
192.459	External corrosion control: ex- amination of buried pipeline when exposed.
192.461	External corrosion control: pro- tective coating.
192.463	External corrosion control: ca- thodic protection.
192.465	External corrosion control: mon- itoring.
192.467	External corrosion control: elec- trical isolation.
192.469	External corrosion control: test stations.
192.471	External corrosion control: test leads.
192.473 192.475	External corrosion control: inter- ference currents.
192.475	Internal corrosion control: gen- eral. Internal corrosion control: moni-
192.479	toring. Atmospheric corrosion control:
192.481	general. Atmospheric corrosion control:
192.483	monitoring. Remedial measures: general.
192.485	Remedial measures: transmis- sion lines.
192.487	Remedial measures: distribution lines other than cast iron or ductile iron lines.
192.489	Remedial measures: cast iron and ductile iron pipelines.
192.491	Corrosion control records.
Subpart	J—Test Requirements
192.501	Scope.
192.503	General requirements.
*192.505	Strength test requirements for steel pipeline to operate at a hoop stress of 30% or more of SMYS.

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Sec.

- 192.507 Test requirements for pipeline to operate at a hoop stress less than 30% of SMYS and above 100 p.s.i.g.
- *192.509 Test requirements for pipelines to operate at or below 100 p.s.i.g.
- *192.511 Test requirements for service lines.
- 192.513 Test requirements for plastic pipelines.
- 192.515 Environmental protection and safety requirements.
- 192.517 Records.

Subpart K—Uprating

192.551 Scope.

192.553 General requirements.

- 192.555 Uprating to a pressure that will produce a hoop stress of 30% or more of SMYS in steel pipelines.
- 192.557 Uprating: steel pipelines to a pressure that will produce a hoop stress less than 30% of SMYS; plastic, cast iron, and ductile iron pipelines.

Subpart L-Operations

192.601 Scope.

- 192.603 General provision.
- 192.605 Essentials of operating and maintenance plan.
- 192.607 Initial determination of class location and confirmation or establishment of maximum allowable operating pressure.
- 192.609 Change in class location: required study.
- 192.611 Change in class location: confirmation or revision of maximum allowable operating pressure.
- *192.613 Continuing surveilance.
- 192.615 Emergency plans.
- 192.617 Investigation of failures.
- *192.619 Maximum allowable operating pressure: steel or plastic pipelines.
- *192.621 Maximum allowable operating pressure: high-pressure distribution systems.
- *192.623 Maximum and minimum allowable operating pressure: lowpressure distribution systems. 192.625 Odorization of gas.
- 192.627 Tapping pipelines under pressure.
- *192.629 Purging of pipelines.

Subpart M-Maintenance Procedures 192.701 Scope.

- 192.703 General.
- 192.705 Transmission lines: patrolling.
- 192.706 Transmission lines, leakage surveys.
- *192.707 Transmission lines: markers.
- 192.709 Transmission lines: record-keeping.
- 192.711 Transmission lines: general requirements for repair procedures.

Register, May, 1978, No. 269

257

258	WISCONSIN ADMINISTRATIVE CODE			
Sec.		Sec.		
*192.713	Transmission lines: permanent field repair of imperfections and damage.	192.739	Pressure limiting and regulating stations: inspection and test- ing.	
192.715	Transmission lines: permanent repair of welds.	*192.741	Pressure limiting and regulating stations: telemetering or re-	
192.717	Transmission lines: permanent field repair of leaks.		cording gages.	
192.719	Transmission lines: testing of re- pairs.	192.743	Pressure limiting and regulating stations: testing of relief de-	
*192.720	Repair of steel pipe operating below 40% of the specified minimum yield strength.	*192.744	vices. Service regulators and associ- ated safety devices: inspection	
192.721 *192.722	Distribution systems: patrolling. Distribution mains: markers.		and testing.	
*192.723	Distribution systems: leakage surveys and procedures.	192.745	Valve maintenance: transmission lines.	
*192.724	Further leakage survey after re- pair of leak.	*192.747	Valve maintenance: distribution systems.	
192.725	Test requirement for reinstating service lines.	192.749	Valve maintenance.	
*192.727	Abandonment or inactivation of facilities.	*192.751	Prevention of accidental igni- tion.	
192.729	Compressor stations: procedure for gas compression units.	*192.753	Caulked bell and spigot joints.	
1 9 2.731	Compressor stations: inspection and testing of relief services.	192.755 Appendix	Protecting cast-iron pipelines. A—Materials incorporated by	
192.733	Compressor stations: isolation of equipment for maintenance or	•	reference. B—Qualification of pipe.	
	alterations.	Appendix	• • • •	
*192.735	Compressor stations: storage of combustible materials.	Appendix	low stress level pipe.	
192.737	Pipe-type and bottle-type hold- ers: plan for inspection and testing.	Appendix	D—Criteria for cathodic protec- tion and determination of measurements.	

*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— Register, May, 1978, No. 269