

CHAPTER 7

NATURAL GAS PIPELINES

Authority

N.J.S.A. 48:2-13, 48:2-73 et seq., 48:9-33 and 48:10-2 et seq.

Source and Effective Date

R.2009 d.69, effective January 29, 2009.
See: 40 N.J.R. 4915(a), 41 N.J.R. 721(a), 1083(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 7, Natural Gas Pipelines, expires on January 29, 2016. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 7, Natural Gas Pipelines, was adopted as R.1993 d.95, effective March 1, 1993. See: 24 N.J.R. 1684(b), 25 N.J.R. 999(a). Subchapter 1, Construction, Operation and Maintenance of Transmission and Distribution Natural Gas Pipelines, was recodified from 14:11-8, and Subchapter 2, Notices of Probable Violations, Informal Conferences, Civil Administration Penalties and Requests for Adjudicatory Hearings, was added, effective June 9, 1995 as R.1995 d.303. See: 27 N.J.R. 870(a), 27 N.J.R. 2428(a).

Chapter 7, Natural Gas Pipelines, was readopted as R.1998 d.146, effective February 20, 1998. See: 29 N.J.R. 5184(a), 30 N.J.R. 1050(a).

Chapter 7, Natural Gas Pipelines, was readopted as R.2003 d.360, effective August 12, 2003. See: 35 N.J.R. 1505(a), 35 N.J.R. 4307(b).

Chapter 7, Natural Gas Pipelines, was readopted as R.2009 d.69, effective January 29, 2009. As a part of R.2009 d.69, Subchapter 2, Notices of Probable Violations, Informal Conferences, Civil Administrative Penalties and Requests for Adjudicatory Hearings was renamed Violations, Informal Conferences, Civil Administrative Penalties and Adjudicatory Hearings, effective March 2, 2009. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. CONSTRUCTION, OPERATION AND MAINTENANCE OF TRANSMISSION AND DISTRIBUTION NATURAL GAS PIPELINES

14:7-1.1 Scope and applicability

(a) This chapter sets forth requirements that govern the construction, operation and maintenance of transmission and distribution pipelines for the transportation of natural gas by intrastate natural gas pipeline operators within the State of New Jersey.

(b) Unless specified otherwise, all provisions of this chapter apply to natural gas pipelines used in both distribution and transmission of natural gas.

(c) This chapter shall not affect an operator's responsibility to comply with all applicable requirements of other State or local agencies having jurisdiction, in addition to the requirements of this chapter.

(d) A pipeline operator shall be responsible for ensuring that the requirements of this chapter are met.

Amended by R.2009 d.69, effective March 2, 2009.
See: 40 N.J.R. 4915(a), 41 N.J.R. 1083(a).

Section was "Scope". Inserted designation (a); in (a), substituted "This chapter sets forth requirements that govern" for "Unless otherwise ordered or permitted by the Board, the rules in this subchapter shall be observed and followed in connection with" and substituted "operators" for "facilities"; and added (b) through (d).

14:7-1.1A Definitions

For the purposes of this chapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise. Additional definitions that apply to this chapter can be found at N.J.A.C. 14:3-1.1 and in 49 CFR 190.3, 191.3, 192.3, 193.3, 198.3 and 199.3, which are incorporated by reference herein.

“Administrative Order and Notice of Civil Administrative Penalty Assessment” or “AONOCAPA”, means the written notice provided under N.J.A.C. 14:7-2.6, to alert an alleged violator of the violation and the potential penalty for the violation.

“Automatically controlled valve” means a valve that does not require personnel to activate. It closes in response to a pressure loss or flow rate increase that exceeds a pre-set level. The valve operator is powered by electricity, by the gas pressure in the pipeline, or by another power source. Automatically controlled valves are intended to provide timely closure whenever there is an abnormal pressure loss on the pipeline.

“Bureau” means the Bureau of Pipeline Safety in the Division of Reliability and Security, in the New Jersey Board of Public Utilities.

“Class 3” means the Federal Class 3 location as described in 49 C.F.R. 192.5.

“Class 4” means the Federal Class 4 location as described in 49 C.F.R. 192.5.

“Distribution line” has the meaning assigned to this term in the Federal code at 49 CFR 192.3.

“Division” means the Division of Reliability and Security in the Board of Public Utilities.

“Federal Code” means the Pipeline Safety Regulations of the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration, set forth at 49 CFR 190, 191, 192, 193, 198 and 199.

“Main” has the meaning assigned to this term in the Federal code at 49 CFR 192.3. A main is a type of distribution line.

“Notice of civil administrative penalty assessment” or “NOCAPA”, means the written notice provided under N.J.A.C. 14:7-2.6, to alert an alleged violator of the violation and the potential penalty for the violation.

“Pipeline” has the meaning assigned to this term in the Federal code at 49 CFR 192.3.

“Pipeline operator” or “operator” means a person that owns, operates, manages or controls an intrastate natural gas pipeline, including a public utility as that term is defined in N.J.S.A. 48:2-13 or a natural gas pipeline utility as that term is defined in N.J.S.A. 48:10-3.

“Remotely controlled valve” means a valve that is operated by personnel from a location that is remote from where the valve is installed. The location is usually at the pipeline control or dispatching center. A remotely controlled valve consists of the valve itself and a valve operator that is attached to the valve to open or close it. The valve operator is powered by electricity, by the gas pressure from the pipeline,

or by another power source. The communications linkage between the remote location and the remotely controlled valve may be by fiber optics, microwave, telephone lines, or satellite.

“Service line” has the meaning assigned to this term in the Federal code at 49 CFR 192.3. A gas service line is a type of distribution line.

“Transmission line” has the meaning assigned to this term in the Federal code at 49 CFR 192.3.

“Transmission pipeline” refers to any segment of a pipeline system that meets the criteria of a “transmission line” as defined in 49 C.F.R. 192.3.

New Rule, R.1997 d.128, effective March 17, 1997.
See: 28 N.J.R. 5146(a), 29 N.J.R. 104(b), 29 N.J.R. 903(b).
Amended by R.1998 d.146, effective March 16, 1998.
See: 29 N.J.R. 5184(a), 30 N.J.R. 1050(a).

In the introduction, substituted a reference to this chapter for a reference to this subchapter; and inserted “Board”, “Bureau”, “Division”, and “Federal Code”.

Amended by R.2003 d.360, effective September 15, 2003.
See: 35 N.J.R. 1505(a), 35 N.J.R. 4307(b).

In the introductory paragraph, added “, unless the context clearly indicates otherwise” following “meanings”.

Amended by R.2009 d.69, effective March 2, 2009.
See: 40 N.J.R. 4915(a), 41 N.J.R. 1083(a).

In the introductory paragraph, substituted a period for a colon at the end of the first sentence and inserted the last sentence; added definitions “Administrative Order and Notice of Civil Administrative Penalty Assessment”, “Distribution line”, “Main”, “Notice of civil administrative penalty assessment”, “Pipeline”, “Service line” and “Transmission line”; deleted definition “Board”; in definition “Bureau”, inserted “, in the New Jersey Board of Public Utilities”; and rewrote definition “Federal Code”.

14:7-1.2 Compliance with Federal Code

A gas pipeline operator shall ensure that each pipeline is constructed, operated and maintained in compliance with this chapter, and with the Federal Code, which is incorporated herein by reference, or such other standard as the Board may from time to time prescribe.

Amended by R.1998 d.146, effective March 16, 1998.
See: 29 N.J.R. 5184(a), 30 N.J.R. 1050(a).

Substituted “A gas pipeline” for “Any gas pipeline constructed after September 7, 1993”, and deleted a former second sentence.

Amended by R.2009 d.69, effective March 2, 2009.
See: 40 N.J.R. 4915(a), 41 N.J.R. 1083(a).

Rewrote the section.

14:7-1.3 Classification of pipeline locations

Natural gas pipelines shall be classified in accordance with the provisions of the Federal Code. All natural gas pipelines constructed in New Jersey after March 2, 2009, shall meet the design standards for a Class 4 pipeline location, as set forth in 49 CFR 192.5, 192.609 and 192.611.

Amended by R.1998 d.146, effective March 16, 1998.
See: 29 N.J.R. 5184(a), 30 N.J.R. 1050(a).

In (a), rewrote the introductory paragraph, and substituted a reference to operators for a reference to companies in the second sentence of 5.