

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.2003 d.360, effective August 12, 2003.
See: 35 N.J.R. 1505(a), 35 N.J.R. 4307(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 7, Natural Gas Pipelines, expires on January 7, 2009. See: 40 N.J.R. 4915(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: 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**

Unless otherwise ordered or permitted by the Board, the rules in this subchapter shall be observed and followed in connection with the construction, operation and maintenance of transmission and distribution pipelines for the transportation of natural gas by intrastate natural gas pipeline facilities within the State of New Jersey.

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:

“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.

“Board” means the New Jersey Board of Public Utilities.

“Bureau” means the Bureau of Pipeline Safety in the Division of Reliability and Security.

“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.

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

“Federal Code” means Federal pipeline safety rules at 49 C.F.R. 192.

“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.

“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”.

14:7-1.2 Compliance with Federal Code

A gas pipeline shall be constructed, operated and maintained in compliance with the Code of Federal Regulations, Title 49, Part 192, hereinafter referred to as the “Federal Code,” 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.

14:7-1.3 Classification of system

(a) Natural gas pipelines shall be classified in accordance with the provisions of the Federal Code. However, a portion of a gas pipeline shall be classified as location Class 3 or

Class 4 if such portion of the pipeline is to be operated at a pressure in excess of 125 pounds per square inch gauge (psig) and constructed within 300 feet of, or if said pipeline is to be operated at a pressure in excess of 500 psig within 500 feet of, the following:

1. A place of residence;
2. A building used for public gathering;
3. Any school building, playground, or building devoted to institutional use;
4. Property that is zoned as residential; or
5. A building devoted to a business in which more than three people are employed and which is in existence or under construction at the date of execution of the right-of-way agreement or at the date of filing with the clerk of the Superior Court of a complaint in a condemnation action. This additional classification shall not apply to buildings which are under control of the gas pipeline operator.

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.

14:7-1.4 Proscribed areas

(a) Gas pipelines which are to be operated at a maximum pressure in excess of 250 psig shall not be operated or installed within 100 feet of any building intended for human occupancy which is in existence prior to or under construction at the date of execution of the right-of-way agreement or at the date of filing with the Clerk of the Superior Court of a complaint in a condemnation action, unless such operation or installation is authorized and approved by the Board. A petition pursuant to this section for operation or installation of a transmission pipeline that is subject to the design requirements of 49 C.F.R. 192.150 shall include an evaluation of the need for an in-line inspection (ILI) and a proposed inspection schedule. The evaluation shall consider population density, length of the installation, operating pressure as a percentage of specified minimum yield strength, and other safety-related factors. In authorizing the operation or installation of a transmission pipeline pursuant to this section, the Board may require that an in-line inspection be performed, or a schedule of in-line inspection be submitted.

(b) Gas pipelines which are designed to be operated at a maximum pressure in excess of 250 psig shall not be installed without prior Board approval and shall be operated within limits set by the Board, if the pipeline will be located within 100 feet of any building intended for human occupancy which is in existence prior to or under construction at the date of execution of the right-of-way agreement or the date of filing with the Clerk of the Superior Court of a complaint in a condemnation action.