

Kansas Administrative Regulations

Kansas Corporation Commission

Article 11.—Natural Gas Pipeline Safety

82-11-9. Waiver provisions.

(a) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, compliance with any regulation of this article that is not incorporated by reference from 49 CFR 191-192 may be waived, in whole or in part, by the commission if the commission determines that the waiver is consistent with pipeline safety. The provision of notice of the proposed waiver and an opportunity for hearing on the application for waiver may be required by the commission. In addition, the waiver shall be granted only under these circumstances:

- (1) By order of the commission; and
- (2) after notice and opportunity for hearing, if ordered by the commission.

The waiver shall be subject to any terms, conditions, and limitations deemed appropriate by the commission.

(b) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, compliance with any regulation of this article that is incorporated by reference from 49 CFR 191-192 may be waived, in whole or in part, by the commission if the commission determines that the waiver is consistent with pipeline safety. The provision of notice of the proposed waiver and an opportunity for hearing on the application for waiver may be required by the commission. In addition, the waiver shall be granted only under these circumstances:

- (1) By order of the commission;
- (2) after notice and opportunity for hearing, if ordered by the commission; and
- (3) upon approval of the US department of transportation under 49 USC 1671 et seq. The waiver shall be subject to any terms, conditions, and limitations deemed appropriate by the commission.

(Authorized by and implementing K.S.A. 66-1,150; effective, T-82-10-28-88, Oct. 28, 1988; effective, T-82-2-25-89, Feb. 25, 1989; revoked, T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended March 12, 1999.)

***** Authenticated Kansas Administrative Regulation *****