U. S. DEPARTMENT OF TRANSPORTATION

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)

SPECIAL PERMIT

Docket Number:	PHMSA-2008-0139
Pipeline Operator:	Aker Kvaerner/IHI Gulf
Date Requested:	May 15, 2008
Code Section(s):	49 CFR § 193.2301

Grant of Special Permit:

The Pipeline and Hazardous Materials Safety Administration (PHMSA) grants this special permit to Aker Kvaerner/IHI Gulf. This special permit allows Aker Kvaerner/IHI Gulf to use ultrasonic testing (UT) to non-destructively test the welds on newly constructed liquefied natural gas (LNG) storage tanks at the Gulf Clean Energy Project LNG Re-gasification Terminal in Jackson County, Mississippi. The UT will replace the radiographic examination currently required by the pipeline regulations in 49 CFR § 193.2301.

By this order, PHMSA grants this special permit based on the findings set forth in the *"Special Permit Analysis and Findings"* document, which can be read in its entirety in Docket No. PHMSA-2008-0139 in the Federal Docket Management System (FDMS) located on the Internet at www.Regulations.gov.

Conditions:

The grant of this special permit is subject to the following conditions:

1) The UT must comply with the National Fire Protection Association's Standard 59A (NFPA 59A), 2006 Edition, Section 7.3.1.2 and the Tentative Interim Amendment to NFPA Standard 59A, 2006 Edition, effective February 14, 2006 (59A TIA06).
2) The owner/operator must retain all ultrasonic examination records for the life of the facility and these records must be retained in a manner so they may not be altered.
3) The interval for verifying the examination of welds against a calibration standard must be 8 hours or less. If the ultrasonic equipment is found to be out of calibration, all previous weld examinations determined by the operator to be suspect shall be reexamined.

Limitations:

PHMSA grants this special permit subject to the following limitations:

1) PHMSA has the sole authority to make all determinations on whether Aker Kvaerner/IHI Gulf has complied with the specified conditions of this special permit.
2) Should Aker Kvaerner/IHI Gulf fail to comply with any of the specified conditions of this special permit, PHMSA may revoke this special permit and require Aker Kvaerner/IHI Gulf to comply with the regulatory requirements in 49 CFR § 193.2301.
3) PHMSA may revoke, suspend or modify a special permit based on any finding listed in 49 CFR § 190.341(h)(1) and require Aker Kvaerner/IHI Gulf to comply with the regulatory requirements in 49 CFR § 193.2301.
4) Should PHMSA revoke, suspend or modify a special permit based on any finding listed in 49 CFR § 190.341(h)(1), PHMSA will notify Aker Kvaerner/IHI Gulf in writing of the proposed action and provide Aker Kvaerner/IHI Gulf an opportunity to show cause why the action should not be taken unless PHMSA determines that taking such action is immediately necessary to avoid the risk of significant harm to persons, property or the environment (see 49 CFR § 190.341(h)(2)).
5) The terms and conditions of any corrective action order, compliance order or other order applicable to a pipeline facility covered by this special permit will take precedence over the terms of this special permit in accordance with 49 CFR § 190.341(h)(4).

AUTHORITY: 49 U.S.C. 60118(c) and 49 CFR § 1.53.

Issued in Washington, DC on JAN 8 2009

for Jeffrey D. Wiese,
Associate Administrator for Pipeline Safety