

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S1/16/01 S1/17/01*

# A Bill

**Act 153 of 2001**  
SENATE BILL 110

5 By: Senator Mahony  
6 *By: Representatives M. Smith, Lowery*  
7

## For An Act To Be Entitled

10 AN ACT TO AMEND THE DEFINITIONS SECTION OF THE NATURAL  
11 GAS PIPELINE SAFETY ACT; AND FOR OTHER PURPOSES.

### Subtitle

14 AN ACT TO AMEND THE DEFINITIONS SECTION  
15 OF THE NATURAL GAS PIPELINE SAFETY ACT.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code 23-15-203 is amended to read as follows:  
21 23-15-203. Definitions.

22 As used in this subchapter, unless the context otherwise requires:

23 (1) "Commission" means the Arkansas Public Service Commission;

24 (2) "Gas" means natural gas, flammable gas, or gas which is toxic or  
25 corrosive;

26 (3) "Interstate transmission facilities" means pipeline facilities used  
27 in the transportation of gas which are subject to the jurisdiction of the  
28 Federal Energy Regulatory Commission under the Natural Gas Act;

29 (4) "Municipality" means a city, county, or any other political  
30 subdivision of a state;

31 (5) "Person" means an individual, firm, joint venture, partnership,  
32 corporation, association, state, municipality, cooperative association, or  
33 joint-stock association and includes any trustee, receiver, assignee, or  
34 personal representative thereof;

35 (6) "Petroleum refinery" means an industrial or manufacturing facility  
36 or plant primarily engaged in producing gasoline, kerosene, distillate fuel

1 oils, residual fuel oils, lubricants or other products through the processing  
2 of petroleum crude oil that is subject to:

3 (A) The federal Environmental Protection Agency Standards of  
4 Performance for New Stationary Sources set forth in Subpart GGG of 40 CFR Part  
5 60 or successor regulations;

6 (B) The federal *Environmental* Protection Agency Chemical Accident  
7 Prevention Provisions set forth in Subparts A, B, D, E, F, G, and H of 40 CFR  
8 Part 68 or successor *regulations*; and

9 (C) The federal Occupational Safety and Health Administration  
10 Regulations governing process safety management of highly hazardous chemicals  
11 set forth in 29 CFR §1910.119 or successor regulations;

12 ~~(6)~~(7) "Pipeline facilities" includes, without limitation, pipe, pipe  
13 rights-of-way, and any equipment facility or building used in the  
14 transportation of gas or the treatment of gas during the course of  
15 transportation of gas, but rights-of-way as used in this subchapter does not  
16 authorize the commission to prescribe the location or routing of any pipeline  
17 facility;

18 ~~(7)~~(8) "Production facilities" includes, without limitation, piping or  
19 equipment used in the production, extraction, recovery, lifting,  
20 stabilization, separation, or treatment of natural gas or associated storage  
21 or measurement from the wellhead to a meter where the gas is transferred to a  
22 custodian other than the well operator for gathering or transport, commonly  
23 known as a custodial transfer meter;

24 ~~(8)~~(9) "Production process" means the extraction of gas from the  
25 geological source of supply to the surface of the earth, thence through the  
26 lines and equipment used to treat, compress, and measure the gas between the  
27 wellhead and the meter where it is either sold or delivered to a custodian  
28 other than the well operator for gathering and transport to a place of sale,  
29 sometimes called a custodial transfer meter; and

30 ~~(9)~~(10) "Transportation of gas" means the gathering, transmission, or  
31 distribution of gas by pipeline or its storage in or through any pipeline  
32 facilities other than interstate transmission facilities as defined in this  
33 section. It shall not include production facilities or the production process.  
34 It shall not include the gathering of gas in those rural locations which lie  
35 outside the limits of any incorporated or unincorporated city, town, village,  
36 or any other designated residential or commercial area such as a subdivision,

1 a business or shopping center, a community development, or any other ~~as a~~  
2 nonrural area. However, it shall specifically include the gathering,  
3 transmission, or distribution of natural gas containing one hundred (100) or  
4 more parts per million of hydrogen sulfide from the custodial transfer meter  
5 through any pipeline, rural or nonrural, to and through any pipeline facility  
6 that removes hydrogen sulfide except that portion of such a pipeline or  
7 pipeline facility that is located within the fenced boundary of a petroleum  
8 refinery.

9 /s/ Mahony

10  
11  
12 APPROVED: 2/8/2001  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36