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September 13, 2021

## PSC STAFF OPINION 2021-004

Dr. David A. Rust  
Superintendent  
Campbell County Schools  
101 Orchard Lane  
Alexandria, Kentucky 41001  
[david.rust@campbell.kyschools.us](mailto:david.rust@campbell.kyschools.us)

Dear Dr. Rust:

Commission Staff acknowledges receipt on August 13, 2021, of your electronically filed letter requesting an opinion regarding the safety of existing gas lines that will be in close proximity to a middle school proposed to be built at 3725 US 27 in Cold Spring, Kentucky.

Your letter presents the following facts: Campbell County Schools have struggled for a decade to find a suitable tract of land on which to build a new middle school and Campbell County Schools is working with the Kentucky Department of Education (KDE) to acquire the current proposed site, on which a public building currently resides, because it will cost significantly less to renovate the existing building than to build a new middle school. You state that two high-pressure gas lines transverse the site, which would require Campbell County Schools to request a waiver from the Kentucky Board of Education (KBE). You, however, have been informed that the KBE will grant no such waiver if there are hazards to health or public safety on the property. To that end, the KDE requested Campbell County Schools receive a letter from the Commission providing, "a determination regarding the pipeline, located both within the properties and in the vicinity" and whether it is a hazard to health or the environment. You note that the same pipelines over which the KBE expresses concern run through Thomas More University as well as many other large public, including public and private sites in Northern Kentucky. You submitted a map that shows the pipelines at issue run through or close to at least eight educational facilities and one hospital.

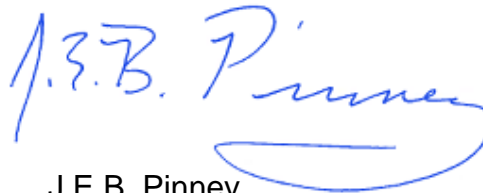
You request that Commission Staff provide an opinion concerning the pipeline and whether they are currently in compliance with safety standards and whether there is any

Staff knowledge of the pipelines posing a safety hazard to health or environment, and properties in the vicinity.

Duke Energy Kentucky, Inc. (Duke Kentucky) owns the two pipelines that transverse the proposed property. The Commission's jurisdiction with regard to Duke Kentucky's pipelines is limited to determining whether Duke Kentucky's gas facilities pipelines meet Commission and federal pipeline safety standards. See KRS 278.495 and 47 U.S.C. sec. 60101 et seq.. Commission Staff has reviewed the Commission's records, including Commission Staff's periodic inspections performed to determine if Duke Kentucky complies with applicable federal safety regulations which include. Commission records for the past two years do not show that Duke Kentucky's gas transmission system has violated any state or federal safety statues, regulations, or other safety requirements. Thus, the Commission's records do not indicate that the pipelines that transverse the proposed property violate any state or federal safety of health regulations. Additionally, Commission Staff has no knowledge that the pipelines pose a safety hazard to health or environment, and properties in the vicinity.

This letter represents Commission Staff's interpretation of the law as applied to the facts presented. This opinion is advisory in nature and not binding on the Commission should the issues herein be formally presented for Commission resolution. Questions concerning this opinion should be directed to J.E.B. Pinney (502) 782-2587.

Sincerely,

A handwritten signature in blue ink that reads "J.E.B. Pinney". The signature is written in a cursive style with a large, sweeping underline that extends to the right.

J.E.B. Pinney  
Executive Advisor