

**FEDERAL PREEMPTION OF COUNTY JURISDICTION
BY PIPELINE TYPE AND POLICIES**

Product Policy	Natural Gas Pipelines	Oil & Petroleum Pipelines	Carbon Dioxide Pipelines
Pipeline “Safety Standards”	Preempted by Pipeline Safety Act	Preempted by Pipeline Safety Act	Preempted by Pipeline Safety Act
Route, Location and Setbacks	Preempted by Natural Gas Act	Not Preempted 49 USC § 60104(e)	Not Preempted 49 USC § 60104(e)
Pipeline Operator Emergency Response	Preempted by Pipeline Safety Act	Not Preempted due to Oil Pollution Act 33 U.S.C. § 1321(o)	Preempted by Pipeline Safety Act
County Emergency Response	Not Preempted	Not Preempted	Not Preempted
Mitigation of Construction & Operation Impacts	Preempted by Natural Gas Act	Not Preempted	Not Preempted
Depth of Cover	Preempted by Pipeline Safety Act 49 CFR § 195.327	State or County May Define “Level of Cultivation” 49 CFR § 195.248	State or County May Define “Level of Cultivation” 49 CFR § 195.248
Post-Abandonment Mitigation	Preempted Under Natural Gas Act	Not Preempted After Permanent Removal from Service	Not Preempted After Permanent Removal from Service