

City	Channel No.		Concurrence required
	Present	Proposed	
Puerto Rico: Naguabo		247A	

[FR Doc. 84-12330 Filed 5-9-84; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****49 CFR Part 195**

[Docket No. PS-79; Notice 1]

Transportation of Hazardous Liquids by Pipeline; Qualification of Welders

AGENCY: Materials Transportation Bureau (MTB).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: MTB proposes to incorporate by reference Section IX of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), 1977 Edition, for welder qualification into Part 195 in addition to the presently required API Standard 1104 (API 1104). Allowing the use of the ASME Code to qualify welders will bring the requirements for hazardous liquid pipelines into line with 49 CFR Part 192, the Federal safety standards for gas pipelines.

DATE: Interested persons are invited to submit written comments on this proposal. All comments must be filed by (July 9, 1984), although late filed comments will be considered as far as is practicable. Interested persons should submit as a part of their written comments all material that is considered relevant to any statement of fact or argument made.

ADDRESS: Comments should be sent to the Dockets Branch, Room 8426, Materials Transportation Bureau, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590, and identify the docket and notice numbers. All comments and other docket material are available in Room 8426 for inspection and copying between the hours of 8:30 a.m. and 5:00 p.m. each working day.

FOR FURTHER INFORMATION CONTACT: William A. Gloe, 202-426-2082, regarding the content of this proposal, or the Dockets Branch, 202-426-3148, regarding copies of the proposal or other information in the docket.

SUPPLEMENTARY INFORMATION:**Background**

On January 24, 1983, Mr. T. M.

Stratton of the ARCO Oil and Gas Company, Aurora, Colorado, petitioned for a rule change to § 195.222, "Welders: Testing," to allow the testing of welders under Section IX of the ASME Code as an alternative to Section 3 of API 1104. The ARCO letter petition also withdrew an October 1982 request for waiver (Docket No. 82-9W) to the same effect. The petition for rule change was based on the fact that Part 192 for gas pipelines allows the qualification of welders under the ASME Code as well as under API 1104. Also, the petitioner argued that Part 195 should allow the use of the same provisions for welder testing that apply under ANSI/ASME B31.4, the industry standard for petroleum piping systems. The current (1977) edition of ANSI/ASME B31.4 allows welder testing under the ASME Code as well as under API 1104. Third, the petitioner stated that a precedent was established in the Louisiana Offshore Oil Port (LOOP) Project in 1979. In that project, much of the welding of the platform piping was performed in a contractor's yard in Louisiana and the fabricated sections moved to the offshore LOOP platform. LOOP advised MTB by letter that yard and shop fabricators normally use the ASME Code and also stated that Coast Guard regulations for deepwater ports require compliance with ANSI/ASME B31.4 for main oil transfer piping on the pumping platform.

Present Requirements

Section 195.222 now limits welder qualification by the following:

§ 195.222 Welders: Testing

Each welder must be qualified in accordance with Section 3 of API Standard 1104, except that a welder qualified under an earlier edition of API 1104 previously listed in § 195.3 may weld but may not requalify under that earlier edition.

Section 192.227 contains the applicable welder qualification requirements for gas pipelines. Paragraph (a) reads as follows:

(a) Except as provided in paragraph (c) of this section, each welder must be qualified in accordance with section IX of the ASME Boiler and Pressure Vessel Code or section 3 of API Standard 1104. However, a welder

qualified under an earlier edition previously listed in Appendix A may weld but may not requalify under that earlier edition.

The requirements for gas pipelines have been in effect since issuance of the DOT regulations in 1970 and have posed no problem, either in compliance, enforcement, or the appropriate use of either standard. Accordingly, MTB agrees with the petitioner that the ASME Code should be similarly allowed for welder qualification under Part 195.

Intrastate Pipelines

Part 195 now applies to interstate pipelines. In Docket PS-80 (49 FR 11226, March 26, 1984), MTB proposed to extend Part 195 to those "intrastate pipeline facilities," as defined in Section 202 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. 2001), that transport petroleum, petroleum products, or anhydrous ammonia. If Part 195 becomes applicable to those intrastate pipelines, MTB proposes that the proposed amendments to §§ 195.3 and 195.222 set forth below also be adopted for those pipelines.

Classification

These proposed regulations are considered to be nonmajor under Executive Order 12291 and nonsignificant under the DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). The economic impact of this proposal has been found to be so minimal that further evaluation is unnecessary. The proposal merely updates Part 195 on welder qualification to be consistent with Part 192 and with the industry code.

Since the impact of this proposal is expected to be minimal, the agency certifies that it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 49 CFR Part 195

Pipeline safety, Welder testing, Ammonia, Petroleum.

Proposal**PART 195—[AMENDED]**

On the basis of the foregoing, it is proposed that 49 CFR Part 195 be amended by:

1. Revising § 195.222 to read as follows:

§ 195.222 Welders: Testing.

Each welder must be qualified in accordance with Section 3 of API Standard 1104 or Section IX of the ASME Boiler and Pressure Vessel Code, except that a welder qualified under an earlier edition than listed in § 195.3 may weld but may not requalify under that earlier edition.

2. Revising § 195.3(c)(2) to read:

§ 195.3 Matter incorporated by reference.

* * * * *

(c) * * *

(2) American Society of Mechanical Engineers:

(i) ASME Boiler and Pressure Vessel Code, Section VIII, "Pressure Vessels Division 1" (1977).

(ii) ASME Boiler and Pressure Vessel Code, Section IX, "Welding Qualifications" (1977).

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(49 U.S.C. 2002; 49 CFR 1.53; Appendix A of Part 1, and Appendix A of Part 106).

Issued in Washington, D.C., on May 4, 1984.

Richard L. Beam,

Associate Director for Pipeline Safety Regulation, Materials Transportation Bureau.

[FR Doc. 84-12893 Filed 5-9-84; 8:45 am]

BILLING CODE 4910-60-M