

inter-pool sharing, an applicant could use channels in the other pool only if there are no satisfactory frequencies available in the pool in which the applicant is actually eligible as determined by the frequency coordinator and if no in-pool user is on the requested frequency(ies). Coordinators should be thoroughly familiar with radio systems already in operation. Therefore they, rather than the Commission, should be in the best position to decide whether a channel is not being efficiently utilized and recommend additional compatible users be licensed on the frequency or if there are no satisfactory channels available and inter-pool sharing is in order.⁹ Accordingly, we are adopting the inter-pool sharing rules as proposed.

11. The other issue raised in the comments concerned the channel ratio in the two pools for operations above Line A. The Notice proposed a 50/50 ratio of channels between non-commercial and commercial channels. Motorola supported this ratio but stated that for operations above Line A an adjustment in the proposed allocation is needed to maintain that ratio nationwide. To correct the imbalance Motorola recommended that above Line A ten channels be made available in each pool. We believe this suggestion has merit. Accordingly, we have adjusted the allocation so that there are ten channels available in each pool for operations above Line A.

Final Regulatory Flexibility Act Analysis

12. As stated in the Notice, the Commission certifies that sections 603 and 604 of the Regulatory Flexibility Act of 1980 do not apply to the rule changes in this Report and Order because these changes will not have a significant economic impact on a substantial number of small entities. The Secretary shall cause a copy of this Report and Order, including the above certification, to be published in the Federal Register, and to be sent to the Chief Counsel for Advocacy of the Small Business Administration in accordance with section 605(b) of the Regulatory Flexibility Act, Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601 et seq. (1981).

Paperwork Reduction Act Statement

13. The action taken herein has been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information collection and/or

recordkeeping, labeling, disclosure, or record retention requirements; and will not increase or decrease burden hours imposed on the public.

Ordering Clauses

14. Accordingly, it is ordered, that pursuant to sections 4(i) and 303(r) of the Communications Act of 1934, as amended, Part 90 of the Commission's Rules is amended effective September 23, 1985 as set forth in the attached Appendix. It is further ordered that this proceeding is terminated.

15. Further information on this matter may be obtained by contacting Herbert Zeiler (202) 634-2443, Private Radio Bureau, Federal Communications Commission, Washington, DC 20554.

Federal Communications Commission.
William J. Tricarico,
Secretary.

Appendix

Part 90 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

PART 90—[AMENDED]

The authority citation for Part 90 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat., as amended, 1066, 1082, 47 U.S.C. 154, 303, unless otherwise noted.

1. Section 90.494 is amended by revising the table in paragraph (a) and adding a new paragraph (g).

§ 90.494 One-way paging operations in the 929-930 MHz band.

(a) * * *

TABLE

Pool 1 (MHz)	Pool 2 (MHz)
929.0125	929.3625
929.0375	929.3875
929.0625	929.4125
929.0875	929.4375
929.1125	929.4625
929.1375	929.6375
929.1625	929.6625
929.1875	929.6875
929.2125	929.7125
929.2375	929.7375
929.2625	929.7625
929.2875	929.7875
929.3125	929.8125
929.3375	929.8375
929.4875	929.8625
929.5125	929.8875
929.5375	929.9125
929.5625	929.9375
929.5875	929.9625
929.6125	929.9875

¹ Above Line A this frequency is available only to eligibles in Pool 1.

Frequencies listed in Pool 1 are available for shared use by all eligible Part 90 users except those eligible as private carrier paging (PCP) licensees.

Frequencies listed in Pool 2 are available only for shared use by private carrier paging (PCP) licensees.

Frequencies 929.7625 and 929.9875 are available for shared use in multi-area paging systems by private carrier paging (PCP) licensees.

Frequencies 929.2625 and 929.4875 are available only for shared use in multi-area paging systems for all Part 90 users except private carrier paging (PCP) licensees.

* * * * *

(g) Except for the channels available for multi-area operation, the channels listed in the Table in paragraph (a) of this section are available as of January 1, 1987, on a shared basis to all persons eligible in both pools under the following conditions:

(1) Channels will be available for inter-pool sharing only if there are no satisfactory frequencies available in the pool in which the applicant is actually eligible.

(2) There are no in-pool users authorized on the frequency in the proposed area of operation.

* * * * *

[FR Doc. 85-20275 Filed 8-23-85; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. PS-82, Amdt. 195-34]

Transportation of Hazardous Liquids by Pipeline; Recordkeeping and Accident Reporting

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Final rule.

SUMMARY: This final rule (1) reduces the overall recordkeeping requirements and simplifies and modifies the accident reporting requirements for operators of interstate pipelines that transport petroleum, petroleum products, or anhydrous ammonia, and (2) makes these requirements applicable to operators of intrastate pipelines that transport those commodities. This action will reduce the paperwork burden on interstate pipeline operators without reducing pipeline safety, impose a minimum paperwork burden on intrastate operators, and will provide more meaningful data to assess compliance and analyze pipeline accidents.

EFFECTIVE DATE: The effective date of this final rule is October 21, 1985. This date coincides with the date Part 195 becomes effective for intrastate pipelines (Amendment 195-33, Docket PS-80, 50 FR 15895) and allows time for interstate pipelines to prepare for compliance.

FOR FURTHER INFORMATION CONTACT: Frank Robinson, (202) 426-2392

⁹The National Association of Business and Educational Radio (NABER) is presently the recognized coordinator for this band.

regarding the content of this final rule or the Docket Branch (202) 426-3148 regarding copies of this final rule or other information in the docket. Copies of the revised accident report form (DOT Form 7000-1) and instructions are available by writing the Information Systems Manager, Materials Transportation Bureau, Department of Transportation, Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION:

Background

On November 13, 1984, the MTB published a notice of proposed rulemaking (NPRM) proposing to amend the accident reporting requirements of Subpart B of Part 195 and the recordkeeping requirements of §§ 195.266, 195.310, and 195.404 and to apply these requirements to intrastate pipelines. The NPRM resulted from a review of all the accident reporting and recordkeeping requirements in an effort to reduce unnecessary paperwork for operators of intrastate pipelines and to propose simplified requirements for operators of intrastate pipelines.

Ten commenters responded to the notice; the American Petroleum Institute (API), the Oil, Chemical and Atomic Workers International Union, AFL-CIO, the State Fire Marshal of California, and seven pipeline operators. In addition, the NPRM was presented in draft to the Technical Hazardous Liquid Pipeline Safety Standards Committee (THLPSSC) on November 1, 1984, for informal consideration. The recommendations of the committee and the commenters together with the actions taken as a result of the recommendations follow.

General

No commenters objected to the proposed application of Subpart B accident reporting requirements and the recordkeeping requirements of §§ 195.266, 195.310, and 195.404 (with proposed amendments) to operators of intrastate pipelines to which Part 195 applies. To accomplish this objective, § 195.1(c), which was adopted by Amendment 195-33, Docket PS-80 (50 FR 15895, April 23, 1985), and excepts intrastate pipelines from the aforementioned requirements, is deleted.

Recordkeeping

Section 195.266

The NPRM proposed the deletion of the requirement to maintain a record of the location of "weighted pipe" or "other item connected to the pipe" when a new pipeline is constructed or an existing pipeline is relocated, replaced, or otherwise changed. The rationale was

that the records are superfluous because they are not needed to assure compliance with any related regulation in Part 195, to facilitate required inspections or tests, or for other safety reasons.

All but one of the commenters endorsed the proposed deletion by commending MTB's efforts to reduce recordkeeping or by specifically agreeing with the proposal.

One commenter disagreed, arguing that recording the location of weighted pipe and other items connected to the pipe does not impose a burden on the operator, and that a prudent operator would maintain these records for maintenance purposes.

While recording the location of weighted pipe and other items connected to pipe might not be a burden for operators who make such recordings during their normal course of business, for others the work of recordation is a burden imposed by Federal regulation. MTB believes that any regulatory burden that is not supported by a regulatory need should be removed. The commenter noted that the records at issue are used by some operators for maintenance. However, such records are not needed to perform or enforce the performance of maintenance activities that are required by Part 195 standards. In the absence of such need or any other clear need for the records, the better choice is to delete the requirement to keep these records. Consequently, § 195.266 is amended as proposed.

Section 195.310(a)

The notice proposed to amend § 195.310(a) to permit operators to discard all but the latest hydrostatic test records.

Most of the commenters who addressed the issue agreed with the proposal to keep only the latest hydrostatic test records. One commenter recommended that the rule be changed to require only the retention of records of the latest test by which the operator establishes the pipeline's maximum operating pressure. This commenter argued that it is possible for an operator to establish a pipeline's maximum operating pressure under an initial test and at some time later test to a lower pressure that is not used to qualify the pipeline's maximum operating pressure. According to the commenter, records of the latest test are not appropriate under these circumstances.

MTB believes this commenter misunderstands the recordkeeping requirement of § 195.310(a). Under this rule, records must be kept for tests performed as required by Subpart E, but not for other hydrostatic tests an

operator does voluntarily. In addition, Subpart E only requires tests to qualify a pipeline's maximum operating pressure. However, to avoid future confusion the final rule is changed to clarify the intent that only those tests required by Subpart E must be recorded and then, as proposed, only the record of the latest test must be kept.

Section 195.310(b)

The notice proposed to amend this section to permit operators to retain test information on documents other than the recording chart. It was also proposed to change the term "dead weight tester data" to "test instrument calibration data" to comport with modern instrumentation.

Most of the commenters agreed with the proposal.

One of the commenters recommended that the proposal be amended to require that the pipe tested be identified in the records and that the recording chart be cross referenced with other test records. The MTB believes, however, that the proposed § 195.310(b)(7), which requires a description of the facility tested, and the proposed § 195.310(b)(1), which requires retention of the pressure recording charts, will provide adequate identification and cross referencing. In view of the above, § 195.310(b) is adopted as proposed.

Section 195.404(a)(1)

The NPRM proposed an amended § 195.404(a)(1) which would substitute a list of specific facilities for "major facilities". This amendment was proposed to assist operators and enforcement personnel to determine compliance with other operation and maintenance rules in Subpart F that directly pertain to the specific facilities. None of the commenters disagreed with the proposed amendment. The final rule is adopted as proposed.

Section 195.404(b)

The NPRM discussed MTB's decision not to grant API's petition that the 3-year retention period for daily operating records be reduced to one year.

One State agency and three pipeline operators addressed this issue. The State agency agreed with MTB. Three pipeline operators recommended a 1-year retention period, arguing that many equipment and operating changes occur over a 3-year period and, as a result, no valid conclusions could be drawn regarding operational problems by reviewing three years of daily operating records. These records are also used to assess the adequacy of normal, abnormal and emergency procedures

prescribed by § 195.402 and one-year records are sufficient for that purpose according to these commenters.

Although MTB recognizes that in some cases one-year records may prove sufficient, as a general rule MTB still believes that 3 years of daily operating records are needed to exhibit problems that are difficult to spot. At this time, therefore, no change to the 3-year period is being considered.

The NPRM also proposed to change in § 195.404(b) the term, "any unusual operations of a facility", to "any emergency or abnormal operation to which the procedures under § 195.402 apply". This change in terms was proposed because MTB felt the term, "any unusual operations of a facility", is indefinite whereas the term, "any emergency or abnormal operation to which the procedures under § 195.402 apply", comports with the use of terms in § 195.402 (d) and (e) and would aid enforcement personnel in investigating the operators' use of their procedures to respond to abnormal operations and emergencies.

Three pipeline operators supported the proposed change of terms in the proposed § 195.404(b). None of the commenters opposed the change. Consequently, the change in terms in § 195.404(b) is adopted as proposed.

Section 195.404(c)

The NPRM proposed to distinguish between records of repairs made to pipe and records of repairs made to parts of the pipeline system other than pipe. Records of repairs made to pipe were proposed to be retained for the useful life of the pipe—no change from the existing rule. The retention period for records of repairs to parts of the pipeline system other than pipe was proposed to be reduced from "the useful life of that part of the pipeline system to which they relate" to 1-year. The period for records of Subpart F inspections and tests was proposed to be reduced from "the life of the facility" to at least 5 years.

In general, the proposal to reduce record retention periods was well supported by the commenters. One commenter argued against relaxation of the record retention period for parts of the pipeline system other than pipe. This commenter argued that allowing operators to dispose of component repair records after one year would remove a source of information which might indicate defective components.

MTB recognizes that adopting a requirement to retain component repair records for only 1 year might occasionally have this effect. However, variations among operators in the form of the records themselves might also

have this effect. Furthermore, the purpose of keeping these records is to tell whether component malfunctions are due to faulty repairs rather than possible defects in component design or manufacture. Problems associated with repair usually show up within a short time after repair, so that a 1-year record retention requirement is adequate. At the same time, serious design or manufacturing defects which cause accidents would be discovered through accident investigation procedures. Therefore, the proposed 1-year retention period for records of repairs on components other than pipe is adopted as final.

One pipeline operator recommended retention of Subpart F inspection and test records for two years, except those inspections and tests done on 5-year intervals. This commenter argued that records of previous inspections are not a useful indication of a pipeline's status and, therefore, retention of these previous records does not enhance safety. MTB agrees. There are a variety of less-than-5-year inspection and test intervals in Subpart F, for example, 3 weeks in § 195.412(a), 2½ months in § 195.416(c), 7½ months in § 195.428(a), and 15 months in § 195.432. Keeping these records for 5 years does not appear needed for safety or enforcement purposes. Therefore, this comment is adopted and the final rule changed to require retention for the longer of 2 years or the required inspection or test interval.

Another commenter recommended a 10-year retention period for Subpart F inspection and test records on the basis that 10 years would provide a good history of performance but yet be much less burdensome than the existing "life of the facility" requirement. In the absence of an adequate rationale, this comment did not persuade MTB that 10-year records are needed for safety. Thus, it was not adopted.

Accident Reporting

The NPRM proposed to amend the accident reporting form (DOT Form 7000-1) to delete unnecessary information items and to gather more meaningful data. The specific changes proposed, the comments received concerning the proposed changes, and the reasons for the final rules follow:

Section 195.54

The NPRM proposed to increase the 15-day period for reporting accidents to 30 days to provide more time for gathering data. This proposal was well supported by the commenters, with only one industry commenter recommending a 45-day period to provide more time for

damage estimates. The 30-day period is maintained in the final rule, however, because MTB believes that this period is sufficient time to gather data for most accidents and, in those cases where additional time is needed, an interim report can be filed and a change or addition to the report can be filed under § 195.58 as more data become available. Further, the 30-day period is consistent with the filing period for leak reports on gas transmission and gas gathering lines under 49 CFR 191.15 and for leak reports on gas distribution systems under 49 CFR 191.9.

Section 195.56

The NPRM proposed to delete § 195.56 and publish the instructions contained in § 195.56 on the accident report form (DOT Form 7000-1). This amendment was proposed in order to make the accident report form easier to complete. Also, it was stated that deleting § 195.56 would allow the instructions to be modified more easily as the MTB and the industry gain experience with the new form.

While all of the commenters agreed with placing the instructions on the accident report form, four commenters argued against deleting § 195.56 on the basis that if the instructions are not published in the Code of Federal Regulations (CFR), they could be too easily changed without regard for the notice requirements of the Administrative Procedure Act (APA) (5 U.S.C. 551-553).

In proposing to delete § 195.56, MTB was not preparing to skirt APA requirements. The APA requires prior notice and comment for substantive rules, regardless of whether those rules are published in the CFR. Thus, any future changes MTB makes to the accident report form or its instructions that have the effect of creating or amending substantive reporting rules will be subject to the APA requirements for notice and comment, even though the form and instructions are not published in the CFR. Other types of changes, which might be explanatory, editorial, or procedural, are excepted from the APA notice and comment requirements. MTB expects that most future changes to the instructions will fall into these latter categories, and they can be made more readily with less cost if a change to the CFR is not involved. Separate publication has long been the practice for instructions to the gas pipeline reporting forms required by 49 CFR Part 191. Therefore, § 195.56 is deleted as proposed.

One commenter recommended that the instructions describe the accidents

to be reported and define the term "highly volatile liquid" or "HVL". Describing in the instructions the accidents to which the form applies would involve reproducing §§ 195.50 and 195.52. This would not be consistent with the purpose of the instructions which is to assist operators in filling out the form, not to display substantive requirements. The introductory paragraph to the instructions directs the reader to Subpart B for a description of accidents to which the form applies. Therefore, this comment was not adopted.

The NPRM proposed language in the instructions for Part G, item 2, referring the reader to § 195.2 for a definition of "highly volatile liquid". As a result of the above comment, MTB now believes these directions may not give the reader adequate guidance, and has incorporated the § 195.2 definition of "HVL" into the instructions.

Accident Report Form

No substantive comments were filed concerning the proposed Parts A thru D of the accident report form. Therefore these parts are adopted substantially as proposed. However, one data item, "Malfunction of Control or Relief Equipment", has been added to Part D. In view of increasing automation of pipelines, this item has been added to indicate the reliability of this equipment.

Part E

The NPRM proposed deletion of the distinction between employee and nonemployees when reporting deaths and injuries. The THLPSSC and two commenters recommended retaining this distinction on the basis that employee and nonemployee death and injury statistics gathered by MTB are used by private companies and safety associations in evaluations of exposure risks. In view of this information, the distinction between employee and non-employee deaths and injuries is retained in the final rule.

Part F

One member of the THLPSSC recommended that Part F clearly state that the costs of clean up and commodity lost are to be included in the estimated total property damage. The instructions for Part F make this clear in the final rule.

Part G

Item 3 of Part G of the proposed form included only an entry for the estimated amount of commodity spilled. Five commenters recommended that an additional information item be included to indicate the amount of commodity

recovered. These commenters argued that this information is necessary in order to distinguish between the amount of commodity not recovered (which is to be included in the estimated total property damage in Part F) and the amount of the commodity spilled. MTB agrees and has added an entry under item 3 to indicate the amount of commodity recovered.

Part H

The notice proposed deletion of data entries for condition when installed, pipe configuration, amount of cover, and test medium on the basis that these items are not usually associated with the cause of an accident. One commenter recommended against deleting these items but did not give information supporting the recommendation. Consequently, deletion of those items in the final rule is adopted as proposed.

Part I

The notice proposed a new entry to indicate whether corrosion was galvanic or some other type. One commenter argued that, in one way or another, all corrosion is galvanic and that few field personnel would be able to distinguish between the various types of galvanic corrosion. This commenter recommended that the entry be changed to indicate whether the leak site was underground or atmospheric but did not explain how this information would be used.

The MTB does not believe that an indication of whether the leak site is underground or atmospheric will provide the information sought. The purpose of the entry is to categorize corrosion leaks to determine whether leaks are due to inadequate cathodic protection or to some other cause, and the proposed data entry will provide that information. While only a few field personnel might have the expertise to properly categorize corrosion, it is expected that personnel able to make that determination will be utilized in gathering the important information needed to complete an accident report. Consequently, the entry for indicating the type of corrosion is adopted as proposed.

Part J

The notice proposed deletion of entries for distance to the closest permanent line marker, information on the marker, and the length of time between patrols because standards in Part 195 govern those topics. Only one commenter argued against deletion of these items. This commenter argued that the information might be useful to urge

legislation concerning third party damage. The MTB does not believe, however, that a widespread need exists for this information and has deleted these items in the final rule as proposed in the notice.

Paperwork Reduction Act

This final rule contains information collection requirements in the following sections: Subpart B of Part 195 and §§ 195.266, 195.310 and 195.404. These requirements have been approved for use by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35). A new § 195.63 is added to the final rule to comply with the OMB requirement (5 CFR Part 1320) to display the information collection control number assigned by OMB. This new number is also printed on the upper right hand corner of the accident report form.

Cost Impact

This final rule does not propose a "major rule" under Executive Order 12291, and it does not propose a "significant rule" as defined by the Department of Transportation Policies and Procedures (DOT Order 2100.5). With respect to interstate pipelines, the final rule will reduce the number of records to be kept, reduce the overall retention time for records, and simplify accident reporting. However, the reduced paperwork burden and lowered costs to interstate pipeline operators and the government are not considered substantial enough to warrant further evaluation of the economic impact. With respect to intrastate pipelines, the Final Evaluation prepared for Docket PS-80 covers the existing recordkeeping and accident reporting requirements of Part 195. That evaluation shows that net benefits would result if Part 195 were extended in its present form to intrastate operators. The changes to the paperwork requirements of Part 195 resulting from this final rule will increase those benefits by reducing the paperwork burden projected by the evaluation.

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires a review of certain rules proposed after January 1, 1981, for their effects on small businesses, organizations, and governmental bodies. I certify that the final rules will not have a significant economic impact on a substantial number of small entities. Few, if any, small entities operate interstate pipelines. Also, the Final Evaluation in Docket PS-80 shows that small entities that operate intrastate pipelines will not be affected by the final rules.

List of Subjects in 49 CFR Part 195

Anhydrous ammonia, Hazardous liquids, Petroleum, Petroleum products, Pipeline safety, Accident reporting and recordkeeping requirements.

Therefore, in view of the foregoing, MTB amends 49 CFR Part 195 and DOT Form 7000-1 and its instructions as follows:

PART 195—[AMENDED]

1. The authority citation for Part 195 is revised to read as set forth below, and the authority citations following any sections in Part 195 are removed.

Authority: 49 U.S.C. 2002; Subpart B and §§ 195.266, 195.310, and 195.404 also issued under 49 U.S.C. 2010(b); 49 CFR 1.53 and Appendix A to Part 1.

§ 195.1 [Amended]

2. Section 195.1(c) is removed.
 3. Section 195.54 is revised to read as follows:

§ 195.54 Accident reporting.

Each operator that experiences an accident that is required to be reported under this subpart shall as soon as practicable but not later than 30 days after discovery of the accident, prepare and file an accident report on DOT Form 7000-1, or a facsimile, with the Information Systems Manager, Materials Transportation Bureau, Department of Transportation, Washington, D.C. 20590. The operator shall file two copies of each report and shall retain one copy at its principal place of business. However, reports for intrastate pipelines subject to the jurisdiction of a State agency pursuant to certification under section 205 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. 2004) may be submitted in duplicate to that State agency if the regulations of that agency require submission of these reports and provide for further transmittal of one copy within 10 days of receipt to the Information Systems Manager.

§ 195.56 [Removed]

4. Section 195.56 is removed.
 5. Section 195.58 is revised to read as follows:

§ 195.58 Changes in or additions to accident report.

Whenever an operator receives any changes in the information reported or additions to the original report on DOT Form 7000-1, it shall file a supplemental report within 30 days with the Information Systems Manager, Materials Transportation Bureau, Department of Transportation, Washington, D.C. 20590. However,

reports for intrastate pipelines subject to the jurisdiction of a State agency pursuant to certification under section 205 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. 2004) may be submitted in duplicate to that State agency if the regulations of that agency require submission of these reports and provide for further transmittal of one copy within 10 days of receipt to the Information Systems Manager.

6. A new § 195.63 is added to read as follows:

§ 195.63 OMB control number assigned to information collection.

The control number assigned by the Office of Management and Budget to the hazardous liquid pipeline information collection requirements of this part pursuant to the Paperwork Reduction Act of 1980 is 2137-0047.

7. Section 195.266(f) is revised as follows:

§ 195.266 Construction records.

(f) The location of each valve and corrosion test station.

8. Section 195.310 is revised as follows:

§ 195.310 Records.

(a) A record must be made of each hydrostatic test required by this subpart, and the record of the latest test must be retained as long as the facility tested is in use.

(b) The record required by paragraph (a) of this section must include:
 (1) The pressure recording charts;
 (2) Test instrument calibration data;
 (3) The name of the operator, the name of the person responsible for making the test, and the name of the test company used, if any;

(4) The date and time of the test;
 (5) The minimum test pressure;
 (6) The test medium;
 (7) A description of the facility tested and the test apparatus;

(8) An explanation of any pressure discontinuities, including test failures, that appear on the pressure recording charts; and

(9) Where elevation differences in the section under test exceed 100 feet, a profile of the pipeline that shows the elevation and test sites over the entire length of the test section.

9. In § 195.404, paragraphs (a)(1), (b), and (c) are revised to read as follows:

§ 195.404 Maps and records.

(a) * * *
 (1) Location and identification of the following pipeline facilities:
 (i) Breakout tanks;

(ii) Pump stations;
 (iii) Scraper and sphere facilities;
 (iv) Pipeline valves;
 (v) Cathodically protected facilities;
 (vi) Facilities to which § 195.402(c)(9) applies;
 (vii) Rights-of-way; and
 (viii) Safety devices to which § 195.428 applies.

(b) Each operator shall maintain for at least 3 years daily operating records that indicate—

(1) The discharge pressure at each pump station; and
 (2) Any emergency or abnormal operation to which the procedures under § 195.402 apply.

(c) Each operator shall maintain the following records for the periods specified:

(1) The date, location, and description of each repair made to pipe shall be maintained for the useful life of the pipe.

(2) The date, location, and description of each repair made to parts of the pipeline system other than pipe shall be maintained for at least 1 year.

(3) A record of each inspection and test required by this subpart shall be maintained for at least 2 years or until the next inspection or test is performed, whichever is longer.

DOT Form 7000-1 [Revised]

The accident report form (DOT Form 7000-1) and instructions for completing it are revised to read as set forth in this issue of the **Federal Register** immediately following this rulemaking document.

Note.—DOT Form 7000-1 and instructions will not be shown in the Code of Federal Regulations.

Issued in Washington, D.C. on August 20, 1985.

M. Cynthia Douglass,

Acting Director, Materials Transportation Bureau.

Department of Transportation

Liquid Pipeline Accident Report

Instructions: Submit in duplicate for each accident reportable under Code of Federal Regulations, Title 49, Part 195, Subpart B. If the space provided for any question is not adequate, attach an additional sheet. File both copies of this report within 30 days after discovery of the accident with the Information Systems Manager (DMT-63), Materials Transportation Bureau, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590. However, reports for intrastate pipelines subject to the jurisdiction of a State agency pursuant to certification under Section 205 of the Hazardous Liquid Pipelines Safety Act of 1979 may be submitted in duplicate to the State agency if the regulations of that agency require

submission of these reports and provide for further transmittal of one copy within 10 days of receipt to the Information Systems Manager.

Please write or call the Information Systems Manager (202-472-1024) concerning questions about this report or these instructions, or to obtain copies of DOT Form 7000-1.

Each operator shall prepare each report of an accident on Form DOT 7000-1 or a facsimile as follows:

(1) General. Each applicable item must be marked or filled in as fully and as accurately as information accessible to the operator at the time of filing the report will permit. More than one item may apply.

(2) Part A. Enter the complete corporate name of the operator. Enter the address of the operator's principal place of business, including zip code.

(3) Part B, Item 1. Enter the date the accident occurred or was discovered. If the

accident was not discovered on the date it occurred, state this under Part K. Indicate whether the accident occurred on Federal lands. For purposes of this report "Federal lands" means all lands owned by the United States except lands in the National Park System, lands held in trust for an Indian or Indian tribe, and lands on the Outer Continental Shelf.

Item 2. Enter the time the accident occurred according to a 24 hour clock (e.g., 1945). If the time of occurrence is not known, enter the time the accident was discovered and state this fact under Part K.

(4) Part E. Give the number of deaths and injuries known at the time of filing this report even if they were previously reported telephonically to the Department of Transportation. If none, state none.

(5) Part F. Indicate the total estimated property damage in present day costs including the cost of the commodity not

recovered, damage to other parties, and cost of clean up. If none, state none.

(6) Part G, Item 1. State the commonly used name of the commodity spilled such as #2 fuel oil, regular gasoline, propane, etc.

Item 2. Give the classification of the commodity spilled and if it is a petroleum product, indicate whether it is a highly volatile liquid (HVL) or non-HVL. "HVL" means a hazardous liquid which will form a vapor cloud when released to the atmosphere and which has a vapor pressure exceeding 276kPa (40 psia) at 37.8°C (100°F). If the commodity spilled is not anhydrous ammonia, petroleum, or a petroleum product, it is not necessary to file this report.

(7) Part K. Give an account of the accident sufficiently complete and detailed to convey an understanding of the cause of the accident. Continue on an extra sheet of paper if more space is needed.

BILLING CODE 4910-60-M