

Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq), received a Notice of Proceedings and Opportunity for Hearing issued August 13, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b) (1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Indian Acres of Thornburg, located in Spotsylvania County, Virginia, contain untrue statement of material fact or omit to state material facts required to be stated therein as necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), IT IS HEREBY ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on September 24, 1975, 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before September 16, 1975.

6. The Respondent is HEREBY NOTIFIED that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an ORDER Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b) (1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated September 10, 1975.

By the Secretary.

JAMES W. MAST,  
*Administrative Law Judge.*

[FR Doc.75-24839 Filed 9-17-75;8:45 am]

## DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

[Docket No. Pet. 75-5]

### BUCKEYE PIPE LINE CO.

#### Grant of Waiver

On March 31, 1975, the Buckeye Pipe Line Company filed a petition for waiver from compliance with the requirements of 49 CFR 195.414(b). The waiver was requested for a 30-month period regarding 119 miles of bare, cathodically unprotected pipelines carrying crude oil or pe-

troleum products between Lima and Toledo, Ohio, and between Wayne, Michigan and Cygnet and Toledo, Ohio.

Section 195.414(b) requires that bare pipelines be electrically inspected before April 1, 1975, to determine areas of active corrosion. That Section further requires the Company to provide cathodic protection where active corrosion is found.

The Buckeye Pipe Line Company is a wholly owned subsidiary of the Pennsylvania Company which is wholly owned by the Penn Central Transportation Company. In explaining its need for the waiver, Buckeye states that as a result of the Penn Central bankruptcy in 1970, its 5-year average expenditure for safety related projects fell from \$5.8 million before the bankruptcy to \$1.7 million thereafter. The bankruptcy made financing for capital improvement projects impossible to obtain, and consequently planned construction projects had to be curtailed.

Furthermore, management changes in the parent companies and at Buckeye following the bankruptcy slowed the process of timely compliance with the Federal pipeline safety regulations.

In further support of its request for waiver, the company states that its leak records show that the 119 miles of pipelines should be reconditioned or replaced. To accomplish this objective, the Company has under way a 30-month construction program to be completed in September 1977. The program provides for replacing the most hazardous segments and those in densely populated areas with priority. Under these conditions, the Company believes that compliance with the electrical inspection requirements of § 195.414(b) would be superfluous from a safety standpoint and unnecessarily costly.

As an interim safety measure, the Company has voluntarily reduced the operating pressures on the 119 miles of pipelines. Under 49 CFR Part 195, the operating pressure of a pipeline may be as high as 72 percent of the pipeline's specified minimum yield strength (SMYS). In comparison, the highest actual operating pressure in the 119 miles of pipelines is 36 percent of SMYS, which occurs in open or agricultural land. Approximately, 80 percent of the pipelines have operating pressures of less than 25 percent of SMYS. One-third of these are operating at 11 percent of SMYS, or less, including pipelines in residential areas which cross front or back yards. Additionally, to ensure that the reduced pressures on the 119 miles of pipelines are not exceeded, the Company is using existing or installing new pressure relief or control devices. All new devices are scheduled for installation in 1975.

As an added safety precaution, the Company also patrols the 119 miles of pipelines twice a week—more frequently than required by the Federal regulations.

The Materials Transportation Bureau (MTB) has reviewed the information submitted in connection with the petition. Based on that review and other relevant information, MTB finds that the

requested waiver would be appropriate and consistent with pipeline safety because (1) the Company is making a good faith effort to rehabilitate its pipeline system beyond the levels of safety required by the Federal regulations; (2) during the rehabilitation program, the reduction in operating pressures coupled with additional pressure relief and control devices and frequent patrols should provide for the public safety; and (3) in consideration of the projected replacements, compliance with Section 195.414 (b) would serve no useful purpose.

Accordingly, effective April 1, 1975, the Buckeye Pipe Line Company is hereby granted a waiver from compliance with § 195.414(b) regarding the 119 miles of bare, cathodically unprotected pipelines identified hereinbefore and more specifically in its petition, subject, however, to the following condition:

Beginning October 1, 1975, and every six months thereafter, the Buckeye Pipe Line Company shall submit to the MTB a written report of the progress of its 30-month construction program as it relates to the 119 miles of pipelines subject to this waiver, including therein a description of every leak occurring on the pipelines, if any.

This Notice is issued under the authority of sections 831-835 of Title 18, United States Code, section 6(e) (4) of the Department of Transportation Act (49 USC 1655(e) (4)), and § 1.64 of the regulations of the Office of the Secretary of Transportation (49 CFR 1.64).

Issued in Washington, D.C. on September 15, 1975.

CESAR DELEON,  
*Acting Director, Office of  
Pipeline Safety Operations.*

[FR Doc.75-24871 Filed 9-17-75;8:45 am]

National Highway Traffic Safety  
Administration

AIR BRAKE SYSTEMS—STANDARD  
NO. 121

Meeting

This notice announces that the National Highway Traffic Safety Administration will hold a public meeting to permit interested persons to present information orally and in writing on field experience with trucks, buses, and trailers manufactured in conformity with Standard No. 121, *Air Brake Systems*.

Standard No. 121 (49 CFR 571.121) became effective on January 1, 1975, for air-braked trailers and March 1, 1975, for air-braked trucks and buses. The standard establishes performance requirements for the service brake, emergency brake, and parking brake systems of these vehicles. A major requirement is that trucks and buses be capable of stopping within a limited distance within a 12-foot-wide lane and without uncontrolled lockup of wheels above 10 mph. This and other requirements have generated major modifications of existing brake system designs, and the introduction of "antilock" systems on most production vehicles.