

list of surgical procedures to which such requirements apply, exceptions, and general information about the referral services.

§ 431.406 Notification to physicians, hospitals and ambulatory surgical facilities.

The State agency must notify all physicians, hospitals and ambulatory surgical facilities which provide services subject to the SSOP and are participating in the Medicaid program of the requirements of the SSOP. The notice must also include the applicable list of surgical procedures to which the requirements apply.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance)

Dated: May 19, 1986.

William L. Roper,
Administrator, Health Care Financing Administration.

Approved: May 27, 1986.

Otis R. Bowen,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. PS-91; Notice 1]

Interval for Review and Calculation of Relief Device Capacity

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to permit calculations made to verify capacity of relieving devices to be performed on the same interval (not to exceed 15 months, but at least once each calendar year) as required if capacity tests are actually performed. The present interval, "one-year," causes inconvenience in scheduling and possibly added inspection costs with no greater safety benefits than the interval proposed here.

DATE: Interested persons are invited to submit written comments on this proposal by August 18, 1986. Late filed comments will be considered to the extent practicable.

ADDRESS: Comments should identify the docket and notice numbers and be submitted in triplicate to the Dockets Branch, Room 8426, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 426-3148. 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: Paul J. Cory, (202) 426-2082. Copies of the proposal and documents related thereto may be obtained from the Dockets Branch, (202) 426-3148.

SUPPLEMENTARY INFORMATION:

Background

The inspections and tests required by §§ 192.739 and 192.743(a) of relieving devices as well as other equipment must be conducted "at intervals not to exceed 15 months, but at least once each calendar year." The inspections and tests are to determine that the equipment is in good mechanical condition, has adequate capacity, is reliable, has a correct set pressure and is properly installed and protected. A companion rule, § 192.743(b), permits operators to substitute "review and calculation of required capacity" when an actual test of capacity is not feasible. This review and calculation must be made "at intervals not exceeding one-year."

The difference between the inspection and test interval in §§ 192.739 and 192.743(a) and the "one year" period under § 192.743(b) if forcing pipeline operators to set different schedules for the inspections and tests of relieving devices versus review and calculation, which may increase costs and is inconvenient. Further, although actual testing is preferred, the objective of each of these rules, assuring adequate capacity, is the same. There is no safety justification for requiring the calculation of capacity under § 192.743(b) on a schedule that is different, not necessarily more frequent, than the schedule for tests and inspections under §§ 192.739 and 192.743(a).

On November 18, 1985, the Gas Piping Technology Committee of the American Society of Mechanical Engineers petitioned RSPA to amend § 192.743(b) to permit the review and calculation of relieving device capacity to be made at the same interval permitted for the testing of relieving devices under § 192.743(a). (Petition No. P-31).

In view of the undue burden and potentially added costs of scheduling the tests and inspections of relieving devices under §§ 192.739 and 192.743(a) on a different basis from the alternative review and calculation under § 192.743(b), RSPA is proposing to amend § 192.743(b) to permit the review and calculation to be made "at intervals not to exceed 15 months, but at least once each calendar year."

It should be noted that under the existing and proposed versions § 192.743(b), calculation of capacity

need not be repeated if the review documents that the parameters used in the previous calculation have not changed to make existing capacity inadequate.

Classification

Since this proposed rule will have a positive effect on the economy of less than \$100 million a year, will result in cost savings to consumers, industry, and government agencies, and no adverse impacts are anticipated the proposed rule is not "major" under Executive Order 12991. Also, it is not "significant" under Department of Transportation procedures (44 FR 11034). RSPA believes that the proposed rule will reduce the costs and inconvenience of scheduling the inspections and tests of relief valves under § 192.43. However, this savings is not expected to be large enough to warrant preparation of a Draft Regulatory Evaluation.

Based on the facts available concerning the impact of this rulemaking action, I certify pursuant to section 605 of the Regulatory Flexibility Act that the action will not, if adopted as final, have a significant economic impact on a substantial number of small entities.

List of Subjects in 49 CFR Part 192

Pipeline safety, Relieving devices, Inspections, Testing.

PART 192—[AMENDED]

In view of the above, RSPA, proposes to amend Part 192 of Title 49 of the Code of Federal Regulations as follows:

1. The authority citation for Part 192 continues to read as set forth below:

Authority: 49 U.S.C. 1672; U.S.C. 1804; 49 CFR 1.53 and Appendix A of Part L.

2. Section 192.743(b) would be revised to read as follows:

§ 192.743 Pressure limiting and regulating stations: Testing of relief devices.

* * * * *

(b) If a test is not feasible, review and calculation of the required capacity of the relieving device at each station must be made, at intervals not exceeding 15 months, but at least once each calendar year, and these required capacities compared with the rated or experimentally determined relieving capacity of the device for the operating conditions under which it works.

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Issued in Washington, DC, on June 12, 1986, under authority delegated by CFR Part 106, Appendix A.

Robert L. Paullin,

Director, Office of Pipeline Safety.

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