

on historical data, the MTB believes the cost of the final rule is warranted as an investment in public safety.

In view of the foregoing, Part 195 of Title 49 of the Code of Federal Regulations is amended as follows:

1. By revising § 195.300 to read as follows:

§ 195.300 Scope.

This subpart prescribes minimum requirements for hydrostatic testing of newly constructed steel pipeline systems; existing steel pipeline systems that are relocated, replaced, or otherwise changed; and onshore steel pipeline systems constructed before January 8, 1971, that transport highly volatile liquids. However, this subpart does not apply to movement of pipe covered by § 195.424.

2. In § 195.302, by redesignating paragraph (b) as paragraph (c) and adding a new paragraph (b) to read as follows:

§ 195.302 General requirements.

(b) No person may transport a highly volatile liquid in an onshore steel pipeline constructed before January 8, 1971, unless the pipeline has been hydrostatically tested in accordance with this subpart or, except for pipelines subject to § 195.5, its maximum operating pressure is established under § 195.406(a)(5). Pipelines that were in highly volatile liquid service before September 8, 1980 must meet this requirement according to the following schedule:

(1) Planning and scheduling of hydrostatic testing or actual reduction in maximum operating pressure to meet § 195.406(a)(5) must be completed before Sept. 15, 1981; and

(2) Hydrostatic testing must be completed before Sept. 15, 1985, with at least 50 percent of the testing completed before Sept. 15, 1983.

3. By adding § 195.406(a)(5) as follows:

§ 195.406 Maximum operating pressure.

(a) * * *

(5) In the case of onshore HVL pipelines constructed before January 8, 1971, that have not been tested under Subpart E of this part, 80 percent of the test pressure or highest operating pressure to which the pipeline was subjected for four or more continuous hours that can be demonstrated by recording charts or logs made at the time the test or operations were conducted. (See § 195.302(b) for a compliance schedule for pipelines in HVL service before September 8, 1980.

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(Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-129, November 30, 1979, 93 Stat. 1003); 49 CFR 1.53(a) and Appendix A to Part 1)

Issued in Washington, D.C., on September 2, 1980.

L. D. Santman,
Director, Materials Transportation Bureau.

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49 CFR Part 195

[Amdt. 195-18; Docket PS-63]

Transportation of Liquids by Pipeline; Hydrostatic Testing

AGENCY: Materials Transportation Bureau (MTB).

ACTION: Final rule.

SUMMARY: This final rule reduces the time and cost of hydrostatic testing in light of studies which show that the currently required 24-hour hydrostatic hold period is unnecessary. A two part test is prescribed for hydrostatically testing liquid pipelines: A strength test of at least 4 hours' duration at a pressure equal to 125 percent or more of the maximum operating pressure is prescribed for all hazardous liquid pipelines subject to Part 195; additionally, a leak test for four hours or more at a pressure equal to 110 percent or more of the maximum operating pressure is prescribed for those pipelines which are not visually inspected for leakage while under the strength test.

DATE: Because this final rule relaxes an existing requirement, resulting in substantial cost savings, the effective date of the final rule is September 8, 1980, for hazardous liquid pipelines currently subject to Part 195. Upon reissuance of Part 195 under the authority of the Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-129, November 30, 1979) and in accordance with the notice of proposed rulemaking in this docket, the effective date of this final rule for intrastate liquid pipelines not now subject to Part 195 will be announced.

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

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking (NPRM) was published March 13, 1980 (45 FR 16230), proposing to reduce the 24-hour hydrostatic hold period in § 195.302(c) for all hazardous liquid pipelines. (After publication of the NPRM, § 195.302(b) was renumbered § 195.302(c).) Section 195.302(c) requires that hydrostatic tests be maintained for at least 24 hours

without leakage. The MTB believed this requirement was more than adequate to ensure pipeline safety and resulted in greater testing costs than were necessary.

The purpose of a hydrostatic test is to ensure that a pipeline will not later fail in service due to latent material or construction defects. Broadly defined, the hydrostatic test is the maintenance of water pressure above the maximum operating pressure (MOP) under no-flow conditions for a fixed period of time. The hydrostatic test precludes later rupture or leak due to latent material or construction defects by causing these potentially harmful defects to surface during the test period.

The 24-hour hold period for hydrostatic testing evolved as an industry safety practice before it could be explained why failures occurred during the hold period. Further, there was no distinction made between testing the pipeline for strength and testing the pipeline for leakage.

In recent years, scientific research and industry experience have demonstrated that the 24-hour hold period is not necessary to ensure pipeline integrity and that a distinction can be made between a strength test and a leak test. Some of that research and experience was discussed in the NPRM.

Response to the Notice and Development of Final Rule

Nine oil and gas companies, the American Petroleum Institute (API), the Chemical Manufacturers Association (CMA), the Interstate Natural Gas Association of America (INGAA), the Offshore Operators Committee (OOC), the B31.4 Code Section Committee for Liquid Petroleum Transportation of the American Society of Mechanical Engineers, and the National Transportation Safety Board (NTSB) commented on the NPRM. None of the commenters argued that the proposed rule to reduce the hydrostatic test period was not adequate to ensure pipeline safety and most commenters agreed that reduced costs of testing would result.

The INGAA, the OOC, and three oil and gas companies recommended modifying the language of the proposed rule so that prescribed test pressures and hold periods would be clearly stated as minimum requirements in order to avoid the possibility of the rules being interpreted as maximum permissible standards. Further, although these commenters agreed that the rules as proposed are adequate to ensure safety, they argued that there can be other reasons for testing to higher pressures or maintaining longer hold

periods than those prescribed in the proposed rule. For example, thermal effects on the test water and pipe being tested can require a hold period longer than 4 hours to be certain that pressure has stabilized. Additionally, as a practical matter, it may be necessary to raise the pressure to a point above the test level to be certain that the desired test pressure has been achieved throughout the length of pipeline under test.

Although the proposed rule was intended to establish minimum testing standards, the MTB agrees with the commenters that there is a need to more clearly state the rule to avoid ambiguity. The MTB further agrees with the commenters that there can be cases wherein it may be advisable to exceed the prescribed pressures and hold periods while conducting the testing, and the rule should provide for these cases. As a result, the qualifying phrases "at least" and "or more" have been added to § 195.302(c) in the final rule with reference to the prescribed test pressures and hold periods.

The OOC recommended that offshore pipelines be tested to 125 percent of MOP for two hours instead of the proposed four hour strength test at 125 percent of MOP, and the four hour leak test at 110 percent of MOP where not visually inspected for leakage during the strength test. The OOC argued that the research report cited in the notice "Background Behind Proposed Test Pressure Hold Period of 2 Hours" by G. M. McClure provides ample justification for the two hour hold period. The MTB is not prepared at this time to further reduce the testing requirements for offshore pipelines below the levels proposed, because: (1) the reduction in the test hold period proposed in the notice is consistent with the cited research as well as industry experience reflected in the B31.4 code and the API petition (P3); (2) the proposed reduction in the test hold period will provide most of the economic advantages of short period testing; and (3) four hours, or perhaps more, is required to discover leaks that may be present.

The NTSB recommended that criteria for the test procedure and monitoring equipment be prescribed, arguing that improved procedures and monitoring equipment will be required to assure compliance with the regulations. No evidence has been presented to show that a shorter test period will require substantially different procedures or equipment than a test of longer duration, and even where differences exist, MTB feels confident that the records required by § 195.310 will continue to assure that

a proper test has been conducted. Consequently, no further regulations concerning test procedures or test equipment have been included in the final rule.

Several of the commenters commended the MTB for revising the pipeline safety regulations as technology for testing develops and for taking positive steps to reduce the cost of testing. The MTB estimates that testing costs will be reduced by 30 percent resulting in a \$12,000,000 annual savings to the industry.

In view of the foregoing, the MTB amends 49 CFR Part 195 by revising § 195.302(c) to read as follows:

§ 195.302 General requirements.

* * * * *

(c) The test pressure for each hydrostatic test conducted under this section must be maintained throughout the part of the system being tested for at least 4 continuous hours at a pressure equal to 125 percent, or more, of the maximum operating pressure and, in the case of a pipeline that is not visually inspected for leakage during test, for at least an additional 4 continuous hours at a pressure equal to 110 percent, or more, of the maximum operating pressure.

The MTB has determined that this document does not contain a major proposal requiring preparation of a regulatory analysis under DOT procedures. Also, because of the estimated cost savings, a full Final Evaluation is not needed.

(Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-129, November 30, 1979, 93 Stat. 1003); 49 CFR 1.53(a), Appendix A to Part 1)

Issued in Washington, D.C., on September 3, 1980.

L. D. Santman,
Director, Materials Transportation Bureau.

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INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

[Amend. No. 6 to S.O. No. 1289]

Burlington Northern Inc. Authorized To Operate Over Tracks of Union Pacific Railroad Co. at Sterling, Colo.

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 6 to Service Order No. 1289.

SUMMARY: Service Order No. 1289 authorizes the Burlington Northern Inc., to operate over tracks of Union Pacific

Railroad Company at Sterling, Colorado. This amendment extends the expiration date of Service Order No. 1289 until 11:59 p.m., October 31, 1980, permitting the Commission time to consider Burlington Northern's petition pending under F.D. 29357F without interruption of the temporary authority.

EFFECTIVE: 11:59 p.m., August 31, 1980, and continuing in effect until 11:59 p.m., October 31, 1980, unless modified, amended, or vacated by order of this Commission.

FOR FURTHER INFORMATION CONTACT:
M. F. Clemens, Jr., 202-275-7840.

SUPPLEMENTARY INFORMATION:

Decided: August 21, 1980.

Upon further consideration of Service Order No. 1289 (42 FR 63423; 43 FR 24694, 56671; 44 FR 31982; 45 FR 26965 and 36415), and good cause appearing therefor:

It is ordered,

§ 1033.1289 *Burlington Northern Inc. authorized to operate over tracks of Union Pacific Railroad Company at Sterling, Colorado*, Service Order No. 1289 is amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., October 31, 1980, unless modified, amended or vacated by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., August 31, 1980.

This action is taken under the authority of 49 U.S.C. 10304-10305 and 11121-11126.

A copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association. Notice of this amendment shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington, and William F. Sibbald, Jr.
Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-27461 Filed 9-5-80; 8:45 am]
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