Technology. This comprehensive study was undertaken so that we could assess all of the possible approaches to providing New Jersey with the television service it needs, wants, and deserves.

The technical conclusions of the study may be disappointing to some. The report found, for instance, that attempts to provide New Jersey with its own VHF station would unavoidably result in a trade-off where many of the TV signals coming into New Jersey from New York and Philadelphia would be blocked, and people in other states would find their own signals weakened or destroyed.

It may be, however, that the people of New Jersey will be willing to sacrifice some out-of-state signals in order to have their own VHF station. If this is the case, then the people of New Jersey should so indicate during the comment period we have established in this proceeding. The importance of public participation in our proceedings is heightened when our decisions affect the choices available to them. We want to make the correct choice, one that is sensitive to the preference of those who are most directly affected. This can be accomplished only if people take the time and effort to inform us.

The OST report concluded that six new UHF stations could be added, without affecting television service in other areas. This option is being considered in the Notice of Proposed Rulemaking we have released today. The addition of this many new stations could begin to provide New Jersey with the kind of local service the residents should have.

But even the assignment of six new UHF stations would be useless unless these stations are economically viable. Network affiliation would aid their economic health and the Commission will examine the question of network affiliations for the new UHF stations. The proposed stations might also be helped if the Commission encouraged cable and subscription television in New Jersey. These services have proven helpful to other UHF stations. Perhaps some of the Commission's rules could be modified with respect to New Jersey.

As a final measure, we have also requested that the staff draft an order to be sent to New York and Philadelphia VHF stations requesting them to submit proposals to establish a greater physical presence through in-state offices and news bureaus in New Jersey. While these stations have provided increasing amounts of New Jersey programming, only their physical presence can provide direct access to the stations, access which is critical to citizens seeking to air their opinions about the problems of their state and community.

Together, these steps—the proposed addition of six new UHF stations with the possibility of various steps to assure their economic viability and the requirement of the physical presence of New York and Philadelphia stations—demonstrate the concern of the FCC to assist all the residents of New Jersey who are now deprived of what I believe to be sufficient local news or public affairs programming.

Concurring Statement of Commissioner Anne P. Jones in which Commissioner Abbott Washburn Joins

In Re: Notice of Proposed Rule Making and Notice of Inquiry: Providing Optimum Conditions for Utilization of New Jersey Television Channel Assignments.

I concur in the Commission's action in this matter. I do believe, however, that questions as to possible control by the Commission of the process of network affiliation (paragraph 10 of the NOI/NPRM) should be left for resolution in the pending Network Inquiry, rather than taken up in this proceeding.

[FR Doc. 80-7742 Filed 3-12-80; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 192 and 195

[Docket No. PS-65; Notice 1]

Transportation of Natural and Other Gas and Hazardous Liquids by Pipeline; Incorporation by Reference

AGENCY: Materials Transportation Bureau.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend Parts 192 and 195 to update the existing references therein to documents prepared by industry to later published editions of those documents. Many currently referenced editions are now out-of-print.

EFFECTIVE DATE: Interested persons are invited to submit written comments on this proposal before April 30, 1980. Late filed comments will be considered so far as practicable. All interested persons must submit as part of their written comments all the material that they consider relevant to any statement of fact made by them.

ADDRESS: Communications should be sent to the Docket Branch, Room 8426, Materials Transportation Bureau, U.S. Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590. All comments and docket materials may be reviewed in the Docket Branch between the hours of 8:30 am to 5:00 pm.

FOR FURTHER INFORMATION CONTACT: Ralph R. Simmons, 202-426-2392.

SUPPLEMENTARY INFORMATION: *Need for this proposal.* This Notice of Proposed Rulemaking (NPRM) is in keeping with the Department of Transportation's Semi-Annual Regulations Agenda and is based in part on petitions filed by the American Society of Mechanical Engineers (ASME) and the American Petroleum Institute (API), requesting that the Materials Transportation Bureau (MTB) update all the references to industry documents listed in Appendix A and B of Part 192 and those industry documents referenced in § 195.3. In support of their petitions, ASME and API point out that recent editions of industry developed documents reflect changes in manufacturing practices and technology and qualifications for welders.

MTB concurs with ASME and API that the Federal gas and liquid pipeline standards should be in accord with recent developments in materials and pipeline transportation technology. To this end, it is found appropriate and reasonable for public safety to begin a rulemaking proceeding to incorporate by reference in the Federal Standards the latest editions of all referenced documents.

Parts 192 and 195 incorporate by reference all or portions of 54 different documents containing standards and specifications developed and published by private organizations. Because the MTB review process has not kept current with the frequency of industry publications since the last general update (49 CFR 13590, March 31, 1976), many of the editions which are currently referenced in the Federal Standards are now out-of-print or obsolete. In extreme cases, the gas or liquid pipeline industry is required to comply with an outmoded specification, copies of which are not readily available. Another problem for industry as well as the public safety exists where Part 192 or 195 requires, as a qualification for use of pipe or components, that they be manufactured to an edition of a referenced specification of which there is a later published edition. For example, pipe manufacturers normally make pipe according to the latest published edition. If later editions are not referenced in Parts 192 or 195, operators have trouble ensuring that newly ordered pipe or components are manufactured in accordance with earlier referenced editions. Also if later published editions are presumed to contain up-to-date

safety criteria, the public safety may suffer by requiring compliance with earlier editions.

MTB is considering as an ultimate goal, the substitution of performance requirements for as many of the existing references to industry documents as possible. Performance requirements would not only eliminate the need to refer to outside publications but also eliminate the problems for industry which accompany references to out-of-date documents. In the interim, however, MTB believes that the contribution of Parts 192 and 195 to public safety would be increased by adopting the ASME and API proposals and updating the existing references to industry documents so as to refer to later published editions of those documents.

Where later editions of documents referenced in Parts 192 and 195 have been published, MTB has reviewed them and finds them acceptable from the standpoint of public safety. However, because new editions are frequently published, some of the editions reviewed and proposed by this Notice may not be the latest published editions now available. Where this is true, those editions may be incorporated in the Final Rule if submitted as comments to this Notice and found acceptable by MTB.

MTB believes that no significant increase in cost should result from compliance with the latest editions. In some areas cost savings should result. MTB has determined that the provisions of this proposed rule will not result in a major economic impact under the terms of Executive Order 12044 and DOT implementing procedures (44 FR 11034). Also, MTB has determined that this proposal does not require a full draft Regulatory Evaluation under those procedures because it closely parallels current industry practice and would, therefore, have minimal cost impact upon the industry.

Also MTB is considering removing the effective dates from references to documents contained within §§ 192.225, 192.227 and 195.222. These dates refer to application of referenced documents which contain practices or procedures under which welders or welding procedures were previously qualified but under which they may not be requalified after that date.

The effective dates were included in the regulations in order to "grandfather" then existing procedures or practices when the new qualification requirements were adopted through incorporation by reference of later published documents. If the new editions proposed by this notice are adopted, adding more effective dates to continue the "grandfather" concept would complicate the rules. Therefore, MTB believes that removing the dates as proposed will clarify the regulations and make them easier to use while maintaining the present intent of the regulations to "grandfather" existing procedures or practices that have been qualified under earlier listed editions of referenced documents.

MTB is proposing to delete the edition date of the API Standard 1104 in § 195.228(b). The acceptability of a weld is determined according to the latest listed edition of the standard. Since the date of the latest listed edition is in § 195.3; it is redundant and unnecessary to repeat it in § 195.228(b).

American Society for Testing and Materials has discontinued the pipe manufacturing specification A155, "Standard Specification For Electric-Fusion-Welded Steel Pipe For High-Pressure Service," and in its place has published:

(1) ASTM Specification 671, "Electric-Fusion-Welded Steel Pipe For Atmospheric and Lower Temperatures" (A671–77);

(2) ASTM Specification A672, "Electric-Fusion-Welded Steel For High Pressure Service At Moderate Temperatures" (A672–77); and

(3) ASTM Specification A691, "Carbon and Alloy Steel Pipe, Electric-Fusion-Welded For High Pressure Service At High Temperatures" (A691–77).

This separation of A155 specification into three documents clarifies the meaning of the specification for the different temperatures and pressures that pipe is to be used for, but makes no substantive change in the specification.

Also §§ 192.237 and 192.239 refer to "ladle analysis" as the test to obtain the carbon content or equivalent of steel. The appropriate referenced industry standards for steel pipe manufacturers no longer require a "ladle analysis" for this purpose because the final chemical analysis is obtained as a heat. MTB concurs with this practice, and is proposing to amend Part 192 to change the term "ladle analysis" to "heat analysis."

MTB recognizes that some of the referenced industry standards permit deviations to provide for use of the latest advancements in technology. In general, such deviations are permitted under the referenced standards only when the authority having jurisdiction has made a special investigation of all factors and based on sound experience and engineering judgment, concludes that the proposed deviation meets the intent of the standard. For the purpose of Parts 192 and 195, MTB is the authority of jurisdiction, and where such deviations from standard is desired, MTB will consider such request through its waiver procedure.

In consideration of foregoing, MTB is proposing to amend 49 CFR Parts 192 and 195 as follows:

1. By revising § 192.225 (a) and (b) (1) and (2) to read as follows:

§ 192.225 Qualification of welding procedures.

(a) Each welding procedure must be qualified under Section IX of the ASME Boiler and Pressure Vessel Code or Section 2 of API Standard 1104, whichever is appropriate to the function of the weld, except that a welding procedure qualified under an earlier edition in Appendix A than the latest listed edition may continue to be used but may not be requalified under the earlier edition.

(b) * * *

(1) Carbon steels that have a carbon content of 0.32 percent (heat analysis) or less.

(2) Carbon steels that have a carbon equivalent (C+¼MN) of 0.65 percent (heat analysis) or less.

* * * * *

2. By revising § 192.227 (a) and (b) (1) and (2) to read as follows:

§ 192.227 Qualification of Welders.

(a) Except as provided in paragraph (c) of this section, each welder must be qualified in accordance with one of the following documents; however, a welder qualified under an earlier edition in Appendix A than the latest listed edition may weld but may not requalify under that earlier edition:

(1) Section IX of the ASME Boiler and Pressure Vessel Code:

(2) Section 3 of API Standard 1104, except that a welder may be qualified by radiography under subsection 3.51 without regard for the standards in subsection 6.9 for depth of undercutting adjacent to the root bead unless that depth is visually determined by use of a depth measuring device on all undercutting along the entire circumference of the weld.

(b) * * *

(1) Carbon steels that have a carbon content of 0.32 percent (heat analysis) or less.

(2) Carbon steels that have a carbon equivalent (C+¼MN) of 0.65 percent (heat analysis) or less.

* * * * *

3. By revising § 192.237(a) to read as follows:

§ 192.237 Preheating.

(a) Carbon steel that has a carbon content in excess of 0.32 percent (heat

analysis) or a carbon equivalent (C+¼MN) of 0.65 percent (heat analysis) must be preheated for welding.

* * * * *

4. By revising § 192.239 (a) and (b) to read as follows:

§ 192.239 Stress relieving.

(a) Except as provided in paragraph (f) of this section, each weld on carbon steel that has a carbon content in excess of 0.32 percent (heat analysis) or a carbon equivalent (C+¼MN) in excess of 0.65 percent (heat analysis) must be stress relieved as prescribed in Section VIII of the ASME Boiler and Pressure Vessel Code.

(b) Except as provided in paragraph (f) of this section, each weld on carbon steel that has a carbon content of less than 0.32 percent (heat analysis) or a carbon equivalent (C+¼MN) of less than 0.65 percent (heat analysis) must be thermally stress relieved when conditions exist which cool the weld at a rate detrimental to the quality of the weld.

* * * * *

5. By revising Appendixes A and B to Part 192 "Incorporated by Reference" as follows:

Appendix A—Incorporated by Reference

I. List of organizations and addresses.

A. American National Standards Institute (ANSI), 1430 Broadway, New York, N.Y. 10018 (formerly the United States of American Standards Institute (USASI)). All current standards issued by USASI and ASA have been redesignated as American National Standards and continued in effect.

B. American Petroleum Institute (API), 1801 K Street NW., Washington, DC 20006, or 300 Corrigan Tower Building, Dallas, Tex. 75201.

C. The American Society of Mechanical Engineers (ASME), United Engineering Center, 345 East 47th Street, New York, N.Y. 10017.

D. American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pa. 19103.

E. Manufacturers Standardization Society of the Valve and Fittings Industry (MSS), 1815 North Fort Myer Drive, Room 913, Arlington, Va. 22209.

F. National Fire Protection Association (NFPA), 470 Atlantic Avenue, Boston, Massachusetts 02110.

II. Documents incorporated by reference. Numbers in parentheses indicate applicable editions. Only the latest listed edition applies except that an earlier listed edition may be followed with respect to pipe or components which are manufactured, designed, or installed in accordance with the earlier edition before the latest edition is adopted, unless otherwise provided in this part.

A. American Petroleum Institute:

(1) API Specification 5A "API Specification for Casing, Tubing, and Drill Pipe" (1968, 1971, 1973 plus Supp 1, 1979).

(2) API Specification 6A "API Specification for Wellhead Equipment" (1968, 1974, 1979).

(3) API Specification 6D "API Specification for Pipeline Valves" (1968, 1974, 1977).

(4) API Specification 5L "API Specification for Line Pipe" (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975, 1978).

(5) API Specification 5LS "API Specification for Spiral-Weld Line Pipe" (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977, 1978).

(6) API Specification 5LX "API Specification for High-Test Line Pipe" (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977, 1978).

(7) API Recommended Practice 5L1 "API Recommended Practice for Railroad Transportation of Line Pipe" (1967, 1972).

(8) API Standard 1104 "Standard for Welding Pipe Lines and Related Facilities" (1968, 1973, 1977).

B. The American Society for Testing and Materials:

(1) ASTM Specification A53 "Standard Specification for Welded and Seamless Steel Pipe" (A53–65, A53–68, A53–73, A53–78).

(2) ASTM Specification A106, "Standard Specification for Seamless Carbon Steel Pipe for High-Temperature Service" (A106–66, A106–68, A106–72a, A106–78).

(3) ASTM Specification A134 "Standard Specification for Electric-Fusion (Arc)-Welded Steel Plate Pipe, Sizes 16 in. and over" (A134–64, A134–68, A134–73, A134–74).

(4) ASTM Specification A135 "Standard Specification for Electric-Resistance-Welded Steel Pipe" (A135–63T, A135–68, A135–73a).

(5) ASTM Specification A139 "Standard Specification for Electric-Fusion (Arc)-Welded Steel Pipe (Sizes 4 in. and over)" (A139–64, A139–68, A139–73, A139–74).

(6) ASTM Specification 1671, Electric-Fusion-Welded Steel Pipe For Atmospheric and Lower Temperatures (1671–77).

(7) ASTM Specification A672, "Electric-Fusion-Welded Steel Pipe For High Pressure Service At Moderate Temperatures" (A672–77).

(8) ASTM Specification A691, "Carbon and Alloy Steel Pipe, Electric-Fusion-Welded for High Pressure Service At High Temperatures" (A691–77).

(9) ASTM Specification A211 "Standard Specification for Spiral-Welded Steel or Iron Pipe" (A211–63, A211–68, A211–73, A211–75).

(10) ASTM Specification A333 "Standard Specification for Seamless and Welded Steel Pipe for Low Temperature Service" (A333–64, A333–67, A333–73, A33–77).

(11) ASTM Specification A372 "Standard Specification for Carbon and Alloy Steel Forgings for Thin-Walled Pressure Vessel" (A372–67, A372–71, A372–78).

(12) ASTM Specification A377 "Standard Specification for Cast Iron and Ductile Iron Pressure Pipe" (A377–66, A377–73, A377–77).

(13) ASTM Specification A381 "Standard Specification for Metal-Arc-Welded Steel Pipe for High-Pressure Transmission Systems" (A381–66, A381–68, A381–73, A381–76).

(14) ASTM Specification A539 "Standard Specification for Electric Resistance-Welded Coiled Steel Tubing for Gas and Fuel Oil Lines" (A539–65, A539–73).

(15) ASTM Specification B42 "Standard Specification for Seamless Copper Pipe, Standard Sizes" (B42–62, B42–66, B42–72, B42–78).

(16) ASTM Specification B68 "Standard Specification for Seamless Copper Tube, Bright Annealed" (B68–65, B68–68, B68–73, B68–79).

(17) ASTM Specification B75 "Standard Specification for Seamless Copper Tube" (B75–65, B75–68, B75–73, B75–79).

(18) ASTM Specification B88 "Standard Specification for Seamless Copper Water Tube" (B88–66, B88–72, B88–78).

(19) ASTM Specification B251 "Standard Specification for General Requirements for Wrought Seamless Copper and Copper-Alloy Tube" (B251–66, B251–68, B251–72, B251–76).

(20) ASTM Specification D2513 "Standard Specification for Thermoplastic Gas Pressure Pipe, Tubing, and Fittings" (D2513–66T, D2513–68, D2513–70, D2513–71, D2513–73, D2513–74a, D2513–78ES).

(21) ASTM Specification D2517 "Standard Specification for Reinforced Epoxy Resin Gas Pressure Pipe and Fittings" (D2517–66T, D2517–67, D2517–73).

C. The American National Standards Institute, Inc.:

(1) ANSI A21.1 "Thickness Design of Cast-Iron Pipe" (A21.1–1967 A21.1–1972 A21.1–1977).

(2) ANSI A21.11 "Rubber-Gasket Joints for Ductile-Iron, and Grey Iron Pressure Pipe and Fittings" (A21.11–1964, A21.11–1972, A21.11–1979).

(3) ANSI A21.50 "Thickness Design of Ductile-Iron Pipe" (A21.50–1965, A21.50–1971, 1976).

(4) ANSI A21.52 "Ductile-Iron Pipe, Centrifugally Cast, in Metal Molds or Sand-Lined Molds for Gas" (A21.52–1965, A21.52–1971, 1976).

(5) ANSI B16.1 "Cast Iron Pipe Flanges and Flanged Fittings" (B16.1–1967, 1975).

(6) ANSI B16.5 "Steel Pipe Flanges, Flanged Fittings" (B16.5–1968, B16.5–1973, 1977).

(7) ANSI B16.24 "Bronze Pipe Flanges and Flanged Fittings" (B16.24–1962, B16.10–1971, 1979).

(8) ANSI B36.10 "Wrought Steel and Wrought Iron Pipe" (B36.10–1959, B36.10–1970, 1975).

(9) ANSI C1 "National Electrical Code" (C1–1968, C1–1975).

D. The American Society of Mechanical Engineers:

(1) ASME Boiler and Pressure Vessel Code, Section VIII "Pressure Vessels, Division 1" (1968, 1974, 1977).

(2) ASME Boiler and Pressure Vessel Code, Section IX "Welding Qualifications" (1968, 1974, 1977).

E. Manufacturer's Standardization Society of the Valve and Fittings Industry:

(1) MSP SP–25 "Standard Marking System for Valves, Fittings, Flanges, and Union" (1964, 1978).

(2) MSS SP–44 "Steel Pipe Line Flanges" (1955, 1972, 1975).

(3) MSS SP–70 "Cast Iron Gate Valves, Flanged and Threaded Ends" (1970, 1976).

(4) MSS SP–71 "Cast Iron Swing Check Valves, Flanged and Threaded Ends" (1970, 1976).

(5) MSS SP–78 "Cast Iron Plug Valves" (1972, 1977).

F. National Fire Protection Association:

(1) NFPA Standard 30 "Flammable and Combustible Liquids Code" (1969, 1973).

(2) NFPA Standard 58 "Standard for the Storage and Handling of Liquefied Petroleum Gases" (1969, 1972, 1979).

(3) NFPA Standard 59 "Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants" (1968, 1979).

(4) NFPA Standard 59A "Storage and Handling Liquefied Natural Gas" (1971, 1972, 1979).

Appendix B—Qualification of Pipe

I. Listed Pipe Specifications. Numbers in parentheses indicate applicable editions. Only the latest listed edition applies except that an earlier listed edition may be followed with respect to pipe or components which are manufactured, designed, or installed in accordance with the earlier edition before the latest edition is adopted, unless otherwise provided in this part.

API 5L—Steel and iron pipe (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975, 1978).

API 5LS, Steel pipe (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977, 1978).

API 5LX, Steel pipe (1967, 1970, 1971 plus Supp. 1, 1973 plus Supp. 1, 1975 plus Supp. 1, and 1977, 1978).

ASTM A53—Steel pipe (1965, 1968, 1973, 1978).

ASTM A106—Steel pipe (1966, 1968, 1972a, 1978).

ASTM A134—Steel pipe (1964, 1968, 1973, 1974).

ASTM A135—Steel pipe (1963T, 1968, 1973a).

ASTM A139—Steel pipe (1964, 1968, 1973, 1974).

ASTM Specification A671, "Electric-Fusion-Welded Steel Pipe for Atmospheric and Lower Temperatures". (1977) ASTM Specification A672, "Electric-Fusion-Welded Steel Pipe For High Pressure Service At Moderate Temperatures". (1977).

ASTM Specification A691, "Carbon and Alloy Steel Pipe Electric-Fusion-Welded For High Pressure Service At High Temperatures", (1977).

ASTM A211—Steel and iron pipe (1963, 1968, 1973, 1975).

ASTM A333—Steel pipe (1964, 1967, 1973, 1977).

ASTM A377—Cast iron pipe (1966, 1973, 1977).

ASTM A381—Steel pipe (1966, 1968, 1973, 1976).

ASTM A539—Steel tubing (1965, 1973).

ASTM B42—Copper pipe (1962, 1966, 1972, 1978).

ASTM B68—Copper tubing (1965, 1968, 1973, 1979).

ASTM B75—Copper tubing (1965, 1968, 1973, 1979).

ASTM B88—Copper tubing (1966, 1972, 1978).

ASTM B251—Copper pipe and tubing (1966, 1968, 1972, 1976).

ASTM D2513—Thermoplastic pipe and tubing (1966T, 1968, 1970, 1971, 1973, 1974a, 1978).

ASTM D2517—Thermosetting plastic pipe and tubing (1966T, 1967, 1973).

ANSI A21.3—Cast iron pipe (1953).

ANSI A21.7—Cast iron pipe (1962).

ANSI A21.9—Cast iron pipe (1962).

ANSI A21.52—Ductile iron pipe (1965, 1971).

(49 USC 1672; 49 USC 1804 for offshore gas gathering lines: 49 CFR Parts 1.53 Appendix A of Part 1 and Appendix A of Part 106)

6. By revising § 195.3 as follows:

§ 195.3 Matter incorporated by reference.[1]

(a) There are incorporated by reference in this part all materials referred to in this part that are not set forth in full in this part. These materials are hereby made a part of this regulation. Applicable editions are listed in paragraph (c) of this section in parentheses following the title of the referenced material. Only the latest listed edition applies, except that an earlier listed edition may be followed with respect to components which are manufactured, designed, or installed in accordance with the earlier edition before the latest edition is adopted, unless otherwise provided in this part.

(b) All incorporated materials are available for inspection in the Materials Transportation Bureau, Washington, D.C. In addition, materials incorporated by reference are available as follows:

(1) American Petroleum Institute (API), 1801 K Street, N.W., Washington, D.C. 20006, or 300 Corrigan Tower Building, Dallas, Texas 75201.

(2) The American Society of Mechanical Engineers (ASME), United Engineering Center, 345 East 47th Street, New York, N.Y. 10017.

(3) Manufacturers Standardization Society of the Valve and Fittings Industry (MSS), 1815 North Fort Myer Drive, Arlington, Va. 22209.

(4) American National Standards Institute (ANSI), 1430 Broadway, New York, N.Y. 10018. (Formerly the United States of America Standards Institute (USASI). All current standards issued by USASI and ASA have been redesignated as American National Standards and continue in effect.)

(5) American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pa. 19103.

(c) The full title for the publications incorporated by reference in this part are as follows:

(1) American Petroleum Institute:

(i) API Specification 6D "API Specification for Pipeline Valves," which may be obtained from the Dallas office (1968, 1974, 1977).

(ii) API Specification 1104 "Standard for Welding Pipe Lines and Related Facilities" (1968, 1973, 1977).

(iii) API Specification 5L "API Specification for Line Pipe" (1969, 1975, 1978).

(iv) API Specification 5LS "API Specification for Spiral-Weld Line Pipe" (1969, 1975, 1977, and 1978).

(v) API Specification 5LX "API Specification for High-Test Line Pipe" (1969, 1975, 1977, and 1978).

(2) ASME Code is the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section VIII, "Pressure Vessels, Division 1" (1968, 1974; 1977).

(3) Manufacturers Standardization Society of the Valve and Fitting Industry:

(i) MSS Standard Practice SP-75 "Specification for High-Test Wrought Welding Fittings" (1973, 1976).

(4) American National Standards Institute:

(i) ANSI B16.9 "Factory Made Wrought Steel Butt-Welding Fittings" (1964, 1971, 1978).

(ii) ANSI B31.4 "Liquid Petroleum Transportation Piping Systems" (1966, 1974, 1978).

(5) American Society for Testing and Materials:

(i) ASTM Specification A53 "Standard Specification for Welded and Seamless Steel Pipe" (1968, 1972, 1973).

(ii) ASTM Specification A106 "Standard Specification for Seamless Carbon Steel Pipe for High-Temperature Service" (1968, 1972a, 1978).

(iii) ASTM Specification A134 "Standard Specification for Electric-Fusion (Arc)-Welded Steel Plate Pipe, Sizes 16 in. and Over" (1968, 1973, 1974).

(iv) ASTM Specification A135 "Standard Specification for Electric-Resistance-Welded Steel Pipe" (1968, 1973a).

(v) ASTM Specification A139 "Standard Specification for Electric-Fusion (Arc)-Welded Steel Pipe, (Sizes 4 in. and Over)" (1968, 1973, 1974).

(vi) ASTM Specification A671, "Electric-Fusion-Welded Steel Pipe For Atmospheric and Lower Temperatures", (1977).

(vii) ASTM Specification A672, "Electric-Fusion-Welded Steel Pipe For High Pressure Service At Moderate Temperatures", (1977).

(viii) ASTM Specification A691, "Carbon and Alloy Steel Pipe Electric-Fusion-Welded For High Pressure Service At High Temperatures", (1977).

(ix) ASTM Specification A211 "Standard Specification for Spiral-Welded Steel or Iron Pipe" (1968, 1973, 1975).

(x) ASTM Specification A333 "Standard Specification for Seamless and Welded Steel Pipe for Low-Temperature Service" (1968, 1973, 1977).

(xi) ASTM Specification A381 "Standard Specification for Metal-Arc-Welded Steel Pipe for High-Pressure Transmission Systems" (1969, 1973, 1976).

Note.—Incorporation by reference provisons approved by the Director of the Federal Register, March 26, 1976.

7. By revising § 195.222 to read as follows:

§ 192.222 Welders: Testing.

Each welder must be qualified in accordance with section 3 of API Standard 1104 except that—

(a) A welder must be qualified by radiography under subsection 3.51 without regard for the standards in subsection 6.9 depth of undercutting adjacent to the root bead unless that depth is visually determined by use of a depth measuring device on all undercutting along the entire circumference of the weld; and

(b) A welder qualified under an earlier edition in § 195.3 other than the latest listed edition may weld but may not requalify under that earlier edition.

8. By revising § 195.228(b) to read as follows:

§ 195.228 Welds and Welding Inspection.

(a) * * *

(b) The acceptability of a weld is determined according to the standards in section 6 of the API Standard 1104. However, the standards in subsection 6.9 for depth of undercutting adjacent to the root bead apply only if:

* * * * *

(Section 203 of the Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-129, November 30, 1979); 49 CFR Part 1.53, Appendix A of Part 1 and Appendix A of Part 106)

Dated: March 4, 1980.

Cesar DeLeon,

Associate Director for Pipeline Safety Regulation, Materials Transportation Bureau.

[FR Doc. 80-7392 Filed 3-12-80; 8:45 am]

BILLING CODE 4910-60-M

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49 CFR Part 195

[Docket PS-63, Notice 1]

Transportation of Liquids by Pipeline; Hydrostatic Testing Liquid Pipelines

AGENCY: Materials Transportation Bureau (MTB).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to reduce the 24-hour hydrostatic hold period in Subpart E. A two part test is proposed: A 4-hour strength test at 125 percent of maximum operating pressure is proposed for all hazardous liquid pipelines (both interstate and intrastate pipeline facilities as these terms are defined by the Hazardous Liquid Pipeline Safety Act of 1979); additionally, a 4-hour leak test at 110 percent of maximum operating pressure is proposed for those pipelines which are not visually inspected for leakage while under the strength test. Data indicates the existing 24-hour hold period is unnecessary for safety.

DATE: Interested persons are invited to submit comments on this proposal before April 15, 1980. Late filed comments will be considered to the extent practicable.

ADDRESS: Comments should be sent in triplicate to: Docket Branch, Materials Transportation Bureau, Room 8426, Department of Transportation, 400 7th Street SW., Washington, D.C. 20590. Comments will be available for review at the Docket Branch between 8:30 am and 5:00 pm each working day.

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

SUPPLEMENTARY INFORMATION: This notice of proposed rulemaking proposes to reduce the hydrostatic test hold period requirement in § 195.302 for all hazardous liquid pipelines. Section 195.302 requires that hydrostatic tests be maintained for at least 24 hours without leakage. The MTB believes this requirement is more than adequate to ensure pipeline safety and results in greater testing costs than are necessary.

The purpose of a hydrostatic test is to ensure that the pipeline will not later fail in service from 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 ensures that the pipeline will not rupture or leak due to latent material and construction defects by causing those defects to break out 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 is as follows:

(1) R. J. Eiber, J. F. Kiefner, and W. A. Maxey, "Hydrostatic Testing." This paper was presented at the American Gas Association's Fifth Line Pipe Research Symposium November 22–24, 1974, Houston, Texas. An abstract was published as "Pipeliners Study 'Pressure-Reversal Failures' " in the *Oil and Gas Journal*, January 13, 1975. The paper explained the phenomenon known as pressure reversal whereby a defect survives a given test pressure only to fail later when repressured to a level below that of the previous test. The paper also explained the effect of hold period. Although long hold periods may eliminate additional defects, those defects that remain will be increased in size so that there is no net gain in safety created by a long hold period, according to this paper.

(2) G. M. McClure, "Background Behind Proposed Test Pressure Hold Period of 2 Hours." This paper was presented to the American National Standards Institute (ANSI) B31.8 Transmission and Compressor Station Sub Group, Oklahoma City, Oklahoma, April 8, 1970. This paper states that there is no real value in long hold period. The paper concludes that a 2-hour hold period is sufficient to prove the strength of a pipeline.

(3) A. R. Duffy, G. M. McClure, T. J. Atterbury, "Hydrostatic Testing of Pipelines in Place," published in the *Oil and Gas Journal*, December 2, 1968. This article presents laboratory data indicating that hydrostatic testing can provide a pipeline free of injurious defects, and that the pipeline is not damaged by hydrostatic testing.

(4) G. M. McClure, T. J. Atterbury, and A. R. Duffy, "High Pressure Hydrostatic Testing Eliminates More Line Pipe Defects," presented at the American Gas Association Transmission Conference, May 1966, Dallas, Texas. An abstract of the paper was published in the *Oil and Gas Journal*, July 11, 1966. The paper shows that defects remaining in a pipeline after hydrostatic testing do not later cause failures in service.

The research and industry experience show that the test hold period at maximum test level can cause all defects to grow, and some of the defects may fail while others will not, depending on how close the defect is to its critical failure point. At the end of any hold period at maximum test level, there may still be defects on the verge of failure. While the hold period at maximum test pressure level may eliminate some near-failure defects, it will cause remaining defects to grow so that there is no improvement in the safety margins resulting from a long hold period.

Several industry codes support the view that a short hold period is adequate to ensure safety. The American National Standards Institute (ANSI) B31.8 Code "Gas Transmission and Distribution Piping Systems" and the American Society of Mechanical Engineers (ASME) "Boiler and Pressure Vessel Code Section VIII" do not prescribe a hold period. The ANSI B31.3 Code "Chemical Plant and Petroleum Refining Piping" and the ANSI B31.1 Code "Power Piping" require a hold period of only 10 minutes. The ANSI B31.4 Code "Liquid Petroleum Transportation Piping Systems" requires a 4-hour strength test at 125 percent of internal design pressure and a 4-hour leak test at 110 percent of internal design pressure. In a petition (P–3) dated March 12, 1979, the American Petroleum Institute (API) requested that the MTB adopt a test standard in Part 195 similar to the standard in the B31.4 Code, arguing that a short hold period is adequate to ensure safety and would reduce the cost of testing.

Additional support for a short hold period was viewed in response to a notice of proposed rulemaking (43 FR 52504, November 13, 1978) proposing a requirement to hydrostatically test all onshore HVL pipelines in accordance with Subpart E which have not been previously tested to 1.25 times their maximum operating pressure for at least 24 hours. The API, the ANSI B31.4 Code Subcommittee for Liquid Petroleum Transportation Piping, and seven industry commenters recommended reduced hold periods from 2 hours to 8 hours in lieu of the 24-hour hold period, arguing that a long hold period is not necessary to ensure safety. None of the commenters responding to the notice recommended maintaining the 24-hour hold period nor did any of the commenters argue that a 24-hour hold period was necessary to ensure safety.

As a result of (1) the research and industry experience indicating that a long hold period is not necessary to ensure safety, the requirements of industry codes, the comments received in response to the NPRM concerning testing HVL pipelines, and the API petition, all of which support a short hold period, (2) the lack of any information indicating a 24-hour hold period is necessary to ensure safety, and (3) the obvious cost savings to the industry resulting from a short hold period, the MTB proposes to amend Subpart E to require a 4-hour strength test at 125 percent of MOP to ensure pipeline integrity, and a further 4-hour leak test at 110 percent of MOP where the pipeline in not inspected for leakage during the strength test.

The test pressure of the leak test (110 percent of MOP) is considered to be the highest operating pressure the pipeline will experience in service. In accordance with § 195.406(b), the pipeline operating pressure may be as high as 110 percent of the MOP. The purpose of the leak test is to identify leaks that may not be discernible during the strength test if the pipeline is not visually inspected. The MTB believes the 4-hour leak test will provide ample opportunity to identify leaks in locations where the pipeline is not visible, yet will not cause failures to the pipeline through slow growth of defects.

The MTB has determined that this document does not contain a major proposal requiring preparation of a regulatory analysis under DOT procedures. In view of the obvious savings in cost that would result if the proposal is adopted, only a minimum impact should result and, consequently, a full Draft Evaluation is not required under DOT procedures.

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

§ 195.302 General requirements.

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

(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 and Appendix A to Part 106)

Issued in Washington, D.C., on March 4, 1980.

Cesar DeLeon,

Associate Director for Pipeline Safety Regulation, Materials Transportation Bureau.

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