	Until Jan. 1, 1978	Effective Jan. 1, 1978
All zones	4380.6	4425.6
	4383.6	4397.1
Zone:		
1	4403.0	4403.9
2	4428.6	4422.5
3	4399.8	4369.8
4	4425.4	4366.7
5	4428.6	4422.5
6	4403.0	4403.9

[FR Doc.77-33495 Filed 11-23-77;8:45 am]

[4910-60]

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER D—PIPELINE SAFETY

[Amdt. 192-30; Docket No. OPSO 77-3]

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE

Conversion of Existing Pipelines to Gas Service

AGENCY: Materials Transportation Bureau, Department of Transportation.

ACTION: Final rule.

SUMMARY: This amendment permits previously used steel pipelines to qualify for use in gas service under Part 192 without meeting the design and construction requirements applicable to new pipelines. The need for the amendment arises from the changing transportation patterns for oil and gas in pipelines in the United States. For example, as new sources of gas become available and past oil sources decline, significant cost savings and environmental benefits are projected from the use of existing oil lines to carry gas. At the present time, however, the Federal gas pipeline safety standards require that any pipeline readied for gas service after March 12, 1971 (July 31, 1977, in the case of offshore gathering lines), must be designed and constructed in accordance with the applicable Federal safety standards. Although appropriate for newly installed gas lines, this requirement is more stringent than necessary to provide for public or employee safety when applied to previously operated steel lines being converted to service subject to Part 192. Most lines being proposed for conversion have been operated safely, and it would impose an unnecessary burden on the future use of the nation's pipeline transportation systems if the proposed use of such lines were denied for failure to meet requirements applicable to new lines.

EFFECTIVE DATE: This amendment becomes effective on December 30, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank E. Fulton, 202-426-2082.

SUPPLEMENTARY INFORMATION: To alleviate this regulatory burden and the similarly undesirable effect of requiring operators of converted pipelines to obtain waivers from design and construction requirements, the Materials Transportation Bureau (MTB) has adopted alternative safety requirements governing the qualification of existing steel pipelines for service under Part 192. Under the new requirements, an operator prepares and follows a written conversion procedure. The procedure must provide for visual inspection and historical review of the pipeline to identify actual or potential sources of failure. The review must be supplemented with appropriate tests, such as physical or chemical testing, where historical records are insufficient to judge the line's condition. Problem areas must be corrected, normally by repair, replacement, or other alteration. A pressure test must be performed to demonstrate that the structural integrity of the pipeline is sufficient for safe operation. Finally, the operator must keep a record of the investigations, tests, and remedial measures conducted on the pipeline.

This amendment results from a Notice of Proposed Rulemaking (Notice 77-2) issued by the Office of Pipeline Safety Operations on March 18, 1977, (42 FR 15932, March 24, 1977). The Notice was based, in part, on a petition by the Interstate Natural Gas Association of America to establish alternative requirements governing the safety of existing pipelines being converted to service under Part 192. Interested persons were invited to participate in the rulemaking proceeding by submitting written data, views, or arguments by May 5, 1977. In addition, in accordance with Sec. 4(b) of the Natural Gas Pipeline Safety Act of 1968 (49 USC 1673(b)), the Technical Pipeline Safety Standards Committee (TPSSC) met in Washington, D.C., on June 7 and 8, 1977, to consider the proposal. The TPSSC's report is set forth below.

Notice 77-2 proposed that a new Subpart N be established to prescribe safety standards for the conversion of existing steel pipelines to service subject to Part 192. In conjunction with this proposal, the Notice proposed that § 192.13 be amended to exempt pipelines converted in accordance with Subpart N from the design and construction requirements of Part 192. In the final rules, however, for organizational simplicity, the substance of the proposed Subpart N, relating to written procedures (§ 192.803(c)), recordkeeping (§ 192.803(d)), and structural integrity (§ 192.805(b)(2)-(4)), is transferred to a new § 192.14. Except for an amendment to § 192.619(a)(2)(ii), the substantive proposals relating to operation and maintenance (§ 192.807(a)) and maximum allowable operating pressure (§ 192.809) are deleted as duplicative of current requirements in Part 192 governing those subjects. The current requirements would apply to any existing steel pipeline which qualifies for use under Part 192 in accordance with the new § 192.14. The substance of proposed § 192.807(b), which would provide a 12-month leadtime for a converted pipeline to meet the corrosion control requirements of Subpart I, is transferred to § 192.452 with additional changes as discussed below. The remaining provisions in the Notice are deleted as unnecessary as a result of the organizational change.

In adopting the final rules, MTB considered all the written comments received as a result of Notice 77-2 and the recommendations of the TPSSC. A discussion of the significant comments and recommendations and their relation to changes in the final rules follows. Changes intended for clarification of the substance of the proposal and editorial modifications which do not alter the proposal are not discussed.

All the public commenters and the TPSSC agreed with the need for the amendment, although many individual changes were suggested. One commenter thought the new conversion rules should be broadened in scope to apply to "pipeline facilities" and not just "pipelines" as proposed in the Notice. This comment was not adopted because the proposed conversion rules were not intended to qualify for use under Part 192 any facility other than a pipeline. Any existing facility other than a pipeline that an operator wants to use in service under Part 192 would have to qualify for use either by meeting applicable requirements or by appropriate waiver.

One commenter and the TPSSC requested that the final rules be changed to exclude from coverage those pipelines which are designed and built to alternately carry gas and oil in dual service. This request was made because it could be inferred from the Notice that an operator would have to carry out conversion procedures each time such a pipeline is changed from oil to gas service. Notwithstanding this inference, MTB did not intend that the procedures be mandatory in these situations. A dual service pipeline, having been designed and built for gas service subject to Part 192, does not undergo "conversion" within the meaning of Notice 77-2. MTB believes this problem of interpretation is corrected in the final rules where, under §§ 192.13(a)(2) and 192.14, it is clear that the conversion procedures only apply at the time an existing steel pipeline is readied for gas service subject to Part 192. The procedures do not affect existing dual service lines which either were built in accordance with the design and construction requirements of Part 192 or are not subject to those requirements because they were readied for service subject to Part 192 before the effective dates set forth in § 192.13(a). Also, under the final rules, an operator who wishes to convert an existing oil line to dual service may do so under § 192.14.

Commenting on a provision in § 192.801 in the Notice, which provided that the Secretary must grant an approval for conversion of any pipeline not made of steel, one person suggested that State agencies be authorized to approve the conversion of intrastate pipelines. Despite the term "approval," this provision was not intended to establish an independent case-by-case process for qualifying the conversion of nonsteel pipelines to service subject to Part 192. It merely was intended to emphasize that

the proposed conversion procedures were not applicable to the conversion of nonsteel pipelines, and that if such a pipeline could not meet the design and construction requirements of Part 192, the operator would have to obtain a waiver from the Secretary for any requirements which could not be met. Since Part 192 does not contain any general provision governing waivers, it does not appear necessary to include such a provision specifically for the conversion of nonsteel pipelines. It is therefore deleted from the final rules. Interested persons should recognize, however, that for intrastate pipelines subject to the Natural Gas Pipeline Safety Act of 1968 (49 USC 1671 et seq.), State agencies participating under Sec. 5 of the Act are authorized to grant waivers from compliance with any design or construction requirement which a nonsteel pipeline that is proposed for conversion cannot meet. MTB will review each waiver of this type before it becomes effective.

It was suggested by one commenter that the government assume greater control over conversion projects by requiring that an operator's procedures be submitted for government review before a project begins. MTB does not favor this regulatory approach which, in effect, would require operators to obtain a government permit for each conversion project. The approach would create an additional burden on both government and industry that does not appear warranted by the safety problems involved in a steel pipeline conversion project. The safety of a converted pipeline can be provided through the establishment and enforcement of adequate general safety standards covering the full range of identifiable safety problems. The purpose of this rulemaking proceeding is to meet this objective.

A number of commenters and the TPSSC were concerned about the proposal under § 192.805(b) (2) in the Notice that a conversion be "consistent" with Part 192. They interpreted this provision as requiring application of the design and construction requirements, although the purpose of Notice 77-2 was to avoid this result. To eliminate any possible confusion on the point, the provision is not included in the standards for conversion in § 192.14.

Notice 77-2 proposed that pipelines being converted must be pressure tested in accordance with Subpart J of Part 192 except for pipelines tested similarly within the preceding 5 years. Several commenters asked that this exception be broadened to cover additional circumstances. Two persons interested in offshore pipelines requested that the exception include pipelines satisfactorily tested in accordance with the U.S. Geological Survey's Order No. 9. Others argued that a pipeline's operating history since it was last tested, rather than an arbitrary 5-year time period, should be adopted as a determinant of whether a new test is necessary.

Notwithstanding these comments to enlarge the proposed exception from pressure testing, in the final rules MTB has adopted the TPSSC's recommendation that a new pressure test be mandatory for all converted pipelines. Upon further consideration, MTB agrees with the TPSSC's view that a pressure test is the best indicator of defects which may still exist in the pipeline even though it otherwise appears in satisfactory condition. In other words, harmful damage to a pipeline occurring since it was last tested which might not be discovered by investigations alone probably would be detected by a new pressure test.

Several commenters and the TPSSC pointed out that the proposed requirements under § 192.809 in the Notice for determining the maximum allowable operating pressure (MAOP) of a converted pipeline would allow the MAOP to exceed the design pressure of the pipeline. This result was not intended in drafting Notice 77-2, and it would be contrary to the current requirements under § 192.619(a) for determining the MAOP of any pipeline subject to Part 192. These comments were taken into account by developing a final rule which deletes the proposed § 192.809 as duplicative of the current requirements in Part 192 governing MAOP.

Notice 77-2 provided in § 192.809 that the factors prescribed by § 192.619(a) (2) (ii) were to be used in determining the MAOP of a converted pipeline, except that for a pipeline in a Class 1 location, the minimum factor was to be 1.25. This factor was consistent with the proposal under § 192.805(b) (4) in the Notice, providing that converted pipelines must be tested to at least 1.25 times the proposed MAOP. In the final rules, this proposed minimum test pressure requirement is prescribed by § 192.14(a) (4) and an amendment to § 192.619(a) (2) (ii) which sets forth the applicable factors for converted pipelines. Other than the minimum factor of 1.25, the factors adopted for a converted pipeline, located either offshore or onshore, are the same as the ones applicable to newly installed pipelines. The smaller factors in § 192.619(a) (2) (ii), applicable to gas pipelines installed before certain dates, were not adopted for converted pipelines. The smaller factors were established to permit then existing gas lines to continue in use without having to be retested to the higher test pressures required for new pipelines. There is no need for a similar "grandfater" provision for converted lines.

One further change in the final rules involves the applicability of the corrosion control requirements of Subpart I of Part 192 to converted pipelines. Under § 192.807(b) in the Notice, it was proposed that converted pipelines be allowed 12 months leadtime to meet these requirements without regard to how the requirements should apply. If the current requirements were applied, a converted pipeline which was installed after July 31, 1971, would have to meet those corrosion control requirements specifically applicable to newly installed pipelines (e.g., § 192.455) as well as any generally applicable requirements. Because of the problems of coating and cathodically protecting an existing pipeline, MTB believes that it would be unreasonable in most cases to require that a converted pipeline meet corrosion control requirements specifically applicable to newly installed pipelines. Thus, for purposes of corrosion control, converted lines should for the most part be treated similarly to gas pipelines existing when Subpart I was adopted. They should be required to meet the requirements applicable to gas pipelines installed before August 1, 1971 (e.g., § 192.457). However, a few exceptions should apply to this rule. Pipeline segments which are replaced, relocated, or substantially altered during the conversion of an existing line can readily comply with requirements applicable to new pipelines. Also, segments which already meet these requirements before being converted to gas service, such as a steel pipeline constructed in compliance with 49 CFR Part 195, should be required to maintain that level of safety. Of course, any new segment installed in conjunction with a converted pipeline must meet the corrosion control requirements governing a new line even though it may appear to be part of an overall conversion project. Accordingly, a new § 192.452 is established governing the applicability of Subpart I to converted pipelines.

Report of the Technical Pipeline Safety Standards Committee

Section 4(b) of the Natural Gas Pipeline Safety Act of 1968 requires that all proposed standards and amendments to such standards pertaining to gas pipelines be submitted to the Committee and that the Committee be afforded a reasonable opportunity to prepare a report on the technical feasibility, reasonableness, and practicability of each proposal. This amendment to Part 192 was submitted as Item 2 in a list of two proposed amendments at a meeting in Washington, D.C., on June 7 and 8, 1977. On July 11, 1977, the Committee filed the following favorable report. A minority report was not filed.

This communication is the official report of the Technical Pipeline Safety Standards Committee concerning the Committee's action on two amendments to 49 CFR Part 192 proposed by the Office of Pipeline Safety Operations and other matters which the Committee decided should be brought to the attention of the Department of Transportation.

The following described actions were taken by the Committee at a meeting held in Washington, D.C., on June 7 and 8, 1977.

* * * * *

Item 2 of the agenda was a proposal by OPSO to establish a new Subpart N—Conversion of Existing Pipeline to Gas Service within Part 192 of Title 49, Code of Federal Regulations, as published in Notice 77-2; Docket No. OPSO-77-3. By an affirmative vote of 10-1, the Committee found the following language for revision of § 192.13 (a) and (b), addition to Table of Contents and for Subpart N, is technically feasible, reasonable, and practicable.

* * * * *

[The substance of the language suggested is adopted in the final rules as discussed above.]

The Committee was apprised of the problem created by Subpart N in respect to pipelines which, from an operating sense, regularly switch from gas to liquid and back again. From the language of Subpart N the mandated requirements for conversion would have to be met at each change.

By a unanimous affirmative vote, it was agreed that the Committee's intent in adopting Subpart N was to not make it applicable to the operating conversion of liquid lines to gas and vice versa from an operations standpoint, and that OPSO staff be requested to draft appropriate changes to clarify the intent of Subpart N.

PRINCIPAL AUTHORS

F. E. Fulton, L. M. Furrow and R. L. Beauregard.

In consideration of the foregoing, Part 192 of Title 49 of the Code of Federal Regulations is amended as follows, effective December 30, 1977.

1. Section 192.13(a) is revised to read as follows:

§ 192.13 General.

(a) No person may operate a segment of pipeline that is readed for service after March 12, 1971, or in the case of an offshore gathering line, after July 31, 1977, unless—

(1) The pipeline has been designed, installed, constructed, initially inspected, and initially tested in accordance with this part; or

(2) The pipeline qualifies for use under this part in accordance with § 192.14.

* * * * *

2. Section 192.14 is added to read as follows:

§ 192.14 Conversion to service subject to this part.

(a) A steel pipeline previously used in service not subject to this part qualifies for use under this part if the operator prepares and follows a written procedure to carry out the following requirements:

(1) The design, contruction, operation, and maintenance history of the pipeline must be reviewed and, where sufficient historical records are not available, appropriate tests must be performed to determine if the pipeline is in a satisfactory condition for safe operation.

(2) The pipeline right-of-way, all aboveground segments of the pipeline, and appropriately selected underground segments must be visually inspected for physical defects and operating conditions which reasonably could be expected to impair the strength or tightness of the pipeline.

(3) All known unsafe defects and conditions must be corrected in accordance with this part.

(4) The pipeline must be tested in accordance with Subpart J of this part to substantiate the maximum allowable operating pressure permitted by Subpart L of this part.

(b) Each operator must keep for the life of the pipeline a record of the investigations, tests, repairs, replacements, and alterations made under the requirements of paragraph (a) of this section.

3. Section 192.452 is added to read as follows:

§ 192.452 Applicability to converted pipelines.

Notwithstanding the date the pipeline was installed or any earlier deadlines for compliance, each pipeline which qualifies for use under this part in accordance with § 192.14 must meet the requirements of this subpart specifically applicable to pipelines installed before August 1, 1971, and all other applicable requirements within 1 year after the pipeline is readied for service. However, the requirements of this subpart specifically applicable to pipelines installed after July 31, 1971, apply if the pipeline substantially meets those requirements before it is readied for service or it is a segment which is replaced, relocated, or substantially altered.

4. The table of factors in § 192.619(a)(2)(ii) is amended to read as follows:

§ 192.619 Maximum allowable operating pressure: steel or plastic pipelines.

(a) * * *
(2) * * *
(i) * * *
(ii) * * *

Class location	Factors [1], segment— Installed before Nov. 12, 1970	Installed after Nov. 11, 1970	Converted under §192.14
1	1.1	1.1	1.25
2	1.25	1.25	1.25
3	1.4	1.5	1.5
4	1.4	1.5	1.5

[1] For offshore segments installed, uprated, or converted after July 31, 1977, that are not located on an offshore platform, the factor is 1.25. For segments installed, uprated, or converted after July 31, 1977, that are located on an offshore platform or on a platform in inland navigable waters (including a pipe riser), the factor is 1.5.

* * * * *

5. The table of sections is amended by adding the following new headings:

Sec.
192.14 Conversion to service subject to this part.
192.452 Applicability to converted pipelines.

(49 USC 1672; 49 USC 1804; 49 CFR 1.53(a).)

Issued in Washington, D.C., on November 18, 1977.

L. D. SANTMAN,
Acting Director,
Materials Transportation Bureau.

[FR Doc.77-33967 Filed 11-23-77;8:45 am]

[4910-60]

[Amdts. 192-29; 195-12; Docket No. OPSO-38]

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE

PART 195—TRANSPORTATION OF LIQUIDS BY PIPELINE

Longitudinal Seams in Pipe Bends; Correction

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Correction.

SUMMARY: This document corrects a final rules document that appeared at page 42865 in the FEDERAL REGISTER of Thursday, August 25, 1977 (FR Doc. 77-24303).

EFFECTIVE DATE: November 3, 1977.

FOR FURTHER INFORMATION CONTACT:

Peggy Hammond, 202-426-0135.

SUPPLEMENTARY INFORMATION: By Amendments 192-29 and 195-12, new §§ 192.313(a)(4)(ii) and 195.212(b)(3)(ii) were added, respectively, to Parts 192 and 195 to provide that the longitudinal seam of steel pipe need not be placed near the neutral axis during bending if—

"The pipe is 12 inches or less in outside diameter with a diameter to wall thickness ratio less than 70."

As stated in the preamble, the rationale for adopting this provision was that "safe bends in steel pipe 12 inches or less in outside diameter with a D/t (diameter to thickness) ratio of less than 70 can be made without using an internal bending mandrel even though the longitudinal seam is not placed near the neutral axis of the bend." This rationale purportedly was based on comments received on Notice 76-2 (41 FR 46463, Oct. 21, 1976), which proposed to remove the requirement for placement of the longitudinal seam near the neutral axis when a bending mandrel is used. Recently, however, several interested persons have pointed out that both the final rule and the rationale incorrectly reflect the written comments in the docket and the position of the Technical Pipeline Safety Standards Committee (TPSSC). These persons have stated that the view of commenters and the TPSSC was that pipe 12 inches and under in diameter can be bent safely without a mandrel and without placing the longitudinal seam near the neutral axis, irrespective of the D/t ratio. In addition, they stated the record shows that any size pipe with a D/t ratio of less than 70 can likewise be bent safely.

After thoroughly reviewing the matter, it appears that Amendments 192-29 and 195-12 are in fact inconsistent with the record as the interested persons have stated.

Accordingly, the following corrections are made:

1. Section 192.313(a)(4)(ii) is corrected to read as follows:

§ 192.313 Bends and elbows.

(a) * * *
(4) * * *

(ii) The pipe is 12 inches or less in outside diameter or has a diameter to wall thickness ratio less than 70.

(Sec. 3, Pub. L. 90-481, 82 Stat. 721, 49 USC 1672; for offshore gathering lines, Sec. 105, Pub. L. 93-633, 88 Stat. 2157, 49 USC 1804; 49 CFR 1.53.)

* * * * *

2. Section 195.212(b)(3)(ii) is corrected to read as follows: