

[49 CFR Part 195]

[Notice 77-3; OPSO Doc. No. 77-4]

TRANSPORTATION OF LIQUIDS BY PIPELINE

Conversion of Existing Pipeline to Liquid Service

AGENCY: The Materials Transportation Bureau's Office of Pipeline Safety Operations (OPSO).

ACTION: Proposed rule.

SUMMARY: This notice proposes to establish minimum requirements for the conversion of existing steel pipeline to liquid service. The proposal is issued in response to a petition by the American Petroleum Institute (API). The new regulations would eliminate the burden and delay of accomplishment of conversion through the current waiver process while at the same time providing the necessary level of safety.

DATES: Comments must be received on or before May 13, 1977.

ADDRESS: Send comments to: Director, Office of Pipeline Safety Operations, Department of Transportation, 2100 Second Street, SW., Washington, D.C. 20590.

Comments are available at Docket Room 6500, 2100 Second Street SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Peggy Hammond, (202) 426-0135.

SUPPLEMENTARY INFORMATION: The safety standards in Part 195 govern the design, construction, operation, and maintenance of onshore and offshore pipelines used for the transportation in interstate or foreign commerce of hazardous materials subject to Parts 172 and 173 of this chapter, petroleum, and petroleum products. However, conversion of existing pipelines to service subject to Part 195 is not specifically covered in the present regulations.

Since Part 195 does not specifically address the subject of conversion, the current OPSO interpretation is that an existing pipeline in other service may be used in service subject to Part 195 if it is operated and maintained in accord with Subpart F of Part 195, and complies, as required by § 195.402(d), with applicable design, construction, initial testing, and initial inspection standards of that Part or if a waiver from compliance with one or more of the Part 195 regulations has been approved.

Section 195.402(d) requires that:

No carrier may operate any part of a pipeline system upon which construction was begun after March 31, 1970, or in the case of offshore pipelines located between a production facility and a carrier's trunkline reception point, after July 31, 1977, unless it was designed and constructed as required by this part.

Because most of the facilities that would be converted to liquid service were constructed prior to the controlling dates of § 195.402(d) in accordance with spec-

ifications and procedures applicable at the time they were installed, they cannot realistically comply with all the design, construction, initial testing, and initial inspection requirements of Part 195. Therefore, the carrier's only alternative is to accomplish conversion of an existing pipeline through the waiver process. However, the processing of a large number of waiver requests can be unnecessarily cumbersome and time consuming for both OPSO and the carrier. The Materials Transportation Bureau (MTB) believes that the procedures contained in the proposed subpart will facilitate timely conversion of existing pipelines to liquid service and assure the safe operation of such pipelines in their new services. MTB further believes that the adoption of these procedures will enhance the ability of the pipeline industry to deliver much needed energy supplies in a timely, economically, and environmentally sound manner, all of which are in the national interest.

In its petition, API points out that the energy supply pattern in our nation has changed significantly during recent years and will continue to change because of declining production from older oil and gas fields and the discovery and development of new oil and gas fields. The availability of crude oil and natural gas from Alaska's North Slope, increased imports, anticipated future offshore production, shifts in population, and the operation of the Strategic Petroleum Reserve Program will alter petroleum patterns even more. The conversion of existing pipelines not now utilized for the transportation of liquid petroleum to such service can go far in assisting to satisfy the demand for pipeline transportation created by these changed patterns of petroleum distribution.

API further states:

From the environmental point of view, conversion of existing pipelines to the transportation of liquid petroleum is highly desirable in several respects. The need for new rights-of-way is reduced; multiple surface use of existing rights-of-way remains virtually undisturbed, as do wildlife and existing vegetation.

Service conversions directly benefit the consumer because they can make efficient use of now under utilized capital facilities. Service conversions are also advantageous because of the speed with which they can be accomplished, compared to the construction of entirely new pipeline facilities.

Service conversion is also conservative of raw materials and of energy, which are necessary to produce entirely new pipelines. The energy conservation and economic benefits of pipeline service conversion combine to produce a highly beneficial economic impact for such projects.

The proposed subpart conditions the conversion of existing pipelines to liquid service on the carrier taking specified actions in conformance with a written procedure. In general they are reviewing the design and construction and the operating and maintenance history of the pipeline, and, based on that review, making any repairs, replacements, or alterations that are necessary for safe operation,

and then performing leak and strength tests appropriate for the intended service as added assurance that the pipeline will be serviceable and then commencing operations in accordance with the preplanned procedure. The fact that a converted line will be placed in liquid service, and, consequently be subject to Part 195, immediately requires that it be operated and maintained in accord with that Part.

Conversion under new Subpart G would apply only to the conversion of steel pipelines to liquid service. This is consistent with existing § 195.8 that requires Secretarial approval before pipelines constructed of material other than steel may be used in service subject to Part 195.

Also, proposed herein is an amendment to 49 CFR § 195.402(d). By proposing the new Subpart G, as discussed above, the currently controlling dates in § 195.402(d) would become inappropriate in relation to compliance with that new subpart. The proposed amendment would avoid that conflict.

This notice also takes into consideration the information contained in Notice 77-2, "Conversion of Existing Pipeline to Gas Service," published in the FEDERAL REGISTER on March 24, 1977. Notice 77-2 proposes rulemaking action to establish a new Subpart N, Conversion of Existing Pipeline to Gas Service within Part 192 of Title 49, Code of Federal Regulations. Notice 77-2 was based on a petition for rulemaking filed by the Interstate Natural Gas Association of America (Docket No. Pet. 77-3).

Interested persons are invited to participate in this rulemaking action by submitting such data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice numbers and be submitted in triplicate to the above address. All communications received by May 13, 1977, will be considered before final action is taken on the notice. Late filed comments will be considered so far as practicable. The proposal contained in this notice may be changed in light of comments received.

MTB is considering making these proposed amendments to 49 CFR Part 195 effective upon their publication as final rules. This would allow carriers to take immediate advantage of a beneficial conversion procedure.

IMPACT EVALUATION: MTB has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

PRINCIPAL AUTHORS OF THIS PROPOSAL: Mr. Frank E. Fulton, Chief, Technical Division, OPSO, and Mr. Robert L. Beauregard, Attorney, Office of the General Counsel.

In consideration of the foregoing, MTB proposes that Part 195 of Title 49 of the Code of Federal Regulations be amended as follows:

1. By adding to the table of contents immediately following "§ 195.438, Smoking or open flames," the following entries:

Subpart G—Conversion of Existing Pipeline to Liquid Service

Sec.
195.500 Scope.
195.502 General.
195.504 Determining integrity of pipeline.
195.506 Operation and maintenance.
195.508 Maximum allowable operating pressure.

2. By revising paragraph (d) of § 195.402 to read as follows:

§ 195.402 General requirements.

(d) Except as provided in Subpart G of this Part, no carrier may operate any part of a pipeline system upon which construction was begun after March 31, 1970, or in the case of offshore pipelines located between a production facility and a carrier's trunkline reception point, after July 31, 1977, unless it was designed and constructed as required by this Part.

3. By adding a new Subpart G immediately following existing Subpart F to read as follows:

Subpart G—Conversion of Existing Pipeline to Liquid Service

§ 195.500 Scope.

This subpart prescribes minimum requirements for converting steel pipelines from service not subject to this Part to service subject to this Part. Conversion to service subject to this Part of existing pipeline constructed of material other than steel requires specific approval by the Secretary (see § 195.8 of this Part).

§ 195.502 General.

(a) As used in this subpart "convert a pipeline," "converting a pipeline," or "conversion of a pipeline" means to change an existing steel pipeline or segment of existing steel pipeline from service not subject to this Part to service subject to this Part.

(b) After (effective date) no person may convert a pipeline unless each requirement of this subpart is complied with.

(c) Each carrier who intends to convert a pipeline shall establish and implement a written procedure for that pipeline that will ensure compliance with each requirement of this subpart.

(d) Each carrier who converts a pipeline shall retain for the life of that pipeline, a record of each investigation required by this subpart, of all modifications performed, and of each test conducted in connection with the conversion.

§ 195.504 Determining integrity of pipeline.

(a) No person may operate a converted pipeline unless the requirements of this section have been met.

(b) Before converting a pipeline, the carrier shall—

(1) Review the design, construction, operation, and maintenance history of

the pipeline and determine the physical condition of the pipeline by examination of appropriate maintenance and internal and external corrosion control records, conduct appropriate visual inspections, and, if sufficient records are not available, conduct new tests to verify whether the proposed conversion will be consistent with this Part.

(2) Make any repairs, replacements, or alterations that are necessary for operation under this Part. Such repairs, replacements, or alterations must be made in accord with this Part.

(3) Perform a hydrostatic test on the pipeline as prescribed in Subpart E of this Part, unless testing of the pipeline has been performed in a manner equivalent to Title 49 Part 192 or 195 within the five years prior to conversion.

§ 195.506 Operation and maintenance.

(a) Each converted pipeline must be operated and maintained in accordance with this Part.

(b) Within 12 months after a converted pipeline is put in service that pipeline must be protected from atmospheric, internal, and external corrosion in accordance with this Part.

§ 195.508 Maximum allowable operating pressure.

Except for surge pressures and other variations from normal operations, no carrier may operate a converted pipeline at a pressure that exceeds any of the following:

(a) The internal design pressure determined in accordance with § 195.106

(a) of this Part for a new pipeline constructed of the same materials as the converted pipeline.

(b) Eighty percent of the pressure to which the converted pipeline has previously been tested in accordance with Title 49 Part 192 or eighty percent of a hydrostatic test made in accordance with Subpart E of this Part.

(18 U.S.C. 834, 49 CFR 1.53(g) and paragraph (b) (1) of Appendix A of Part 102.)

Issued in Washington, D.C., on April 4, 1977.

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

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National Highway Traffic Safety
Administration

[49 CFR Part 531]

[Doc. No. FE 76-1; Notice 4]

PASSENGER AUTOMOBILE AVERAGE FUEL ECONOMY STANDARDS

Extension of Comment Period

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Proposed rule, extension of period for public comments.

SUMMARY: This notice responds to a petition for extension of the period for written comments on the notice of proposed rulemaking on average fuel economy standards for passenger automobiles manufactured in model years 1981-84 and for written responses to questions asked at the March 22-24 hearing on the proposal. The closing date is changed from April 7, 1977, to April 12, 1977.

DATE: Comments must be received on or before April 12, 1977.

ADDRESS: Comments should be submitted to: Docket Section, Room 5108, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Mr. Roger Fairchild, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590 (202-426-2993).

SUPPLEMENTARY INFORMATION: On February 22, 1977, at 41 FR 10311, the Department of Transportation proposed the establishment of average fuel economy standards for passenger automobiles manufactured in model years 1981-84. That notice also announced a public hearing on those standards and established a deadline of April 7, 1977, for the submission of written comments on the proposal and of written responses to matters raised at the hearing. At the hearing, several participants agreed to provide detailed written responses to certain questions. These questions were of a technical nature, requiring the compilation and analysis of test and engineering data and of economic information.

One of the participants, Chrysler Corporation, has petitioned for a 10-day extension of the comment period to prepare its comments on the proposal and responses to the questions posed at the hearing. The Department had established a 45-day comment period on the proposal to allow sufficient time to issue a final rule by July 1, 1977. Nevertheless, it has been determined a slight extension is justified. Accordingly, the petition is partially granted and the comment closing date is hereby extended until April 12, 1977.

Comments received by the new comment closing date will be considered in developing the final rule on the 1981-84 fuel economy standards. To the extent possible, consistent with the schedule for issuing the final rule by July 1, late comments will also be considered.

(Sec. 9, Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1657); sec. 502, Pub. L. 94-163, 89 Stat. 802 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976.)

Issued on April 1, 1977.

ALAN A. BUTCHMAN,
Acting Administrator.

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