is given. At all other times the draws need not open.

2. Adding a new § 117.161 immediately after § 117.160 to read as follows:

§ 117.161 East River, N.Y.; bridge.

The draw of the Roosevelt Island bridge, mile 6.4 shall open on signal at all times if at least 6 hours notice is given.

3. Adding a new § 117.166 immediately after § 117.165 to read as follows:

§ 117.166 Gowanus Canal, N.Y.; bridges.

(a) The draws of the Hamilton Avenue bridge at mile 1.2 and the Ninth Street bridge at mile 1.4 shall open on signal at all times.

(b) The draws of the Third Street bridge at mile 1.8, the Carroll Street bridge at mile 2.0, and the Union Street bridge at mile 2.1 shall open on signal at all times from 1 October through 30 April. From 1 May through 30 September the draw shall open on signal if at least 6 hours notice is given.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4)).

Dated September 25, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.75-26217 Filed 9-30-75;8:45 am]

Federal Aviation Administration

[14 CFR Part 75]

[Airspace Docket No. 75-WE-22]

JET ROUTE

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 75 of the Federal Aviation Regulations that will realign a segment of Jet Route No. 92 between Beatty, Nev., and Boulder City, Nev., VORTACs.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, P.O. Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received on or before October 31, 1975, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would realign J-92 between Beatty, Nev., and Boulder City, Nev., VORTACs via the Beatty 115°M (131°T) and Boulder City 269°M (184°T) radials.

The realignment will reduce the route mileage by approximately nine miles, reduce chart clutter by utilizing a segment of an existing jet route, and result in some savings in fuel consumption.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on September 24, 1975.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-26234 Filed 9-30-75;8:45 am]

Materials Transportation Bureau

[49 CFR Part 192]

[Docket No. OPSO-30; Notice 75-5]

TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE

Offshore Pipeline Facilities

The safety standards in Part 192 of Title 49 of the Code of Federal Regulations, which are promulgated under the Natural Gas Pipeline Safety Act of 1968 (NGPSA) (49 USC 1671 et seq.), govern the design, construction, operation, and maintenance of gas pipeline facilities and the transportation of gas in or affecting interstate or foreign commerce. These safety standards apply to gas pipeline facilities and the transportation of gas onshore as well as on the "lands beneath navigable waters" and on the "outer continental shelf" as those areas are respectively defined in the Submerged Lands Act (43 USC 1301 et seq.) and the Outer Continental Shelf Lands Act (43 USC 1331 et seq.).

Development of natural gas resources on the lands beneath navigable waters and the outer continental shelf (hereinafter called "offshore") is being expanded to meet increased domestic energy needs and to reduce the Nation's dependence on foreign supplies. In view of this development, the Materials Transportation Bureau (MTB) is considering amending Part 192 to more clearly delineate the applicability of Part 192 to offshore pipelines and to enhance the level of safety of gas pipeline facilities and the transportation of gas offshore.

This notice is based, in part, on a petition for rulemaking submitted by the Interstate Natural Gas Association of America (INGAA) to change many of the standards in Part 192 with respect to offshore gas pipelines. Further, this notice reflects due consideration of all comments received in response to Notice 74-6 (39 FR 34568, Sept. 26, 1974), an advance notice of proposed rule making issued by the Office of Pipeline Safety (OPS). (After the advance notice was issued, however, the OPS was abolished, and the authority to administer pipeline safety matters was delegated to the newly established MTB (40 FR 30821, July 23, 1975)).

Notice 74-6, which discussed a variety of alleged offshore gas pipeline safety problems, was issued to gain advance public comment before deciding upon the scope and nature of any proposed regulatory solution to those problems. Comments were received from 19 persons. The disposition of significant comments by the MTB in developing the amendments proposed by this notice as well as issues raised in Notice 74-6 for which an amendment is not proposed are discussed hereinafter. Additional problem areas which the MTB believes may exist offshore and for which regulatory solutions are being proposed are also discussed.

Section 192.1. The transportation of gas to which Part 192 applies includes the gathering, transmission, and distribution of gas by pipeline. Because, however, Part 192 is issued in its entirety under the NGPSA, it does not apply to the gathering of gas outside certain populated areas. As stated in § 192.1, Part 192 does not apply, for example, to the gathering of gas outside a city, town, or other designated residential or commercial area.

This exclusion of certain gathering lines, including most offshore gathering lines, is wholly consistent with the jurisdiction provided by the NGPSA, which specifically exempts gathering lines outside populated areas from coverage. The existing exclusion is not consistent, however, with the goal of providing adequate safety regulation for all pipelines located offshore used in the transportation of gas. Moreover, MTB believes that Federal safety standards for offshore gas gathering lines are warranted because of the greater likelihood of defects attributable to their being more difficult to install, monitor, maintain, and repair than onshore gathering lines.

As a consequence, MTB proposes to amend § 192.1 to expand the coverage of Part 192 to govern the design, construction, operation, and maintenance of offshore gathering lines. The authority for this proposed new regulation of offshore gathering lines is the Hazardous Materials Transportation Act (88 Stat. 2156, 49 USC 1801). That Act authorizes the Secretary of Transportation to prescribes and enforce "regulations for the safe transportation in commerce of hazardous materials" (49 USC 1803). This authority includes gas pipelines which are not subject to the jurisdiction of the NGPSA (49 USC 1811(c)). Sanctions applicable to violations of regulations promulgated under the Act include a civil penalty of not more than $10,000, and for willful violations, a criminal fine of not more than $25,000 or imprisonment for not more than 5 years, or both (49 USC 1809).

Section 192.3. A. Definition of the term "offshore" is essential to distinguish those gas pipelines subject to the specific offshore requirements of Part 192. Therefore, MTB proposes to amend

§ 192.3 by adding the term "offshore" and defining it to mean areas covered by the terms "lands beneath navigable waters" and "outer continental shelf" as they are defined in the Submerged Lands Act and the Outer Continental Shelf Lands Act, respectively.

The proposed definition incudes areas covered by tidal waters and nontidal waters. Thus, for example, the areas bordering the coast of the United States which are covered by the open seas would be classified as "offshore" as well as the areas of the Great Lakes, the Mississippi River, and other navigable inland waters. MTB believes that many pipelines crossing inland navigable bodies of water should be subject to the same requirements as pipelines crossing coastal waters because of the similarity of operating conditions. In developing the amendments proposed by this notice, however, MTB has taken into account the fact that many inland waters do not pose the same operating problems as coastal waters.

All areas not encompassed by the proposed definition of "offshore" would be within the meaning of the term "onshore" as it is used in the proposed amendments.

Section 192.5. This section presently classifies pipeline locations according to the number of inhabited buildings within a specific area and the proximity of a pipeline to inhabited buildings or occupied outside areas. Certain requirements in Part 192 vary in stringency according to the class location of a pipeline. The remaining requirements apply irrespective of a pipeline's class location.

Notice 74–6 discussed whether the existing classification scheme provides a suitable basis for varying the degree of safety required for offshore pipelines. In general, commenters indicated that the existing scheme is inappropriate when applied offshore because of the lack of populated areas. A consensus proposed, alternatively, that the required safety offshore should be based on a pipeline's stress level rather than its proximity to people. Under this proposal, where appropriate, more stringent requirements would apply to pipelines with higher stress level, regardless of location.

MTB agrees that stress level is a factor relevant to pipeline safety and has taken it into account in proposing amendments to §§ 192.111 and 192.145 where offshore platforms are concerned. MTB is not convinced, however, that the existing classification scheme is inappropriate to regulating the safety of offshore pipelines. The purpose of Part 192 is primarily to protect people who may be in the vicinity of a pipeline against potential harm or injury. While the number of people near an offshore gas pipeline may be fewer than those near an onshore pipeline, MTB believes this likelihood is not a sufficient reason to discontinue using proximity to people as a basis for offshore pipeline safety standards. People are regularly in the vicinity of offshore pipelines which are located near shorelines and on or near offshore platforms, and the potential for external damage to pipelines increases in populated areas. Where offshore areas are occupied, MTB believes that Part 192 must continue to provide higher standards of safety to protect against the increased risk of personal injury and damage to the pipeline and other property.

As a result, rather than provide separate classification schemes in Part 192 based on the nearness of people to onshore and offshore pipelines, MTB is proposing to amend § 192.5 to clarify that the existing classification scheme applies to offshore pipelines as well as onshore pipelines. At the same time, where a different level of safety appears necessary for offshore pipelines in a particular class location than is now required by Part 192, MTB is proposing to amend the relevant standards accordingly, as described hereinafter.

Section 192.111. This section prescribes values for the design factor used in the design formula for steel pipe under § 192.105. MTB proposes to amend § 192.111 to require that a design factor of 0.50, or less, be used for steel pipe in Class 1 or Class 2 locations on and within 300 feet of an offshore platform.

Under the existing classification system in § 192.5, most offshore pipelines used in the transportation of gas are in Class 1 locations. The maximum design factor currently applicable to steel pipe in Class 1 locations is 0.72, or, for fabricated assemblies, 0.60. Establishing a maximum design factor of 0.50 for certain offshore pipelines in Class 1 and Class 2 locations would result in lower operating stress levels in pipelines installed in those locations after the amendment becomes effective. This extra protection is considered necessary for pipelines on or near platforms because of the possible isolation and confinement of people on offshore platforms. The proposal would not affect platforms in Class 3 or Class 4 locations because § 192.111 currently requires a maximum design factor of 0.50 or 0.40, respectively, for pipe in these locations.

This proposed amendment to § 192.111 would also bring the standard for offshore platforms in line with the requirement under § 192.111(d) that a design factor of 0.50, or less, be used for compressor stations, measuring stations, and regulator stations in a Class 1 or Class 2 location. Like offshore platforms, these are relatively confined areas where the potential for stress level is high, resulting in the need for a more stringent design factor to provide greater protection against failures.

Section 192.145. Under the existing rule, valves having pressure containing parts made of ductile iron are prohibited from use in the gas pipe components of compressor stations. Valves at compressor stations are subject to cyclic stresses and stresses due to vibration and temperature changes. On offshore platforms, valves are subject to similar stresses.

Although ductile iron valves have the same pressure ratings as steel valves, steel can withstand cyclic stresses better than ductile iron. Moreover, ductile iron changes metallurgically to cast iron at high temperature. Normal cast iron valves, however, are made with thicker shells than ductile iron valves because cast iron is lower in strength. Consequently, on offshore platforms as in onshore compressor stations, where valves are subject to similar stresses, MTB believes that a thin wall ductile iron valve is potentially hazardous. Therefore, MTB is proposing to amend § 192.145(d) to extend the existing prohibition against the use of valves with ductile iron parts to apply to valves used on offshore platforms.

Section 192.161. Notice 74–6 asked whether any of the requirements of this section concerning pipeline supports and anchors should be amended to specifically cover offshore pipelines. In general, comments favored the application of paragraphs (b)–(e) to both offshore and onshore pipelines, but suggested that paragraph (f) should not apply offshore. The commenters stated that the most effective means of preventing undue stresses at branch connections offshore is with a flexible connection. In contrast, paragraph (f) now requires a firm foundation at connections to prevent lateral or vertical pipeline movement. MTB concurs with the commenters and proposes to amend paragraph (f) to exclude underground pipelines located offshore from the requirements of that paragraph.

Section 192.163. This section currently governs the design and construction of compressor station buildings, but does not distinguish between those located offshore and those onshore. Notice 74–6 requested comments on amending § 192.163 to provide for the differences. Most commenters urged that the section be revised to exclude compressor station buildings constructed on offshore platforms from the location requirements of paragraph (a). Those commenters noted that paragraph (a) is only appropriate for onshore buildings where open space can be utilized to protect against spreading fire. MTB concurs. Many offshore pipeline operators share platform space with others and have difficulty meeting the requirement that a compressor station building be on property under the operator's control. Moreover, space on an offshore platform is limited and cannot reasonably be used for fire prevention.

If the proposed exclusion under paragraph (a) is adopted, a compressor station building on an offshore platform would still be protected against spreading fire under the requirement of § 192.163(b) that buildings with 2-inch pipe or gas handling equipment be made of noncombustible materials.

Section 192.167. Paragraph (a)(4)(ii) requires that the emergency shutdown system for a compressor station be operable "near the exit gates in the station fence." Because Part 192 does not require that compressor stations have fences, a question arises how an operator is to comply with paragraph (a)(4)(ii) when a compressor station is not fenced, as is the case on offshore platforms. To

eliminate possible misinterpretation, this paragraph would be amended to require that the emergency shutdown system be operable near emergency exits when a compressor station is not fenced.

A further proposed amendment to § 192.167 would require that compressor stations used in the transportation of gas on offshore platforms be automatically shut down if (1) overpressure or fire occurs when the station is unattended, (2) the station is in a building and fire occurs in that building, and (3) the station is in a building with sources of ignition and a gas leak occurs in that building. MTB believes these additional safeguards are necessary for adequate safety of gas compressor stations on offshore platforms. Because of the confining nature of offshore platforms, any emergency situation, such as a gas leak or fire, is much more hazardous offshore than onshore. This is especially true when gas facilities in operation contribute to the hazard and cannot be controlled. The proposal for automatic shutdown is intended to alleviate this problem.

Section 192.179 When the requirements for sectionalizing block valves and a blowdown valve were adopted for transmission lines, offshore lines were exempted due to the impracticality of installing and operating the valves. That exemption is not compatible, however, with the need to control the flow of gas to or from an offshore platform in an emergency. Since § 192.179 was adopted, the use of large diameter pipe has become common offshore, resulting in larger volumes of gas moving to or from offshore platforms. Also, installation techniques have improved for both local and remote control valves. Further, MTB believes that installation and operation of valves on or near a platform is not impractical. Because of these developments and the presence of people on platforms, MTB is proposing that a new paragraph (d) be added to § 192.179 to require that offshore lines be equipped with valves or other means of shutting off the flow of gas to or from an offshore platform in an emergency.

Section 192.243. Paragraph (d) prescribes the percentages of each day's field butt welds which must be nondestructively tested on certain pipelines. In Class 1 locations, where most offshore pipelines lie, only 10 percent of the field butt welds made daily must be tested. At the same time, the rule provides that at crossings of major or navigable rivers, 100 percent of welds must be tested if practicable, but not less than 90 percent. Because these rivers would be subsumed by the proposed definition of "offshore" and there is an equal need for protection in other offshore areas, MTB is proposing to extend the 100 (or 90) percent test requirement to all offshore pipelines to which the rule applies. This change would eliminate the inconsistent coverage which the rule now provides for pipelines located under navigable rivers and those located on the Outer Continental Shelf or under other navigable waters. The additional safety which the proposal is intended to provide is not just protection against leaks at underwater welds but reduction of the opportunity for damage which can result from lifting a pipeline to repair an underwater weld.

Section 192.245. In part, this section requires that (1) welds with a crack more than 2 inches long or that penetrate either the root bead or second bead, and (2) welds unacceptably repaired, must be removed. MTB believes, however, that removal of welds from pipelines being installed offshore from a lay barge is an unsafe practice. Loss of tension in the pipe string, barge motion, proper alignment, and limited access to the weld joint are serious problems which may arise during the removal process on board a lay barge. Considering the resulting possibilities of damage to the pipe string, reduced weld quality, and potential personnel hazards, MTB proposes to amend § 192.245 to permit the repair under applicable procedures of all unacceptable welds on pipelines being installed from a lay barge.

Section 192.317. This section would be amended to ensure that offshore gas pipelines are constructed to protect against various offshore hazards. The present wording primarily refers to hazards occurring onshore. Paragraph (a) would be amended to specifically include the hazards of mud slides, offshore currents, hurricanes, ship anchors, and fishing operations. Paragraph (b) would be amended to clarify that it applies only to pipelines constructed onshore. Lastly, a new paragraph (c) would be established to require protection against the hazard created when vessels accidentally contact pipelines, including pipe risers, on offshore platforms. Protection could be provided by installation of bumpers, locating the pipelines inside the confines of the platform, or by other means.

Section 192.319. In Notice 74–6, interested persons were asked to comment on whether the requirements of this section present problems offshore. Commenters pointed out that the requirements are inappropriate for offshore pipelines which are not installed in a ditch that is subsequently backfilled. Many offshore pipelines are installed by directing jets of water under a pipeline after it has reached the bottom, and cover results from the natural action of water currents. In view of this different method of installation used offshore, MTB proposes to amend § 192.319(b) to apply only when a ditch is backfilled.

In addition, § 192.319 would be amended to require that offshore pipelines installed where the mean low tide or watermark is at least 12 feet but not more than 200 feet above the natural bottom, be installed so that the top of the pipeline is below the natural bottom. Also, the proposed amendment provides that pipelines with at least 12 feet of water over them need not be buried if another means of protection is used, or if unstable soil conditions would subject a buried pipeline to greater external forces than if installed directly on the bottom.

In general, pipelines installed under water less than 200 feet deep are placed below the natural bottom to avoid interference by trawlers. Also, hurricanes have damaged pipelines that were not ditched in water depths up to 175 feet. The installation of pipelines below the bottom in water depths of 200 feet or more does not appear warranted from a cost and safety standpoint.

Section 192.327. Based on comments to Notice 74–6, MTB believes that for adequate safety, § 192.327 should be amended to require at least 36 inches of cover for offshore pipelines installed under water where the mean low tide or mean low watermark is less than 12 feet above the natural bottom. At the same time, the proposed amendment would require that offshore submerged pipelines in a river, stream, or harbor have at least 48 inches of cover.

In making this proposal, MTB has considered various factors affecting the need for cover: protection provided by depth of water, proximity to shore, bottom currents, soil characteristics, and interference by vessels. The proposed 36 inches of cover for pipelines in water depths less than 12 feet appears necessary to protect persons using these relatively near-shore areas and to protect the pipelines from possible external damage. A 48-inch cover requirement appears justified in rivers and streams, because of the underwater currents that can cause erosion, and in harbors because of the shipping traffic which could result in dredging activities and heavy anchor droppings. The proposed cover requirements are consistent with requirements of the U.S. Army Corps of Engineers.

Section 192.465. Paragraph (a) of this section currently requires that except where impractical on offshore pipelines, each pipeline under cathodic protection must be tested once a year to determine compliance with applicable cathodic protection requirements. Because leaks on offshore pipelines are more difficult to find and repair than leaks onshore and because the potential for corrosion in an offshore environment is greater than in an onshore environment, MTB believes that 11 offshore pipelines should be checked more frequently than onshore pipelines. Thus, MTB proposes to amend paragraph (a) to delete the exception for impractical offshore situations and to require that offshore pipelines be tested at intervals not exceeding 7 months.

Section 192.469. This standard provides that, except where impractical, on offshore and wet marsh area pipelines, each pipeline under cathodic protection must have sufficient test stations or other contact points for electrical measurement to determine the adequacy of that cathodic protection. Because the state-of-the-art indicates that it is no longer impractical to conduct electrical measurement offshore, MTB proposes that § 192.469 be amended by deleting the exception for offshore and wet marsh area pipelines.

Section 192.481. Section 192.481 now requires that pipelines exposed to the atmosphere be evaluated once every 3

years. Offshore pipelines located above water are normally more susceptible to atmospheric corrosion than aboveground onshore pipelines due to the more severe environmental conditions. Therefore, MTB proposes that § 192.481 be amended to require that offshore pipelines exposed to the atmosphere be evaluated yearly to determine the adequacy of atmospheric corrosion protection.

Section 192.503. The prudence of permitting submerged offshore pipelines to be tested with air, natural gas, or inert gas, at 90 percent of specified minimum yield strength (SMYS) was discussed in Notice 74–6. Because, in general, commenters were opposed to increasing the permissible test level from 80 percent to 90 percent of SMYS due to the hazard of testing near the level of SMYS, MTB is not proposing that the general test requirements in § 192.503 be amended to allow the 90 percent stress level.

Section 192.553. In Notice 74–6, the need for checking a submerged segment of an offshore pipeline at the end of each incremental increase in pressure during uprating was questioned. While most commenters stated that the costs and difficulty involved in checking for leaks during uprating outweigh the safety advantages that are obtained, they did not submit any information to substantiate their point of view. MTB believes that in most cases, offshore pipelines may be checked for leaks without great difficulty or expense through the use of test gauges. Therefore, MTB is not proposing to change the existing requirements for uprating in § 192.553.

Section 192.557. Notice 74–6 discussed the need to conduct a leakage survey before increasing the maximum allowable operating pressure on offshore steel pipelines operated at less than 30 percent of SMYS that are subject to § 192.557 and whether the incremental increases required by § 192.557(c) are too restrictive. MTB is not persuaded, on the basis of comments received, that there is adequate justification for relaxing the existing requirements. Accordingly, MTB is not proposing that § 192.557 be amended.

Section 192.619. Offshore pipelines located underwater and on offshore platforms are normally subject to greater stress due to their environment than pipelines onshore. Pipelines installed underwater cannot be inspected as easily after installation as those onshore. Also, pipelines on offshore platforms pose a greater hazard to operating personnel than other pipelines because of the isolation and confining nature of the platform. As a means of providing increased protection against possible harm due to these conditions, MTB proposes that newly installed offshore pipelines and existing pipelines which are uprated be tested at a higher pressure level than currently required.

The required test pressure after construction for a steel pipeline operated at 100 psig or more and 30 percent or more of SMYS (which is the case for almost all offshore pipelines) is determined under § 192.505 by multiplying an applicable factor in § 192.619(a)(2)(ii) times the desired maximum allowable operating pressure (MAOP). The required test pressure for uprating this pipeline is also determined by applying the factors in § 192.619(a)(2)(ii). Currently, the factor for Class 1 locations, which encompasses most offshore pipelines, is 1.1. A factor of 1.5 must be used for Class 3 locations, which would include, for example, pipelines on an offshore platform occupied by 20 or more people during normal use. Thus, under the existing rule an offshore pipeline in a Class 1 location must be tested to at least 110 percent of MAOP, while an offshore pipeline in a Class 3 location must be tested to at least 150 percent of MAOP. As an added safeguard, it is proposed to increase the factor for offshore pipelines in Class 1 locations from 1.1 to 1.25, and to establish a factor of 1.50 in the case of pipelines on offshore platforms. This change would result in at least a 25 percent difference between test pressure and MAOP for offshore pipelines in general, but a 50 percent difference for pipelines on offshore platforms.

Section 192.707. Notice 74–6 requested comments on the appropriateness of requiring operators to install line markers over offshore pipelines. Most commenters indicated that it is impractical to mark offshore pipelines and that the U.S. Army Corps of Engineers maintains and furnishes mariners maps showing the location of pipelines in navigable waters. In addition to supporting this view, MTB believes that the purpose for requiring that pipelines be marked—to alleviate the problem of damage by outsiders conducting excavation-related activities—is not applicable offshore, except perhaps near shorelines where the existing rule now requires the placement of a marker. For these reasons, MTB proposes that § 192.707 be amended to exempt pipelines lying offshore from the marking requirement.

At the same time, to protect pipe risers on offshore platforms from damage by vessels, MTB proposes to add § 192.707(g) to require that risers be marked in the same manner as onshore pipelines at navigable waterway crossings.

Sections 192.713 and 192.717. MTB proposes to amend these sections to permit the permanent field repair of submerged offshore pipelines by using mechanically applied full-encirclement split sleeves in lieu of welding procedures as now required. Underwater welding requires highly specialized equipment and trained welders that are not readily available when repairs are needed. Also, comments to Notice 74–6 indicate that mechanically applied sleeves provide satisfactory safety in offshore operations. Considering the difficulties and hazards to personnel associated with underwater welding and the comparable safety provided by mechanical sleeves, MTB believes that it is appropriate to permit the use of mechanically applied sleeves for permanent repairs on submerged pipelines.

Section 192.727. MTB proposes to amend § 192.727 to require that abandoned or inactivated offshore pipelines be filled with either water or inert material. After offshore pipelines are purged of gas, in comparison with onshore lines, there is a greater probability that a residue of liquid hydrocarbons will remain in the line. The filling would eliminate air and any potential for explosion.

In consideration of the foregoing, MTB proposes to amend Part 192 of Title 49 of the Code of Federal Regulations as set forth below:

1. In § 192.1, a new paragraph (b)(3) would be added to read as follows:

§ 192.1 Scope of part.

* * * * *

(b) * * *

(3) Offshore

2. Section 192.3 would be amended by adding a definition of the term "offshore" to read as follows:

§ 192.3 Definitions.

As used in this part—

* * * * *

"Offshore" means the area covered by the "outer continental shelf" and the "lands beneath navigable waters" as those terms are defined in the Outer Continental Shelf Lands Act (43 USC 1331) and the Submerged Lands Act (43 USC 1301), respectively.

* * * * *

3. In Section 192.5(a), the first sentence would be revised to read as follows:

§ 192.5 Class locations.

(a) The Class location for an offshore or onshore pipeline is determined by applying the criteria set forth in this section. * * *

* * * * *

4. Section 192.111(d) would be revised to read as follows:

§ 192.111 Design factor (f) for steel pipe.

* * * * *

(d) For Class 1 and Class 2 locations, a design factor of 0.50, or less, must be used in the design formula in § 192.105 for each—

(1) Steel pipe in a compressor station, regulating station, or measuring station;

(2) Steel pipe, including pipe riser, located on an offshore platform; and

(3) Steel pipe located within 300 feet measured horizontally from an offshore platform.

5. Section 192.145(d) would be revised to read as follows:

§ 192.145 Valves.

* * * * *

(d) A valve having pressure containing parts made of ductile iron may not be used:

(1) In the gas pipe components of compressor stations; and

(2) On offshore platforms.

6. Section 192.161(f) would be revised to read as follows:

§ 192.161 Supports and anchors.

* * * * *

(f) Except for offshore pipelines, each underground pipeline that is being connected to new branches must have a firm foundation for both the header and the

branch to prevent lateral and vertical movement.

7. Section 192.163(a) would be revised to read as follows:

§ 192.163 Compressor stations: design and construction.

(a) *Location of onshore compressor building.* Each main compressor building of an onshore compressor station must be located on property under the control of the operator. It must be far enough away from adjacent property, not under control of the operator, to minimize the possibility of fire being communicated to the compressor building from structures on adjacent property. There must be enough open space around the main compressor building to allow the free movement of fire-fighting equipment.

* * * * *

8. In § 192.167, paragraph (a)(4)(ii) would be revised and paragraph (c) would be added to read as follows:

§ 192.167 Compressor stations: emergency shutdown.

(a) * * *

(4) * * *

(ii) Near the exit gates, if the station is fenced, or near emergency exits, if not fenced; and

* * * * *

(c) On an offshore platform, the emergency shutdown system must be actuated automatically by each of the following events:

(1) In the case of an unattended compressor station—

(i) When the gas pressure equals the maximum allowable operating pressure plus 10 percent; or

(ii) When a fire occurs on the platform; and

(2) In the case of a compressor station in a building—

(i) When a fire occurs in the building; or

(ii) When a gas leak occurs in a building which has a source of ignition.

For the purpose of paragraph (c)(2)(ii) of this section, an electrical facility which conforms to Class 1, Group D of the National Electrical Code is not a source of ignition.

9. Section 192.179(d) would be added to read as follows:

§ 192.179 Transmission line valves.

* * * * *

(d) Offshore segments of transmission lines must be equipped with valves which comply with paragraph (b) of this section to shut off the flow of gas to and from an offshore platform in an emergency.

10. In § 192.243, paragraphs (d)(1)–(3) would be revised to read as follows:

§ 192.243 Nondestructive testing.

* * * * *

(d) * * *

(1) In Class 1 locations, except offshore, at least 10 percent.

(2) In Class 2 locations, except offshore, at least 15 percent.

(3) In Class 3 and Class 4 locations and Class 1 and Class 2 locations offshore, 100 percent if practicable, but not less than 90 percent.

* * * * *

11. Section 192.245 would be revised to read as follows:

§ 192.245 Repair or removal of defects.

(a) Each weld that is unacceptable under § 192.241(c) must be removed or repaired. Except for welds on a pipeline being installed from a lay barge, a weld must be removed if it has a crack that is more than 2 inches long or that penetrates either the root or second bead.

(b) Each weld that is repaired must have the defect removed down to clean metal and the segment to be repaired must be preheated. After repair, the segment of the weld that was repaired must be inspected to insure its acceptability. If the repair is not acceptable, the weld must be removed, except that additional repairs made in accordance with written welding procedures qualified under § 192.225 are permitted for welds on a pipeline being installed from a lay barge.

12. In § 192.317, paragraphs (a) and (b) would be revised and paragraph (c) would be added to read as follows:

§ 192.317 Protection from hazards.

(a) Each transmission line or main must be protected from washouts, floods, unstable soil, landslides, or other hazards that may cause the pipeline to move or to sustain abnormal loads. In addition, offshore pipelines must be protected from damage by mud slides, water currents, hurricanes, ship anchors, and fishing operations.

(b) Each onshore transmission line or main that is constructed above ground must be protected from accidental damage by vehicular traffic or other similar causes, either by being placed at a safe distance from the traffic or by installing barricades.

(c) Pipelines, including pipe risers, on each offshore platform must be protected from accidental damage by vessels.

13. In § 192.319, paragraph (b) would be revised and paragraph (c) would be added to read as follows:

§ 192.319 Installation of pipe in a ditch.

* * * * *

(b) When a ditch for a transmission line or main is backfilled, it must be backfilled in a manner that—

(1) Provides firm support under the pipe; and

(2) Prevents damage to the pipe and pipe coating from equipment or from the backfill material.

(c) Each offshore pipeline installed under water where the mean low tide or watermark is at least 12 feet but not more than 200 feet above the natural bottom must be installed so that the top of the pipeline is below the natural bottom unless—

(1) Due to unstable soil conditions, the pipeline would be subject to greater external forces below the bottom than if it is installed on the bottom; or

(2) The pipeline is protected in a manner equivalent to installation below the bottom.

14. In Section 192.327, the introductory clause of paragraph (a) would be revised and paragraph (e) would be added as follows:

§ 192.327 Cover.

(a) Except as provided in paragraph (c) of this section, each buried onshore transmission line must be installed with a minimum cover as follows:

* * * * *

(e) Each offshore pipeline installed under water where the mean low tide or watermark is less than 12 feet above the natural bottom must be installed with at least 36 inches of cover, except that pipe installed under water of any depth in a river, stream, or harbor must have at least 48 inches of cover.

15. Section 192.465(a) would be revised to read as follows:

§ 192.465 External corrosion control: monitoring.

(a) Each pipeline that is under cathodic protection must be tested in accordance with the following schedule to determine whether the cathodic protection meets the requirements of § 192.463:

Location of pipeline:	*Testing frequency*
Onshore	Once each calendar year, with intervals not exceeding 15 months.
Offshore	At intervals not exceeding 7 months.

However, if tests at those intervals are impractical for separately protected onshore service lines or short sections of protected onshore mains, not in excess of 100 feet, these service lines and mains may be surveyed on a sampling basis. At least 10 percent of these protected structures, distributed over the entire system, must be surveyed each calendar year, with a different 10 percent checked each subsequent year, so that the entire system is tested in each 10-year period.

* * * * *

16. Section 192.469 would be revised to read as follows:

§ 192.469 External corrosion control: test stations.

Each pipeline under cathodic protection required by this subpart must have sufficient test stations or other contact points for electrical measurement to determine the adequacy of cathodic protection.

17. Section 192.481 would be revised to read as follows:

§ 192.481 Atmospheric corrosion control: monitoring.

After meeting the requirements of §§ 192.479 (a) and (b), each operator shall, at intervals not exceeding 3 years for onshore pipelines and 1 year for offshore pipelines, reevaluate each pipeline that is exposed to the atmosphere and take remedial action whenever necessary to maintain protection against atmospheric corrosion.

18. Section 192.619(a) (2) (ii) would be amended by revising the table as follows:

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

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

Class location	Factors: Segment installed before Nov. 12, 1970	Factors: Segment installed after Nov. 11, 1970
1	[1] [2] 1.1	[1] [2] 1.1
2	[2] 1.25	[2] 1.25
3	[2] 1.4	1.5
4	[2] 1.4	1.5

[1] The factor for an offshore pipe not located on an offshore platform is 1.25.
[2] The factor for an offshore pipe, including a pipe riser, located on an offshore platform is 1.5.

* * * * *

19. Section 192.707, paragraphs (a) and (b) would be amended by inserting the word "onshore" immediately after each word "buried," paragraph (c) would be amended by deleteing "a" and inserting the words "an onshore," and a new paragraph (g) would be added to read as follows:

§ 192.707 Line markers for mains and transmission lines.

* * * * *

(g) *Offshore platforms.* Each pipe riser on an offshore platform that is exposed to damage by marine traffic must be marked with a sign which meets the requirements of paragraph (e) of this section.

20. Section 192.713 would be amended by revising paragraphs (a) and (b) and by deleting paragraph (c).

§ 192.713 Transmission lines: permanent field repair of imperfections and damages.

* * * * *

(a) Except as provided in paragraph (b) of this section, each imperfection or damage that impairs the serviceability of a segment of steel transmission line operating at or above 40 percent of SMYS must be repaired as follows:

(1) If it is feasible to take the segment out of service, the imperfection or damage must be removed by cutting out a cylindrical piece of pipe and replacing it with pipe of similar or greater design strength.

(2) If it is not feasible to take the segment out of service, a full encirclement welded split sleeve of appropriate design must be applied over the imperfection or damage.

(3) If the segment is not taken out of service, the operating pressure must be reduced to a safe level during the repair operations.

(b) An offshore pipeline may be repaired by mechanically applying a full encirclement split sleeve of appropriate design over the imperfection or damage.

21. Section 192.717 would be revised to read as follows:

§ 192.717 Transmission lines: permanent field repair of leaks.

(a) Except as provided in paragraph (b) of this section, each permanent field repair of a leak on a transmission line must be made as follows:

(1) If feasible, the segment of transmission line must be taken out of service and repaired by cutting out a cylindrical piece of pipe and replacing it with pipe of similar or greater design strength.

(2) If it is not feasible to take the segment of transmission line out of service, repairs must be made by installing a full encirclement welded split sleeve of appropriate design, unless the transmission line—

(i) Is joined by mechanical couplings; and

(ii) Operates at less than 40 percent of SMYS.

(3) If the leak is due to a corrosion pit, the repair may be made by installing a properly designed bolt-on-leak clamp; or, if the leak is due to a corrosion pit and on pipe of not more than 40,000 psi SMYS, the repair may be made by fillet welding over the pitted area a steel plate patch with rounded corners, of the same or greater thickness than the pipe, and not more than one-half of the diameter of the pipe in size.

(b) An offshore pipeline may be repaired by mechanically applying a full encirclement split sleeve of appropriate design over the leak.

22. In Section 192.727, paragraphs (b) and (c) would be revised to read as follows:

§ 192.727 Abandonment or inactivation of facilities.

* * * * *

(b) Each pipeline abandoned in place must be disconnected from all sources and supplies of gas; purged of gas; in the case of offshore pipelines, filled with water or inert material; and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.

(c) Except for onshore service lines, each inactive pipeline that is not being maintained under this part must be disconnected from all sources and supplies of gas; purged of gas; in the case of offshore pipelines, filled with water or inert materials; and sealed at the ends. However, the pipeline need not be purged when the volume of gas is so small that there is no potential hazard.

* * * * *

Proposed effective date. MTB recognizes that the gas pipeline industry will need a reasonable period of time in which to comply with some of the proposed amendments for offshore gas pipelines. MTB anticipates that proposed amendments which are adopted will be issued in early 1976. The NGPSA requires that new or amended standards become effective 30 days after issuance, unless the Secretary determines that an earlier or later date is necessary. If there are any proposed amendments in this notice with which the industry could not reasonably comply given a lead time of 30 days, persons should identify the proposed amendment, state why a longer lead time is needed, and state a reasonable time needed for compliance.

Interested persons are invited to participate in this rule making action by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice numbers and be submitted in duplicate to the Acting Director, Office of Pipeline Safety Operations, Department of Transportation, Washington, D.C. 20590.

All communications received by October 31, 1975, will be considered by the Director, MTB, before taking final action on the notice. Late filed comments will be considered so far as practicable. All comments will be available for examination by interested persons at the Office of Pipeline Safety Operations, Room 6226, 2100 Second Street, S.W., Washington, D.C., before and after the closing date for comments. The proposal contained in this notice may be changed in the light of comments received.

In commenting on the proposed definition of the term "offshore," interested persons should carefully consider the various situations in which pipelines would by definition be "offshore" pipelines. MTB requests comments on whether any of the amendments proposed herein should be changed because pipeline facilities in rivers, streams and other nontidal waters are not designed, constructed, operated, and maintained in substantially the same way as pipelines in tidal waters.

This notice is issued under the authority of section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 USC 1672), Section 105 of the Hazardous Materials Transportation Act (49 USC 1804), § 1.64 of the regulations of the Office of the Secretary of Transportation (49 CFR 1.64), and the redelegation of authority to the Director, Office of Pipeline Safety Operations, set forth in Appendix A to Part 102 of the regulations of the Office of the Director, Materials Transportation Bureau (49 CFR Part 102).

Issued in Washington, D.C. on September 25, 1975.

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

[FR Doc.75-26160 Filed 9-30-75;8:45 am]

[14 CFR Part 103]

[Docket No. 128; Notice No. 75-9]

CARRIAGE OF HAZARDOUS MATERIALS ABOARD AIRCRAFT

Notice of Proposed Rule Making

The Materials Transportation Bureau (MTB) is considering a series of amendments to Part 103 which would codify into that body of permanent regulations authority which in the past has been

granted through the granting of administrative relief from various regulatory restrictions. They were granted by the Federal Aviation Administration on a case-by-case basis, to transport, subject to specific terms and conditions, certain materials on cargo-only aircraft when there was no other practicable means of transportation.

Each proposed amendment is based on the experience and favorable record of safety associated with the carriage of the material concerned over the last several years under exemptions or authorizations to deviate from the existing requirements of Part 103.

ACCESSIBILITY ON SINGLE PILOT, SMALL CARGO-ONLY AIRCRAFT

Section 103.31(b) of Title 14 CFR requires hazardous materials acceptable only for cargo aircraft to be carried in a location accessible to a crewmember in flight. Compliance with this regulation requires the presence of at least two crewmembers aboard the aircraft, even though only one person may be required to fly it. Materials that are not accessible to a crewmember in flight are subject to the quantity limitations prescribed for inaccessible materials in § 103.19 (a) and (c). As a consequence, the utilization of a small, cargo aircraft capable of operation by a single pilot is severely handicapped by the regulation due to its payload limitations and the expense of adding an additional crewmember.

The restriction imposed by § 103.31(b) bars the use of a small, single pilot aircraft to transport materials such as gasoline and other flammable liquids to remote communities, isolated sites of exploration teams, and other facilities located in areas not served by ground transportation or where roads can only be used during certain months, unless some administrative relief from that restriction is granted.

For a number of years the FAA, acting under the provisions of 14 CFR 103.5, has issued authorizations for small, single pilot cargo-only aircraft to deviate from the accessibility requirements of § 103.31 (b) to make deliveries of essential hazardous materials within the State of Alaska and other remote areas when other means of transportation were not practicable or in emergencies.

In view of the excellent safety record of operations involving the carriage of hazardous materials in small aircraft pursuant to the conditions and limitations prescribed in those authorizations, the MTB proposes to amend § 103.31(b) by relieving small, single pilot, cargo-only aircraft from the accessibility requirements of that paragraph while being used to transport hazardous materials to places which cannot be supplied by other means of transportation. The MTB believes these small aircraft operations can be conducted under the proposed amendment at a level of safety equivalent to that otherwise achieved through compliance with Part 103. Section 103.19 (a) and (c) which also deals with accessibility would also be amended to reflect the amendment to § 103.31(b).

DOT SPECIFICATION 17E CONTAINERS FOR FUEL

Section 103.33(c)(1) of Title 14 CFR allows certain limited supplies of fuel to be carried by small passenger-carrying aircraft and helicopters in Alaska and other remote areas, in metal containers that are either DOT Specification 2A containers of not more than 5 gallons capacity, each packed in DOT Specification 12B fiberboard boxes, in one of three DOT specification wooden boxes, or in a non-specification wooden box at least ½-inch thick. Section 103.33(c)(2) allows the use of any 10-gallon container of at least 28-gauge metal, if packed in one of the three DOT specification wooden boxes, or the ½-inch wooden box.

The Specification 2A container is required to be constructed of 28-gauge metal (0.0129 inch minimum thickness). A DOT Specification 17E container of 5-gallon capacity is required to be constructed of 24-gauge metal (0.0209 inch minimum thickness). Thus, a 5-gallon 17E is more than 60% thicker than the Specification 2A. A 24-gauge container is more resistant to puncture than a 28-gauge container by an order of 800 inch-pounds to 600 inch-pounds. It is MTB's conclusion that a 24-gauge 17E drum, alone, is at least equivalent in integrity to a 28-gauge Specification 2A container packed in a Specification 12B fiberboard box. Accordingly, MTB proposes to amend § 103.33(c) by adding DOT Specification 17E containers of not more than 5 gallons capacity as a packaging authorized for use under that section.

ACCUMULATED EXPERIENCE UNDER EXEMPTIONS AND AUTHORIZATIONS TO DEVIATE

Section 103.9 provides that no person may carry any dangerous material in a cargo-only aircraft except those that: (1) are specified in 49 CFR 172.5 as acceptable for shipment by rail express; (2) do not exceed the maximum quantity for each outside container specified in 49 CFR 172.5 for rail express; and (3) are packaged, marked, and labeled as specified in 49 CFR Part 173 for shipment by rail express.

Over the past several years the need to deliver a number of particular commodities classified as hazardous materials to remote places in Alaska and elsewhere has given rise to the development of sets of special limitations and conditions for allowing those commodities to be transported by the only available means of transportation (i.e., cargo-only aircraft) in quantities in excess of the standard limitations prescribed for rail express in § 172.5. As a result, considerable experience has been gained and the techniques for safe transportation of these larger quantities of essential commodities have been perfected.

Therefore, the MTB proposes to add a § 103.37 to Part 103 expressly authorizing cargo-only aircraft operating under special limitations and conditions designed to assure a high level of safety, to deliver to places not served by other practical means of transportation certain hazardous materials which the MTB believes have been demonstrated through the FAA's exemption and deviation authorization experience to be fully capable of being safely transported.

EXPLOSIVES FOR USE IN BLASTING OPERATIONS

To meet the need for explosives to perform essential blasting operations and to conduct geological testing activities at remote locations, it has been necessary for exemptions and authorizations to deviate from the rail express prohibitions relating to Explosives A. In each case, the carriage of the explosives has been subject to specific requirements to assure a high level of safety. Air cargo-only transportation of commercial explosives has been performed under these controlled conditions for avalanche control, firefighting in wilderness areas, tunnel and other major earth-moving construction in areas inaccessible by surface transportation, and oil and other mineral exploration and extraction activities in remote areas.

Therefore, the MTB proposes to incorporate into the permanent body of regulations governing the transportation of hazardous materials the authority to transport explosives for blasting operations as the exclusive cargo on cargo-only aircraft to remote places. Blasting caps would be authorized for carriage on separate flights under the same conditions or with other non-hazardous cargo when placed in special packaging designed and constructed to contain the explosive force of the blasting caps should they be initiated.

FLAMMABLE LIQUIDS IN 55-GALLON CONTAINERS

Gasoline and certain other flammable liquids, as defined in 49 CFR 173.115(a), are limited for rail express and thus also for cargo-only aircraft to a maximum quantity of 10 gallons for each outside container by 49 CFR 172.5.

A Special Federal Aviation Regulation (SFAR), No. 28, was issued on March 28, 1974 (39 FR 12337, published April 5, 1974), to permit the carriage of flammable liquids, other than pyroforic liquids, in cargo-only aircraft within the State of Alaska in quantities that exceed the maximum quantity limitations of 49 CFR 172.5 but are not in excess of 55 gallons per outside container. As set forth in the preamble to SFAR No. 28, the principal reason for its adoption was to meet the demand for flammable liquids in areas of Alaska where other means of transporting larger quantities are unavailable or impracticable.

This demand was met for a number of years prior to issuance of that SFAR and since its expiration in March of this year through the issuance of deviation authorizations under § 103.5.

In addition to Alaska, a number of requests for deviation authorizations to

carry flammable liquids in quantities in excess of the limitations of 49 CFR 172.5 via cargo-only aircraft to remote places elsewhere in the United States (primarily in the Pacific Northwest) have been granted during recent years. A review of operations under SFAR No. 28 and the related deviation authorizations indicates that no accidents or incidents have been recorded as a result of these operations.

Therefore, the MTB proposes to incorporate into the permanent body of regulations governing the transportation of hazardous materials the authority to transport gasoline and certain other flammable liquids used primarily for heating purposes by cargo-only aircraft in 55-gallon or smaller drums to remote places.

FLAMMABLE LIQUIDS IN INSTALLED BULK TANKS

The carriage of flammable liquids such as gasoline in bulk tanks, the installation of which has been approved under a supplemental type certificate has been permitted, pursuant to the exemption authority in Part 11 of the Federal Aviation Regulations (14 CFR Part 11) under certain limited circumstances. This means of transporting large quantities of flammable liquids has been employed for several years to supply the needs of isolated villages, exploration teams, Alaskan pipeline related operations, and other facilities not served by ground transportation or only seasonally served.

In view of these facts, the MTB proposes to authorize the carriage of certain flammable liquids to remote places where there are no other means of transportation in supplemental type certificate approved bulk tank installations subject to certain conditions developed and perfected through the exemption process experience. These conditions and limitations would, for the most part, govern the loading and unloading and carriage of liquids in the approved bulk tanks.

Interested persons are invited to submit views and comments on the proposal. A public hearing will be held for that purpose at 9:30 a.m. on October 23, 1975, in the third floor auditorium of Federal Office Building 10A (commonly referred to as the FAA Building) located at 800 Independence Avenue SW., Washington, D.C. Interested persons not desiring to present oral presentations are invited to submit their comments in writing. Comments should refer to the docket number and be submitted to: Docket Section, Materials Transportation Bureau, U.S. Department of Transportation, Trans Point Building, Washington, D.C. 20590. All comments received before the close of business on November 6, 1975, will be considered, and will be available in the docket for examination both before and after the closing date. Comments received after the closing date and too late for consideration will be treated as suggestions for future rule making.

To the extent the proposals made herein may be adopted, the MTB contemplates combining them with those it adopts in new Part 175 of 49 CFR proposed under Docket HM-112 (39 FR 3022, January 24, 1974).

In consideration of the foregoing it is proposed to amend 14 CFR Part 103 as follows:

1. Revise § 103.19 (a) and (c) to read as follows:

§ 103.19 Quantity limitations.

(a) Except as provided in § 103.31(b) in the case of small, single pilot, cargo-only aircraft being used when other means of transportation are not available or impracticable, no person may carry more than 150 pounds net weight of nonflammable compressed gas in any inaccessible cargo pit or bin on any aircraft.

* * * * *

(c) Except as provided in § 103.31(b) in the case of small, single pilot, cargo-only aircraft being used when other means of transportation are not available or impracticable, no person may carry more than 50 pounds of any article that is subject to this part (other than an article specified in paragraph (a) or (b) of this section and magnetized materials) in any inaccessible cargo pit or bin of any aircraft.

* * * * *

2. Revise § 103.31(b) to read as follows:

§ 103.31 Cargo location.

(b) Except in the case of a small, single pilot aircraft being used where other means of transportation are not available or impracticable, each person carrying materials acceptable only for cargo aircraft shall carry those articles in a location accessible to a crewmember in flight. When materials acceptable for cargo-only aircraft are carried on a small, single pilot, cargo-only aircraft being used where other means of transportation are not available or impracticable, they may be carried in a location that is not accessible to the pilot, subject to the following conditions:

(1) No person other than the pilot, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, or a person necessary for handling the material may be carried on the aircraft.

(2) The pilot must be provided with written instructions on characteristics and proper handling of the material.

(3) Whenever a change of pilots occurs while the material is on board, the new pilot must be briefed under a hand-to-hand signature service provided by the operator of the aircraft.

* * * * *

3. Amend § 103.33(c) by adding a new paragraph (3) at the end thereof to read as follows:

§ 103.33 Transportation of gasoline, kerosene, or aviation gas in small, passenger-carrying aircraft.

* * * * *

(c) * * *

(3) DOT Specification 17E containers of not more than 5 gallons capacity.

* * * * *

4. Add a new section 103.37 to read as follows:

§ 103.37 Cargo-only aircraft; only means of transportation.

(a) Notwithstanding § 103.9(a) (1) and (2), when means of transportation other than air are not available or are impracticable, hazardous materials listed in the following table may be carried on a cargo-only aircraft subject to the conditions stated in the table and in paragraph (b) and, when appropriate, paragraph (c) of this section:

Material description	Class	Conditions
Electric blasting caps (more than 1,000).	Class A explosives	Permitted only when no other cargo is aboard the aircraft.
Electric blasting caps (less than 1,000).	Class C explosives	Permitted only when no other cargo is aboard the aircraft. However, if the electric blasting caps are packed in a DOT MC 201 container (49 CFR 178.315) or an IME 22 container (*see* 49 CFR 171(d)(9)) they may be transported in the same aircraft with materials that are not classed as hazardous materials.
Gasoline	Flammable liquid	Permitted in metal drums having rated capacities of 55 gal. or less. May not be transported in the same aircraft with materials classed as class A, B, or C explosives, corrosive materials, or oxidizing materials. Permitted in installed metal tanks each having a capacity of more than 110 gal. subject to the conditions specified in par. (c) of this section.
High explosives	Class A explosives	Limited to explosives used for blasting and permitted only when no other cargo is aboard the aircraft.
Oil, not otherwise specified; petroleum oil; or petroleum oil, not otherwise specified.	Flammable liquid	Permitted in metal drums having rated capacities of 55 gal. or less. May not be transported in the same aircraft with materials classed as class A, B, or C explosives, corrosive materials, or oxidizing materials. Permitted in installed metal tanks each having a capacity of more than 110 gal. subject to the conditions specified in par. (c) of this section.
Combustible liquid, not otherwise specified.	Combustible liquid	Limited to combustible liquids used for fuel. Permitted in installed metal tanks each having a capacity of more than 110 gal. subject to the conditions specified in par. (c) of this section.

(b) The following conditions apply to all carriage of hazardous materials performed under the authority of this section:

(1) No person other than a required flight crewmember, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, or a person necessary for handling the material may be carried on the aircraft.

(2) The operator of the aircraft must have advance permission from the owner or operator of each manned airport where the material is to be loaded or unloaded or where the aircraft is to land while the material is on board.

(3) At any airport where the airport owner or operator or authorized representative thereof has designated a location for loading or unloading the material concerned, the material may not be loaded or unloaded at any other location.

(4) If the material concerned can create destructive forces or have lethal or injurious effects over an appreciable area as a result of an accident involving the aircraft or the material, the loading and unloading of the aircraft and its operation in takeoff, enroute, and in landing must be conducted at a safe distance from heavily populated areas and from any place of human abode or assembly.

(5) If the aircraft is being operated by a holder of a certificate issued under Part 121 or Part 135 of this title, operations must be conducted in accordance with conditions and limitations specified in the certificate holder's operations specifications or operations manual accepted by the FAA. If the aircraft is being operated under Part 91 of this title, operations must be conducted in accordance with an operations plan accepted and acknowledged in writing by the operator's FAA District Office.

(6) Each crew of the aircraft must be provided written instructions on the conditions and limitations of the operation being conducted.

(7) The aircraft and the loading arrangement to be used must be approved for safe carriage of the particular materials concerned by the FAA District Office holding the operator's certificate and charged with overall inspection of its operations or the appropriate FAA District Office serving the place where the material is to be loaded.

(8) When explosives are carried under the authority of this section, the operator of the aircraft shall obtain route approval from the FAA inspector in the operator's FAA District Office.

(c) The following additional conditions apply to the carriage of flammable liquids and combustible liquids in metal tanks each having a capacity of more than 110 gallons under the authority of this section:

(1) The tanks and their associated piping and equipment and the installations thereof must have been approved under a supplemental type certificate.

(2) In the case of an aircraft being operated by a certificate holder, the operator shall list the aircraft and the supplemental type certificate approval information in its operating specifications. If the aircraft is being operated by other than a certificate holder, a copy of the supplemental type certificate must be carried on board the aircraft.

(3) The crew of the aircraft must be thoroughly briefed on the operation of the particular bulk tank system being used.

(4) During loading and unloading:

(i) Only those electrically operated bulk tank shutoff valves that have been approved under a supplemental type certificate may be electrically operated.

(ii) No person may smoke, carry a lighted cigarette, cigar, or pipe, or operate any device capable of causing an open flame or spark within 50 feet of the aircraft.

(iii) No engine or electrical equipment, avionic equipment, or auxiliary power units may be operated, except position lights in the steady position and equipment required by loading or unloading procedures, as set forth in the operator's approved operations manual, or for operators that are not certificate holders, as set forth in a written statement.

(iv) No person may fill a container, other than an approved bulk tank, with a flammable or combustible liquid or discharge a flammable or combustible liquid from a container, other than an approved bulk tank, while that container is inside or within 50 feet of the aircraft.

(v) When filling an approved bulk tank by hose from inside the aircraft, the doors and hatches must be fully open to insure proper ventilation. If fumes remain after loading, air must be blown through all compartments until the fumes are dissipated.

(vi) Static ground wires must be connected between the storage tank or fueler and the aircraft, and between the aircraft and a positive ground device.

These amendments are proposed under the authority of § 902(h)(1) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(h)(1)); (49 CFR 1.53(h) and Part 102, App. A, paragraph (a)(3)).

Issued in Washington, D.C., on September 26, 1975.

ALAN I. ROBERTS,
Director, Office of Hazardous Materials Operations.

[FR Doc.75-26246 Filed 9-30-75;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 75-27; Notice 01]

BRAKING STANDARDS AND CONSUMER INFORMATION ITEM

Proposed Amendments

This notice proposes an amendment of Standard No. 105-75, *Hydraulic Brake Systems*, 49 CFR 571.105-75, that would revise the test procedure in the parking brake (S7.7) test and would modify the means for establishing the skid number of the surface on which stopping distance tests are conducted. Corresponding modification of skid number measurements are proposed for Standard No. 121, *Air Brake Systems*, 49 CFR 571.121, and Standard No. 122, *Motorcycle Brake Systems*, 49 CFR 571.122. In addition, this proposal would amend Subpart B of Part 575, *Consumer Information*, 49 CFR § 575.101, to replace the present test procedures in that section for passenger car testing with equivalent procedures from Standard No. 105-75.

Toyo Kogyo, U.S.A., has petitioned the NHTSA for rulemaking to modify the present parking brake test procedures found in S7.7 of Standard No. 105-75. The procedure specifies application of the parking brake while the vehicle is held on the test incline by means of the service brake. If, upon release of the service brake, the vehicle does not remain stationary, the procedure permits reapplication of the service brake only, which has the effect of taking up parking brake system slack due to rotation of the brake shoes and drum prior to bottoming against the anchor pin. Reapplication of the parking brake is not permitted.

Toyo Kogyo requests a modification of the test procedure to permit reapplication of the parking brake. In the first application of the parking brake system on a new vehicle to the 125-pound (or 90-pound in the case of hand brakes) level of application force, many system components take a permanent set (brakes, guides, levers, etc.), or stretch may occur in the cables. As a result, the applied force is reduced, and the vehicle may not remain stationary on the grade. If the permissible force is reapplied once or twice to the brake control, the system will provide greater holding capability. Toyo Kogyo argues that this is representative of a normal driver action (in cases where the application appears to be insufficient to hold the vehicle).

The parking brake requirement was developed to provide a minimum level of static holding ability for the vehicle under foreseeable operating conditions. The 30-percent grade-holding requirement is specified to ensure adequate brake power for the occasions when the vehicle is parked on a steep grade. NHTSA testing confirms that reapplication of the parking brake after release of the service brake may in some cases be necessary. The NHTSA concludes that this reapplication of the parking brake after release of the service brake is a reasonable test procedure, and accordingly it is proposed by this notice.

British-Leyland Motors Ltd. has petitioned for rulemaking to modify the method by which the skid number of the stopping distance test surface is measured in Standard 105-75. At present, S6 of the standard specifies a surface with a skid number of 75, and "skid number" is defined in S4 as "the frictional resistance of a pavement measured in accordance with American Society for Testing and Materials Method E-274-65T at 40 mph, omitting water delivery as specified in paragraph 7.1 of that method." That ASTM method specifies the use of an ASTM E249 tire (for use in measuring the coefficient of friction) that is no longer manufactured. The NHTSA agrees with British Leyland that the standard should be modified to specify a measurement method that employs the new ASTM E501 tire to replace the tire that is no longer manufactured. In a May 8, 1975, letter the NHTSA granted the British Leyland petition to commence a rulemaking proceeding.

Substitution of the new tire for the old one has been undertaken with due regard for possible differences in the skid resistance of each. If such differences were ig-