1. On page 7919, the second line of § 7.63(b) now reading "ary 1, 1950 (3 CFR 1949–1953 Comp., p", should read "ary 20, 1960 (3 CFR 1959–1963 Comp., p.".

2. On page 7919, the second line of § 7.63(c) now reading "ary, 1950 (3 CFR 1949–1953 Comp., p.", should read "ary 1, 1950 (3 CFR 1949–1953 Comp., p.".

3. On page 7920, the third line of § 7.81(a) now reading "number of the public for a record under", should read "member of the public for a record under".

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—OFFICE OF PIPELINE SAFETY

[Docket No. OPS–27; Amdt. 192–19]

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS

Qualification for Use of Plastic Pipe

By this amendment, Appendices A and B to Part 192 are modified to incorporate by reference the 1970 and 1971 editions of the American Society for Testing Materials (ASTM) Specification D2513, "Standard Specification for Thermoplastic Gas Pressure Pipe, Tubing, and Fittings." Also, two changes to § 192.59 are made. First, the use of special sizes of plastic pipe is permitted where pipe of a diameter included in a listed specification is impractical to use. Secondly, plastic pipe manufactured after March 21, 1975, is qualified for use only if it is manufactured in accordance with the latest listed edition of a listed specification. Listed specifications are those in Section I of Appendix B.

This amendment is based on a notice of proposed rule making (Notice 74–2) issued by the Director, Office of Pipeline Safety (OPS), on April 16, 1974, and published at 39 FR 14218. Interested persons were given an opportunity to comment on the proposed rule changes by submitting written information, views, or arguments by June 3, 1974. The comments received have been fully considered in developing the final rules.

All comments received favored the proposed rule changes with one exception. Notice 74–2 proposed an amendment to § 192.123(c) that would have established a standard dimension ratio (SDR) of 21 as the maximum for qualifying plastic pipe under Part 192. OPS proposed the change in light of adverse experience in the gas industry with pipe manufactured with an SDR of 26. Furthermore, while an SDR of 26 is included in earlier editions of ASTM D2513, in the 1970 and 1971 editions, the highest SDR listed is 21. It appeared to OPS that the change in the 1970 and 1971 editions was made to provide a safer design for plastic pipe. Nevertheless, a majority of commenters opposed the rule change.

Commenters objected to a fixed SDR of 21 primarily because it would restrict usage and development of higher strength plastic materials and would not necessarily provide an adequate factor of safety for the lower strength materials. It was suggested that the existing design formula and limitations in §§ 192.121 and 192.123 ensure sufficient safety without change. Commenters pointed out that the 1970 and 1971 editions actually do not confine the usage of plastic pipe to that with an SDR of 21, or less. A higher SDR is permissible under certain conditions. The reason an SDR larger than 21 was not included in the tables of specifications in the 1970 and 1971 editions is that when these editions were published, the use of plastic pipe with an SDR larger than 21 was uncommon. Commenters objecting to a maximum SDR of 21 also noted that most problems experienced with pipe having an SDR of 26 were probably due more to improper application of material than to wall thickness.

Based on the additional information and arguments submitted by commenters, OPS has determined that rule making action to establish a fixed SDR of 21 is not necessary for safety in the design of plastic pipe. Consequently, the proposal has not been adopted. Research currently being performed for OPS may provide additional information on this subject. If new information indicates that further regulatory action is necessary, a notice of proposed rule making will be issued to give all interested persons a chance to evaluate the basis for that action.

The 1970 and 1971 editions of ASTM D2513 improve the quality control requirements contained in earlier editions. These newer editions are being incorporated by reference in Part 192 to permit the use of plastic pipe manufactured in accordance with those editions. To qualify for use under Part 192, plastic pipe must be manufactured in accordance with a listed edition of a listed specification. Currently, there are two listed editions of ASTM D2513: the 1966T and 1968 editions. Pipe manufactured to later published editions does not qualify for use under Part 192 until those editions are also incorporated by reference. One commenter suggested that OPS incorporate by reference the 1973 edition of ASTM D2513 since it is now the latest published edition. Although the 1973 edition is not a subject of this proceeding, OPS recognizes the problem for industry when revised editions of referenced specifications are published. Nevertheless, each new edition must be reviewed by OPS, and if found to contain acceptable safety criteria, subjected to a public rule making proceeding before it can be included in the list of referenced specifications. OPS has a policy of reviewing new editions in due course as they become available. It is anticipated the 1973 edition will be the subject of a future rule making proceeding.

Incorporation by reference of the 1971 edition of ASTM D2513 also permits operators, for the first time, to use pipe made from the new plastic material "polybutylene." After undergoing extensive testing, this material consistently has been found acceptable in all respects. Plastic pipe manufactured on or after the effective date of the final rules, March 21, 1975, will only be qualified for use if it is manufactured in accordance with the latest referenced edition of a listed specification. In the case of ASTM D2513, the latest referenced edition is the 1971 edition. There were no objections to this change. The purpose of the rule change is to ensure that, where operators use newly manufactured pipe, the pipe has all the safety improvements provided by the latest referenced edition of a listed specification. In the absence of this amendment, pipe made for use under Part 192 could be manufactured in accordance with any listed edition of a listed specification. For economic or other reasons, such pipe might not contain all recent safety improvements. The final rule, however, contains a "grandfather" clause permitting the continued use of stockpiled pipe manufactured before March 21, 1975, if it is manufactured in accordance with a listed edition of a listed specification.

An amendment to § 192.59 permits operators to use pipe of a diameter between the diameters included in a listed specification so long as (1) the in-between size of pipe meets certain criteria required of pipe with diameters included in the listed specification, and (2) pipe with a diameter included in a listed specification is impractical to use. These special sizes of plastic pipe are often needed by industry for insert renewals of distribution lines and unusual applications where pipe of a nominal diameter is inappropriate.

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 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 such proposal." This amendment to Part 192 was submitted to the Committee as Item 1 in a list of five proposed amendments. The Committee has made a favorable report which is set forth below. The Committee member who disagreed with the majority of the Committee on Item 1 did not submit a statement of his views.

January 17, 1975.

Memorandum to: The Secretary of Transportation Attention: Joseph C. Caldwell, Director Office of Pipeline Safety.

From: Secretary, Technical Pipeline Safety Standards Committee.

Subject: Proposed Changes to 49 CFR Part 192, Minimum Federal Safety Standards for Transportation of Natural and Other Gases by Pipeline.

The following letter and attachments represent an official report by the Technical Pipeline Safety Standards Committee concerning the Committee's action related to five proposed amendments to 49 CFR Part 192, Minimum Federal Safety Standards, for Transportation of Natural and Other Gases by Pipeline.

The Committee reviewed the proposals of the Office of Pipeline Safety at a meeting, held in Washington, D.C., on October 30 and 31, 1974, and through an informal balloting procedure recommended certain modifications, some of which were acceptable to the Office of Pipeline Safety. A formal ballot, reflecting the suggested changes, was prepared and distributed to the Committee members, by the undersigned on December 5, 1974.

Formal ballots have been submitted by all fourteen members of the Committee. The majority of the Committee approved all five items on the ballot as being technically feasible, reasonable, and practicable. Negative votes were cast by one member against Items 1, 2, and 3, by two members against Item 4 and by four members against Item 5. Another member, who had been unable to attend the meeting and participate in the discussions, abstained from voting.

Attachment A sets forth the minority opinions submitted in support of the negative votes on Items 4 and 5.

LOUIS W. MENDONSA.

In view of the improved safety criteria provided by this amendment and the period reasonably necessary for compliance, I have determined that good cause exists for making this amendment effective in less than 30 days after issuance.

In consideration of the foregoing, Part 192 of Title 49 of the Code of Federal Regulations is amended as follows, effective March 21, 1975:

1. In § 192.59, paragraphs (a) (1) and (b) (1) are revised and a new paragraph (c) is added to read as follows:

§ 192.59 Plastic pipe.

(a) New plastic pipe is qualified for use under this part if—

(1) When the pipe is manufactured, it is manufactured in accordance with the latest listed edition of a listed specification, except that before March 21, 1975, it may be manufactured in accordance with any listed edition of a listed specification; and

* * * * *

(b) Used plastic pipe is qualified for use under this part if—

(1) When the pipe was manufactured, it was manufactured in accordance with the latest listed edition of a listed specification, except that pipe manufactured before March 21, 1975, need only have met the requirements of any listed edition of a listed specification;

* * * * *

(c) For the purpose of paragraphs (a) (1) and (b) (1) of this section, where pipe of a diameter included in a listed specification is impractical to use, pipe of a diameter between the sizes included in a listed specification may be used if it—

(1) Meets the strength and design criteria required of pipe included in that listed specification; and

(2) Is manufactured from plastic compounds which meet the criteria for material required of pipe included in that listed specification.

2. In Section II of Appendix A, subsection B.18. is amended by adding "D2513–70" and "D2513–71" within the parenthetical expression.

3. In Section I of Appendix B, the next to the last item, beginning "ASTM D2513," is amended by adding the numbers "1970" and "1971" within the parenthetical expression.

This amendment is issued under the authority of section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1672), § 1.58(d) of the regulations of the Office of the Secretary of Transportation (49 CFR 1.58(d)), and the redelegation of authority to the Director, Office of Pipeline Safety, set forth in Appendix A to Part 1 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 1).

Issued in Washington, D.C., on March 3, 1975.

JOSEPH C. CALDWELL,
Director,
Office of Pipeline Safety.

[FR Doc.75–5936 Filed 3–5–75;8:45 am]

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

SUBPART C—U.S. STANDARDS FOR ROUGH RICE

Statement of considerations. The Agricultural Marketing Act of 1946, as amended, provides for the issuance by the Secertary of Agriculture of standards with respect to the quality, condition, quantity, grade, and packaging of agricultural commodities for the voluntary use by producers, merchandisers, processors, and consumers in the marketing of these commodities. Official grading service is provided under the Act upon request of the applicant and payment of a fee to cover the cost of the service.

Pursuant to sections 203 and 205 of the Act, 60 Stat. 1087 and 1090 (7 U.S.C. 1622 and 1624), a notice was published in the FEDERAL REGISTER (39 FR 28896) on August 12, 1974, according to the administrative procedure provisions of section 553 of Title 5, United States Code, concerning a proposed revision of the U.S. Standards for Rough Rice (7 CFR 68.201 *et seq.*).

Approximately 800 reprints of the notice were sent to individuals, firms, and associations interested in the production, marketing and use of rough rice. Interested parties were given until November 1, 1974, to submit data, views, or recommendations concerning the proposed revision.

Two written comments were received in response to the notice. One commentor, representing six rice grower cooperatives and 24 independent rice milling companies, concurred with the proposal.

The other commentor concurred with the changes, except the proposed increased allowance for total seeds and heat-damaged kernels in the numerical grades. The proposed increased allowance was based on a study of the 1973 commercial rice crop and, in general, reflected the level of occurrence of seeds and heat-damaged kernels in the crop. There is no available data that indicates that the level of occurrence was not representative of preceding crops. The Department will monitor future rice crops for these factors. If the monitoring indicates that the level of occurrence of seeds and heat-damaged kernels in the 1973 crop was not representative, changes in the allowance will be considered in accordance with the available data.

After full consideration of all comments, discussions, and other relevant information available to the Department, the proposed revision is hereby adopted.

Accordingly, the U.S. Standards for Rough Rice (7 CFR 68.201, 68.203, 68.205, 68.206, 68.207, 68.208, 68.209, 68.210, 68.211, 68.212 and 68.13) are revised to read as follows:

Subpart C—United States Standards for Rough Rice

TERMS DEFINED

Sec.
68.201 Definition of rough rice.
68.202 Definition of other terms.

PRINCIPLES GOVERNING APPLICATION OF STANDARDS

68.203 Basis of determinations.
68.204 Temporary modifications in equipment and procedures.
68.205 Interpretive line samples.
68.206 Milling requirements.
68.207 Milling yield determination.
68.208 Moisture.
68.209 Percentages.

GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS

68.210 Grades and grade requirements for the classes of rough rice.
68.211 Grade designation.

SPECIAL GRADES, SPECIAL GRADE REQUIREMENTS, AND SPECIAL GRADE DESIGNATIONS

68.212 Special grades and requirements.
68.213 Special grade.

AUTHORITY: 60 Stat. 1087, 1090 (7 U.S.C. 1622, 1624).

Subpart C—United States Standards for Rough Rice[1]

TERMS DEFINED

§ 68.201 Definition of rough rice.

Rice (*Oryza sativa* L.) which consists of 50.0 percent or more of paddy kernels [see § 68.202(l)] of rice.

§ 68.202 Definition of other terms.

For the purposes of these standards, the following terms shall have the meanings stated below:

(a) *Broken kernels.* Kernels of rice which are less than three-fourths of whole kernels.

(b) *Chalky kernels.* Whole or broken kernels of rice which are one-half or more chalky.

(c) *Classes.* The following four classes:

Long Grain Rough Rice
Medium Grain Rough Rice
Short Grain Rough Rice
Mixed Rough Rice

Classes shall be based on the percentage of whole kernels and types of rice.