

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-6; Amdt. 195-3]

PART 195—TRANSPORTATION OF LIQUIDS BY PIPELINE

Testing With Transported Commodities

The purpose of this amendment is to modify the restrictions in Part 195 on the testing of pipelines using the commodity to be transported as the test medium. The amendment deletes the requirement for a 1,000-foot clear zone and provides several other conditions in lieu thereof.

The regulations on testing of pipelines transporting hazardous liquids were issued on November 2, 1970 (35 F.R. 17183, November 7, 1970) and became effective on January 8, 1971. The American Petroleum Institute has petitioned the Board to delete § 195.306(b) (2) which requires that no persons, other than those conducting the test, be within 1,000 feet of the pipeline test section when testing with liquid petroleum. If this clear zone requirement is not met, water must be used as the test medium.

The petitioner contends that the 1,000-foot requirement will virtually eliminate testing with product due to the difficulties in achieving this clearance. The petition also states several disadvantages to testing with water, particularly testing incident to relocation of existing pipelines, as follows:

First, in winter in the northern States, ground temperatures are so low as to freeze water should it be employed as a test medium. If carriers are limited to the use of water as a test medium, they can safely conduct hydrostatic tests only when they are absolutely certain that the ambient temperature during the test period will not drop below the point where the test water would freeze and damage the pipeline. The use of antifreeze solutions—ethylene glycol or methanol—as test media is contraindicated by their expense and the problem of disposing of them without contributing to pollution. By testing with petroleum products, pipelines may be placed in service many months earlier than if the carrier were forced to wait for the spring thaw.

Secondly, in some areas a quantity of water sufficient to provide linefill for the hydrostatic test cannot be acquired. This is sometimes the case in the Desert Southwest, the Rocky Mountain States and in certain parts of the North in winter.

Thirdly, in the case of pipelines undergoing tests because of repair or modification, the disposal of water contaminated with petroleum products can create serious problems.

Finally, it is difficult to dry a pipeline following a hydrostatic test with water so as to eliminate the possibility of product degradation. Even minute amounts of water may render some petroleum products unacceptable. This is particularly true of aviation turbine fuel and aviation gasoline, products commonly transported by pipeline.

The Board agrees that under some circumstances the use of the transported commodity as a test medium may be desirable and that the 1,000-foot requirement may prove unduly restrictive in this regard. Therefore, § 195.306(b) is modified in a manner that will provide greater flexibility in the use of commodities as the test medium. The 1,000-foot requirement is deleted and several new conditions are added to assure continued protection for the public. These include a clear zone of 300 feet while the test stress level is at 50 percent or more of the specified minimum yield strength of the pipe being tested, as well as requirements for patrolling and for maintenance of continuous communication along the test section at all times.

To the extent indicated above, the petition of the American Petroleum Institute with respect to § 195.306(b) of Title 49 of the Code of Federal Regulations is granted and in all other respects is denied.

Since this amendment relieves a restriction and does not impose any additional burden on anyone, I find that notice and public procedure thereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, § 195.306(b) of title 49 of the Code of Federal Regulations is amended to read as follows, effective immediately.

§ 195.306 Test medium.

(b) Liquid petroleum that does not vaporize rapidly may be used as the test medium if—

(1) The entire pipeline section under test is outside of cities and other populated areas;

(2) Each building within 300 feet of the test section is unoccupied while the test pressure is equal to or greater than a pressure which produces a hoop stress of 50 percent of specified minimum yield strength;

(3) The test section is kept under surveillance by regular patrols during the test; and

(4) Continuous communication is maintained along entire test section.

(Secs. 831-835, title 18, U.S.C., secs. 6(e) (4), (f) (3) (A) Department of Transportation Act, 49 U.S.C. 1655(e) (4), (f) (3) (A), § 1.4(e) (4) Regulations of the Office of the Secretary of Transportation)

Issued in Washington, D.C., on April 28, 1971.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

[FR Doc.71-6183 Filed 5-3-71;8:47 am]

Chapter V—National Highway Traffic Safety Administration, Department of Transportation

[Docket 69-7]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Occupant Crash Protection;

Interpretation of "Passive" System
Several persons have raised questions as to what constitutes a "passive" re-

straint system—one that requires "no action by vehicle occupants"—as those concepts are used in Standard No. 208, Occupant Crash Protection (36 F.R. 4600, March 10, 1971), effective January 1, 1972. Specifically, it has been asked whether occupant protection systems that require occupants to take protective action as a prerequisite to entering, seating themselves in, or operating a vehicle can qualify as a system that requires "no action." One commonly discussed example of such "forced action" systems is a seatbelt interlock, which requires a seat belt to be fastened before the vehicle ignition system is operative.

The concept of an occupant protection system that requires "no action by vehicle occupants" as used in Standard No. 208 is intended to designate a system that requires no action other than would be required if the protective system were not present in the vehicle. Under this interpretation the concept does not include "forced action" systems as described above.

This interpretation is not intended to rule out the possibility that further rule-making action may be taken in the future to permit such systems in certain cases.

DOUGLAS W. TOMS,
Acting Administrator.

APRIL 29, 1971.

[FR Doc.71-6233 Filed 5-3-71;8:51 am]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Retreaded Pnematic Tires for Passenger Cars; Correction

In F.R. Doc. 71-5439, appearing at page 7315 in the issue of April 17, 1971, the reference to "test rims" in § 5.1.1 and § 5.1.2 of Motor Vehicle Safety Standard No. 117 has been incorrectly stated.

The opening clauses of both § 5.1.1 and § 5.1.2 are changed to read, "Except as specified in § 5.1.3, each retreaded tire, when mounted on a test rim of the width specified for the tire's size designation in Appendix A of Motor Vehicle Safety Standard No. 109, * * *"

This correction is issued under the authority of sections 103, 112, 113, 114, 119, and 201 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. §§ 1392, 1401, 1402, 1403, 1407, 1421) and the delegations of authority at 49 CFR 1.51.

Issued on April 29, 1971.

DOUGLAS W. TOMS,
Acting Administrator.

[FR Doc.71-6231 Filed 5-3-71;8:51 am]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Control Location, Identification, and Illumination

Motor Vehicle Safety Standard No. 101, establishing requirements for location, identification, and illumination of motor vehicle controls, was amended on