

City	Channel No.
Orlando, FL	6-, 9, * 24-, 27, 35+, and 65.

5. It is further ordered, That this proceeding is terminated.

6. For further information concerning this proceeding, contact Montrose H. Tyree, Mass Media Bureau (202) 634-6530.

(Secs. 4, 303, 48 stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission,

Charles Schott,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 84-24508 Filed 9-14-84; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Admt. 195.31; Docket No. PS-77]

Transportation of Hazardous Liquids by Pipeline; Isolated Corrosion Pitting

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, Department of Transportation.

ACTION: Final rule.

SUMMARY: This amendment revises the standard governing isolated corrosion pitting on hazardous liquid pipelines by replacing it with a standard similar to the one governing localized corrosion pitting on gas transmission lines. The current standard is too restrictive because it does not permit the use of technological advances in evaluating the strength of corroded pipe. This amendment will reduce costs to industry and consumers without reducing pipeline safety.

EFFECTIVE DATE: October 17, 1984.

ADDRESS: Copies of this amendment may be obtained from the Dockets Branch, Room 8426, Materials Transportation Bureau, U.S. Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Frank Robinson, (202) 426-2392.

SUPPLEMENTARY INFORMATION:

By a letter dated May 21, 1982, The American Petroleum Institute (API), a national trade association involved in most areas of the petroleum industry, petitioned MTB to revise the Federal safety standard in § 195.416(g) governing isolated corrosion pitting. The API asked

that the standard be revised to reflect the corrosion pitting criteria found in § 451.6.2(a)(7) of the American Society of Mechanical Engineers (ASME) Code B31.4, "Liquid Petroleum Transportation Piping Systems," (1979 Edition).

With regard to steel pipe that is required to be examined for external corrosion, § 195.416(g) currently provides:

If isolated corrosion pitting is found, the operator shall repair or replace the pipe unless—

(1) The diameter of the corrosion pits is less than the nominal wall thickness as measured at the surface of the pipe; and

(2) The remaining wall thickness at the bottom of the pits is at least 70 percent of the nominal wall thickness.

This standard was derived from a notice of proposed rulemaking (33 FR 10213; July 17, 1968) which in § 180.416(g) proposed that pipe be replaced if corrosion pitting reduces the original wall thickness by 10 percent or more. The technical basis for the modified version of the rule finally adopted as quoted above was not explained in the final rule document (34 FR 15473; Oct. 4, 1969).

On the basis of research conducted by Battelle Columbus Laboratories ("Summary of Research to Determine the Strength of Corroded Areas in Line Pipe", J.F. Kiefner and A.R. Duffy, July 20, 1971), as reflected in the B31.4 Code, API asserts in its petition that § 195.416(g) is unduly stringent. The current rule causes pipe to be replaced or repaired when these remedial measures are not needed for safety.

The Battelle research developed and tested criteria, incorporating mathematical expression of length and depth of corroded areas, to predict the pressure strength of corroded pipe. For pit depths equal to 80 percent or more of nominal wall thickness, the criteria require repair or replacement of pipe. For pit depths less than 80 percent of nominal wall thickness, the criteria permit continued operation of pipe at its current maximum pressure if the measured aggregate length of the corroded area is equal to or less than a calculated value. The pipe may be operated at a calculated reduced pressure if the length is longer than the calculated value.

The underlying premise of these criteria is that the minimum stress level at which pipe will fail in corrosion pits is 100 percent of the pipe's specified minimum yield strength (SMYS). Since the maximum operating pressure permitted under Part 195 produces a maximum stress level of 72 percent of SMYS, the criteria provide a 1.4 (100/72) factor of safety. This factor is greater

than the minimum 1.25 factor of safety provided under § 195.406(a)(3) by hydrostatic pressure testing. The 1.25 factor, which results from limiting maximum operating pressure to 80 percent of test pressure, is generally accepted as a sufficient measure of pipeline integrity.

MTB concurs with API's criticism of the current standard for accepting or rejecting isolated corrosion pitting because it has no apparent scientific foundation and does not emphasize pipe strength. The remaining pressure strength of pipe material in a corroded area is the most important consideration in determining whether the pipe can safely continue in use. Although evaluating that strength is a complex problem, the Battelle criteria have gained recognition as an acceptable method of evaluation. Not only are the criteria included in the B31.4 Code—1979, but they are also in the ASME B31.8 Code for gas pipelines and the ASME *Guide for Gas Transmission and Distribution Piping Systems—1932*.

In view of the safety provided by the Battelle criteria, their widespread acceptance by the industry, and the potential for cost savings, the MTB published a notice of proposed rulemaking (48 FR 46589, October 13, 1983) proposing to grant API's petition and amend § 195.416(g) to allow use of the Battelle criteria. Rather than including the criteria directly in § 195.416(g), the notice proposed the adoption of a performance standard because it would permit the use of future technological developments. Although the B31.4 Code provisions that API recommended are not performance standards, the MTB standard in 49 CFR 192.485(b) for localized corrosion pitting on gas transmission lines is written in performance terms. This Part 195 standard for pipelines comparable to interstate hazardous liquid pipelines and operated in similar environments has provided an acceptable level of safety without enforcement difficulties since its adoption in 1978 (36 FR 12302). MTB proposed in the notice therefore, that this standard, in a slightly modified form to fit the Part 195 regulatory context, be adopted for isolated corrosion pitting on hazardous liquid pipelines subject to Part 195 instead of the current § 195.416(g).

Eleven commenters responded to the notice in Docket PS-77. The American Petroleum Institute, the American Gas Association, the Interstate Natural Gas Association of America, as well as eight major pipeline operators. All of the commenters recommended adoption of the proposed standard.

One pipeline operator, while generally agreeing with the proposed rule to permit the use of the Battelle criteria for external corrosion pitting, recommended that § 195.418 also be revised to permit the use of the criteria for internal corrosion pitting. Although this recommendation goes beyond the scope of the notice, MTB believes the recommended rule change is unnecessary, because § 195.418 is written in performance terms that allow use of the Battelle criteria for evaluating internal corrosion effects where proper length and depth measurements can be made.

The notice of proposed rulemaking was presented to the Technical Hazardous Liquid Pipeline Safety Standards Committee on December 7, 1983. The committee found the proposed rule to be technically feasible, reasonable, and practicable.

Classification

The Regulatory Flexibility Act (94 Stat 1164, 5 U.S.C. 601) requires a review of certain rules proposed after January 1, 1981, for their effects on small businesses, organizations, and governmental bodies. I certify that the final rule will not have a significant economic impact on a substantial number of small entities because few, if any, interstate hazardous liquid pipelines are owned by small entities.

Since this proposed rule will have a positive effect on the economy of less than \$100 million a year, will result in cost savings to consumers, industry, and governmental agencies, and no adverse effects are anticipated, the action is not "major" under Executive Order 12291. Also, it is not "significant" under Department of Transportation procedures (DOT Order 2100.5). Further, MTB has determined that this final rule does not require a full Regulatory Evaluation under those procedures. While the rule would provide definite cost savings for operators in many cases, the difference between the existing and revised requirements and the frequency at which savings would occur should result only in a minor cost savings impact on the hazardous liquid pipeline industry as a whole.

List of Subjects in 49 CFR Part 195

Pipeline safety, External corrosion, Isolated corrosion pitting.

PART 195—[AMENDED]

In view of the foregoing, MTB hereby revises § 195.418(g) to read as follows:

§ 195.416 External corrosion control.

* * * * *

(g) If localized corrosion pitting is found to exist to a degree where leakage might result, the pipe must be replaced or repaired, or the operating pressure must be reduced commensurate with the strength of the pipe based on the actual remaining wall thickness in the pits.

* * * * *

(49 U.S.C. 2002; 49 CFR 1.153 and Appendix A of Part 1)

Issued in Washington on September 12, 1984.

L.D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 84-24549 Filed 9-14-84; 8:45 am]

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INTERSTATE COMMERCE COMMISSION

49 CFR Part 1011

Delegation of Authority to Chairman and Director, Office of Proceedings

AGENCY: Interstate Commerce Commission.

ACTION: Final rules.

SUMMARY: On July 31, 1984, the Commission exercised its power under 49 U.S.C. 10305(a) to recall certain matters previously delegated to the Office of Proceedings' Review Board to Divisions of the Commission.

The Commission has decided to recall the authority to issue certificates and decisions authorizing abandonments or discontinuances when the proceeding is either (a) filed under 49 U.S.C. 10903 and not protested pursuant to 49 U.S.C. 10904(b); or (b) involves an application by Consolidated Rail Corporation (Conrail) under section 308 of the Regional Rail Reorganization Act of 1973. The Commission delegates the authority to issue these certificates and decisions to the Chairman of the Commission because applications filed under these provisions must be granted by the Commission.

Concurrently, the Chairman has delegated the authority to issue these certificates and decisions to the Director of the Office of Proceedings.

EFFECTIVE DATE: September 17, 1984.

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer (202) 275-7245, or Wayne A. Michel (202) 275-7657.

SUPPLEMENTARY INFORMATION:

Comments: Since this is a final action undertaken to revise internal organization matters, formal comments are unnecessary. 5 U.S.C. 553(b)(A).

Prior to August 1, 1984, the Commission's Review Board decided licensing, rates, and finance proceedings including abandonments and

discontinuances. On August 12 and September 12, 1983, the Commission voted to abolish the Review Board and to recall its docket for handling by Divisions of the Commission. The effective date for that action was established as July 31, 1984. All Review Board actions, with a few exceptions discussed in 49 CFR Parts 1011, 1115, and 1160, *Removal of Delegated Authority From the Review Board* (not printed), served August 1, 1984, were to be handled by the Divisions.

We have now decided to delegate certain abandonment and discontinuance proceedings to the Chairman. Specifically, the Chairman shall handle abandonment and/or discontinuance proceedings that either are (1) filed under 49 U.S.C. 10903 and not protested pursuant to 49 U.S.C. 10904(b), or (2) filed by Conrail pursuant to section 308(c)(2) of the Regional Rail Reorganization Act of 1973 (3R Act) (45 U.S.C. 748). This decisional authority is being delegated because applications filed under these provisions must be granted by the Commission. The Interstate Commerce Act provision covering abandonment and/or discontinuance applications states:

(b) If no protest is received within 30 days after the application is filed, the Commission shall find that the public convenience and necessity require or permit the abandonment or discontinuance. 49 U.S.C. 10904(b).

The 3R Act provision governing Conrail abandonment and/or discontinuance applications contains similar language.

(2) . . . An application for abandonment that is filed by [Conrail] under this subsection for a line for which a notice of insufficient revenues was filed under paragraph (1) shall be granted by the Commission within 90 days after the date such application is filed unless within such 90 day period, an offer of financial assistance is made in accordance with subsection (d) of this section with respect to such line. 45 U.S.C. 748(c)(2).

Thus, if certain formal procedural requirements are met, the Commission must authorize the abandonment and/or discontinuance applications.

Under these circumstances, we find that these matters are ministerial and should be delegated to the Chairman. For the same reason, the Chairman has decided to delegate consideration of these cases to the Director of the Office of Proceedings.

These changes require minor revisions of several sections in 49 CFR Part 1011. New paragraphs are added to specifically list the additional duties of the Chairman and Director of the Office of Proceedings, respectively. Since the rule changes only affect internal Commission procedures, they are issued

in final form and public comment is not required. The revisions in the Appendix are adopted.

This action does not affect significantly the quality of the human environment or energy conservation.

List of Subjects in 49 CFR Part 1011

Administrative practice and procedure, authority delegations.

These final rules are issued pursuant to 5 U.S.C. 553 and 49 U.S.C. 10305.

Dated: September 10, 1984.

By the Commission; Chairman Taylor, Vice Chairman Andre, Commissioners Sterret and Gradison.

James H. Bayne,
Secretary.

Appendix

49 CFR Chapter X is amended as follows:

1. Section 1011.5 is amended by adding new paragraphs (a) (8) and (9) to read as follows:

§ 1011.5 Delegations to individual Commissioners.

(a) * * *

(8) Issuance of certificates and decisions when no protest is received within 30 days after an abandonment or discontinuance application is filed under 49 U.S.C. 10903 and the Commission must find, pursuant to 49 U.S.C. 10904(b), that the public convenience and necessity require or permit the abandonment or discontinuance.

(9) Issuance of certificates and decisions authorizing the Consolidated Rail Corporation to abandon or discontinue service over lines for which an application under section 308 of the Regional Rail Reorganization Act of 1973 has been filed.

* * * * *

§ 1011.6 [Amended]

2. Section 1011.6 is amended by amending the first sentence in paragraph (e)(1) by revising the phrase "in paragraphs (f)(2) and (k) of this section" to read "in paragraphs (f)(2) and (k) of this section and paragraphs (8) and (9) of § 1011.5(a)".

3. Section 1011.7 is amended by adding new paragraphs (i) and (j) to read as follows:

§ 1011.7 Delegation of authority by the Chairman of the Interstate Commerce Commission.

* * * * *

(i) Issuance of certificates and decisions when no protest is received within 30 days after an abandonment or discontinuance application is filed under 49 U.S.C. 10993, and the Commission must find, pursuant to 49 U.S.C. 10904(b) that the public convenience and necessity require or permit the abandonment or discontinuance, is delegated to the Director of the Office of Proceedings.

(j) Issuance of certificates and decisions authorizing the Consolidated Rail Corporation to abandon or discontinue service over lines for which an application under section 308 of the Regional Rail Reorganization Act of 1973 has been filed is delegated to the Director of the Office of Proceedings.

[FR Doc. 84-2483 Filed 9-14-84; 8:55 am]
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