FOR FURTHER INFORMATION CONTACT: James Reynolds by telephone at 202–366–2786; by fax at 202–366–4566; by mail at DOT, Pipeline and Hazardous Materials Safety Administration (PHMSA), Pipeline Safety Program (PHP), 400 7th Street, SW., Room 2103, Washington, DC 20590, or by e-mail at *james.reynolds@dot.gov*.

SUPPLEMENTARY INFORMATION:

Background

Alliance Pipeline L.P. requests a waiver from the pipeline regulations to operate the U.S. portion of its pipeline in Class 1 and Class 2 locations—upstream of the Aux Sable Delivery Meter Station (mile post 0.0) to its interconnection with the Canadian portion of the APL system at the Canadian/United States border near Minot, North Dakota (mile post 874)—at stress levels up to 80 percent of the pipeline's SMYS. APL is also requesting a waiver to increase the design factor for its compressor station piping as well as relief from the hydrostatic testing requirements for its compressor station piping. Specifically, APL requests a waiver of compliance from the following regulatory requirements:

- 49 CFR 192.111—Design factor (F) for steel pipe;
- 49 CFR 192.201—Required capacity of pressure relieving and limiting stations;
- 49 CFR 192.505—Strength test requirements for steel pipelines to operate at a hoop stress of 30 percent or more of SMYS; and
- 49 CFR 192.619—Maximum allowable operating pressure: Steel or plastic pipelines.

The U.S. portion of APL's pipeline system transports natural gas from the Canadian/United States border near Minot, North Dakota to the Aux Sable Delivery Meter Station near Chicago, Illinois. The U.S. pipeline system was commissioned in 2000 and is comprised of 888-miles of 36-inch diameter X70 pipes, with varying wall thicknesses, and 7 compressor stations. The pipeline was constructed using fusion bonded epoxy (FBE) coating, heavy-wall pipe, and was mechanically welded. The pipeline was in-line inspected using a high resolution magnetic flux leakage tool, and all girth welds were inspected.

Pipeline System Analysis

APL conducted evaluations of the U.S. portion of its pipeline to confirm whether the system could safely and reliably operate at increased stress levels. As part of its evaluation, APL established a feasibility criterion to assess the safety and reliability of the pipeline to operate at stress levels up to 80 percent of the pipeline's SMYS. The feasibility criterion includes, but is not limited to:

- Developing operational commitments that would improve safety for any person residing, working, or recreating near the U.S. portion of its pipeline, including approximately 15 miles of pipeline located in high consequence areas.
- Conducting in-depth assessments of its existing pipeline equipment to ensure the equipment is capable of sustaining operations at increased pressures. In addition, APL plans to modify its existing pipeline to enhance the safety and reliability of the pipeline to operate at stress levels up to 80 percent of the pipe's SMYS.

APL also performed technical reviews of its pipeline and compared the threats imposed on a pipeline operating at 72 percent SMYS to those imposed on a pipeline operating at 80 percent SMYS. The following nine threats were analyzed: (1) Excavation damage; (2) external corrosion; (3) internal corrosion; (4) stress corrosion cracking; (5) pipe manufacturing; (6) construction; (7) equipment; (8) weather/outside factors; and (9) incorrect operation.

To combat increased threats to its pipeline, APL implemented preventive measures as part of its Integrity Management Program (IMP) to mitigate the threat imposed by excavation damage. APL also developed an External Corrosion Mitigation Plan to address the threat of external corrosion, and APL will rely on the integrity reassessment intervals of IMP to mitigate the threat of internal corrosion. To manage the threat of stress corrosion cracking, APL will implement magnetic particle examinations at any location(s) along its pipeline where damage to its FBE coating is detected. Based on APL's technical review of its pipeline, and its actions to prevent and mitigate potential threats to the pipeline, APL believes that its pipeline can be safely and reliably operated at stress levels up to 80 percent of the pipeline's SMYS, with no increased threats to the pipeline.

APL also requests relief from regulations which require that compressor station piping be subjected to Class 3 testing requirements, and seeks to increase the design factor from 50 percent SMYS to 54 percent SMYS. Additionally APL asks to be allowed to use ASME B31.8 requirements to test compressor stating piping to 1.4 times the maximum allowable operating pressure (MAOP) in lieu of § 192.505 requirements that require compressor station piping be tested to 1.5 times the pipe's MAOP.

APL noted that since ASME B31.8, which served as the early standard for the design, construction, and operation of natural gas transmission pipelines, PHMSA has improved its pipeline safety regulations to include an integrity management program and a focus on high consequence areas. APL also embraces PHMSA's commitment to improving pipeline safety, and believes its proposal will achieve a greater degree of safety than that currently provided by the regulations.

PHMSA will consider APL's waiver request and whether its proposal will yield an equivalent or greater degree of safety than that provided by the current regulations. After considering any comments received, PHMSA may grant APL's waiver request as proposed, with modifications and conditions, or deny APL's request. If the waiver is granted and PHMSA subsequently determines the effect of the waiver is inconsistent with pipeline safety, PHMSA may revoke the waiver at its sole discretion.

Authority: 49 U.S.C. 60118(c) and 49 CFR 1.53.

Issued in Washington, DC, on March 20, 2006.

Joy Kadnar,

Director of Engineering and Emergency Support.

[FR Doc. 06–2830 Filed 3–21–06; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2006–23998; Notice 1]

Pipeline Safety: Request for Waiver; Rockies Express Pipeline

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

ACTION: Notice of intent to consider waiver request.

SUMMARY: The Rockies Express Pipeline LLC (Rockies Express) has requested a waiver of compliance from the pipeline safety regulation that prescribes the design factor to be used in the design formula for steel pipe. The waiver will allow Rockies Express to operate at hoop stresses up to 80 percent specified minimum yield strength (SMYS) in Class 1 locations.

DATES: Persons interested in submitting comments regarding this waiver request must do so by April 21, 2006.

ADDRESSES: Comments should reference Docket No. PHMSA–2006–23998 and may be submitted in the following ways:

• The DOT Web site: *http://dms.dot.gov.* To submit comments on the DOT electronic docket site, click ''Comment/Submissions,'' click ''Continue,'' fill in the requested information, click ''Continue,'' enter your comment, then click ''Submit.''

• Fax: 202–493–2251.

• Mail: Docket Management System: U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.

• Hand Delivery: DOT Docket Management System; Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• E-Gov Web site: *http://www.Regulations.gov.* This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

Instructions for submitting comments: You should identify the docket number (PHMSA–2006–23998) at the beginning of your comments. If you submit your comments by mail, please submit two copies. If you wish to receive confirmation that PHMSA received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov,* and may access all comments received by DOT at *http://dms.dot.gov* by performing a simple search for the docket number.

Note: All comments will be posted without changes or edits to *http://dms.dot.gov,* including any personal information provided.

Privacy Act Statement: Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: James Reynolds by telephone at 202–366–2786; by fax at 202–366–4566; by mail at DOT, Pipeline and Hazardous Materials Safety Administration (PHMSA), Pipeline Safety Program (PHP), 400 7th Street, SW., Room 2103, Washington, DC 20590; or by e-mail at *james.reynolds@dot.gov.*

SUPPLEMENTARY INFORMATION:

Background

Rockies Express Pipeline LLC (Rockies Express) requests a waiver of compliance from the regulatory requirements at 49 CFR 192.111. This regulation prescribes the design factor to be used in the design formula in § 192.105. The design factors are found in the following table:

Class location	Design factor (F)
1	0.72
2	0.60
3	0.50
4	0.40

Rockies Express has begun construction on a 1,323-mile interstate natural gas pipeline. When complete, the 42-inch diameter pipeline will transport natural gas from Colorado and Wyoming to markets in the upper Midwest and Eastern United States. The waiver will allow Rockies Express to operate its pipeline at hoop stresses up to 80 percent SMYS in Class 1 locations. Rockies Express Pipeline LLC is a joint development of Kinder Morgan Energy Partners, L.P. and Sempra Pipelines & Storage, a unit of Sempra Energy. Rockies Express will operate its pipeline at a maximum allowable operating pressure (MAOP) of 1480 pounds per square inch gauge.

Rockies Express' long-term plan is to construct the pipeline in two or three phases from west to east: Western, Central, and Eastern.

• The Western segment of the project is comprised of approximately 710 miles of 42-inch pipeline extending from the Cheyenne Hub to an interconnection with Panhandle Eastern Pipe Line Company in Audrain County, Missouri.

• The Central segment will be comprised of approximately 425 miles of 42-inch pipeline extending from the terminus of the Western segment in Audrain County, Missouri to the Lebanon Hub in Lebanon, Ohio.

• The Eastern segment will be comprised of approximately 188 miles of 42-inch pipeline extending from the terminus of the Central segment at Lebanon, Ohio to a terminus at or near Clarington, Ohio.

System Description

The Rockies Express pipeline will be constructed of steel pipe utilizing Kinder Morgan's Material Standard M8270, X–70 and X–80 Grade High Strength, High Toughness Welded Line Pipe for High-Pressure Transmission Service. The Class 1 line pipe for the proposed Rockies Express pipeline will be API 5L Grade X80 or X70 longitudinal seam submerged arc welded pipe or helical seam welded pipe as specified in Kinder Morgan's Material Standard M8270. The pipe will be externally coated with fusion bond epoxy (FBE) and the field weld joints will be externally coated with field applied FBE.

The welding process on Rockies Express Pipeline Project will be 100 percent nondestructively tested. Any imperfections discovered will be repaired or removed prior to putting the line in-service. The Rockies Express Pipeline will be hydrostatically tested at no less then 100 percent SMYS. Prior to commissioning the pipeline for gas service, the pipeline will be surveyed with a multi-channel geometry smart tool capable of detecting anomalies including dents and buckles.

The Rockies Express pipeline will be located in a common right-of-way with other pipelines for approximately 90 percent of the pipeline route. Kinder Morgan will install variable resistance bonds between the various pipelines and metallic structures sharing the right-of-way to eliminate stray electrical currents, and to equalize the voltage potentials between the Rockies Express pipeline and other underground metallic structures.

Risk Analysis

Kinder Morgan conducted a risk analysis for Rockies Express and compared the risk associated with using a 0.80 design criteria to using a 0.72 design criteria. Kinder Morgan determined that there is no significant increase in the risk associated with using the 0.80 design criteria for this type of pipe. Kinder Morgan has taken under consideration the following nine risk areas: (1) Stress corrosion cracking; (2) manufacturing defects; (3) weather/outside factors; (4) welding and fabrication defects; (5) equipment failure; (6) equipment impact (third party damage); (7) external corrosion; (8) internal corrosion; and (9) incorrect operation.

According to Kinder Morgan, only in the areas of external corrosion, internal corrosion, and, incorrect operation did the risk analysis show a slightly higher degree of risk associated with using a 0.80 design factor. Kinder Morgan asserts that the pipe wall designed with a 0.80 design factor indicates a slightly higher risk factor because it is manufactured with a thinner wall pipe than the pipe designed with a 0.72 design factor. Kinder Morgan further states that because the pipe designed with a 0.80 design factor operates at higher stress levels, the factor of safety between the MAOP and the pipe's SMYS is reduced. Kinder Morgan and Rockies Express indicated that they will employ several control and prevention programs to mitigate these increased risks.

For the reasons stated, Rockies Express is requesting a waiver from the regulatory requirements at 49 CFR 192.111 for its Rockies Express Pipeline Project, and is seeking to operate its new interstate Rockies Express pipeline at hoop stresses up to 80 percent SMYS in Class 1 locations.

PHMSA will consider Rockies Express' waiver request and whether its proposal will yield an equivalent or greater degree of safety than that currently provided by the regulations. After considering any comments received, PHMSA may grant Rockies Express' waiver request as proposed, with modifications and conditions, or deny the request. If the waiver is granted and PHMSA subsequently determines the effect of the waiver is inconsistent with pipeline safety, PHMSA reserves the right to revoke the waiver at anytime.

Authority: 49 U.S.C. 60118(c) and 49 CFR 1.53.

Issued in Washington, DC, on March 17, 2006.

Theodore L. Willke,

Deputy Associate Administrator for Pipeline Safety.

[FR Doc. 06–2831 Filed 3–21–06; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2006–23448; Notice 1]

Pipeline Safety: Request for Waiver; Maritimes & Northeast Pipeline, L.L.C.

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

ACTION: Notice of intent to consider waiver request.

SUMMARY: Maritimes & Northeast Pipeline, L.L.C. (M&N) requests a waiver of compliance for the U.S. portion of its pipeline system in Class 1, 2, and 3 locations to operate at stress levels up to 80 percent; 67 percent; and 56 percent respectively, of the pipeline's specified minimum yield strength (SMYS).

DATES: Persons interested in submitting comments on the waiver request described in this Notice must do so by April 21, 2006.

ADDRESSES: Comments should reference Docket No. PHMSA–2006–23448 and may be submitted in the following ways:

- DOT Web site: *http://dms.dot.gov.* To submit comments on the DOT electronic docket site, click ''Comment/Submissions,'' click ''Continue,'' fill in the requested information, click ''Continue,'' enter your comment, then click ''Submit.''
- Fax: 202–493–2251.
- Mail: Docket Management System: U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.
- Hand Delivery: DOT Docket Management System; Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- E-Gov Web Site: *http://www.Regulations.gov.* This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

Instructions: You should identify the docket number, PHMSA–2006–23448, at the beginning of your comments. If you submit your comments by mail, you should submit two copies. If you wish to receive confirmation that PHMSA received your comments, you should include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov,* and may access all comments received by DOT at *http://dms.dot.gov* by performing a simple search for the docket number.

Note: All comments will be posted without changes or edits to *http://dms.dot.gov* including any personal information provided.

Privacy Act Statement: Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: James Reynolds by telephone at 202–366–2786; by fax at 202–366–4566; by mail at DOT, Pipeline and Hazardous Materials Safety Administration (PHMSA), Pipeline Safety Program (PHP), 400 7th Street, SW., Room 2103, Washington, DC 20590; or by e-mail at *james.reynolds@dot.gov.*

SUPPLEMENTARY INFORMATION:

Background

Maritimes & Northeast Pipeline, L.L.C. requests a waiver of compliance for the U.S. portion of its pipeline system in Class 1, 2, and 3 locations to operate at stress levels up to 80 percent; 67 percent; and 56 percent respectively, of the pipeline's SMYS. Specifically, M&N requests a waiver of compliance from the following regulatory requirements:

- 49 CFR 192.111—Design factor (F) for steel pipe;
- 49 CFR 192.201—Required capacity of pressure relieving and limiting stations;
- 49 CFR 192.503—General Requirements;
- 49 CFR 192.611—Change in class location: Confirmation or revision of maximum allowable operating pressure; and
- 49 CFR 192.619—Maximum allowable operating pressure: Steel or plastic pipelines.

The proposed waiver would apply to approximately 203 miles of M&N's 24-inch diameter pipeline. This portion of pipeline extends from M&N's Baileyville, Maine compressor station near the U.S./Canada border to Westbrook, Maine; and includes two compressor stations. The current maximum allowable operating pressure (MAOP) of the mainline system is 1440 pounds per square inch gauge (psig).

M&N placed its pipeline in service on December 1, 1999. The pipeline is operated by M&N Operating Company, LLC—a wholly owned subsidiary of Duke Energy Gas Transmission. The pipeline is 24-inch diameter, Grade X–70 pipe with varying wall thicknesses. One hundred percent of the pipeline's girth welds were inspected using radiography, and the pipeline—including girth welds—are coated with fusion bonded epoxy. M&N tested the Class 1 and 2 pipelines to 125 percent MAOP; the Class 3 pipeline was tested to 150 percent MAOP. In addition, M&N performed an in-line inspection of its pipeline in 2002 and no anomalies were detected.

Pipeline System Analysis

M&N conducted evaluations of the U.S. portion of its pipeline to confirm whether the system could safely and reliably operate at increased stress levels. As part of its evaluation, M&N analyzed and compared the threats imposed on a pipeline operating at 72 percent SMYS to those imposed on a pipeline operating at 80 percent SMYS; including: (1) External corrosion; (2) internal corrosion; (3) stress corrosion cracking; (4) pipe manufacturing; (5) construction; (6) equipment; (7) immediate failure due to puncture; (8) delayed failure due to resident defects or damage; (9) incorrect operation; and (10) weather/outside factors. M&N asserts that any impact(s) that potentially threaten the integrity of its pipeline, as a consequence of the line operating at higher stress levels, have been addressed.