

Staff (93), Office of Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue, NW Washington, DC, (202) 233-4339.

SUPPLEMENTARY INFORMATION:

I. Background

The Office of Federal Procurement Policy (OFPP) of the Office of Management and Budget has directed each executive agency to review their respective acquisition regulations to ensure that they are the minimum necessary to appropriately implement and supplement the FAR. This mandate is specifically aimed at reducing repetitive coverage in the agency acquisition regulation text.

This document contains a technical amendment to change the title of Title 48, Code of Federal Regulations, Chapter 8, Veterans Administration, to Title 48, Code of Federal Regulations, Chapter 8, Department of Veterans Affairs, to conform to the redesignation of the Veterans Administration to the Department of Veterans Affairs (Pub. L. 100-527).

VA is amending its regulations to update organizational titles and to delete duplicative coverage from 48 CFR Chapter 8. In addition, authorization is being given the head of the contracting activity to approve group insurance plans under cost reimbursement contracts.

These changes are internal VA management policies and therefore public participation is unnecessary (5 U.S.C. 553(d)(3)).

II. Executive Order 12291

Pursuant to the memorandum from the Director, Office of Management and Budget, to the Administrator, Office of Information and Regulatory Affairs, dated December 13, 1984, this proposed rule is exempt from sections 3 and 4 or Executive Order 12291.

III. Regulatory Flexibility Act (RFA)

Since a notice of proposed rulemaking is unnecessary and will not be published, these amendments do not come within the term "rule" as defined in the Regulatory Flexibility Act, 5 U.S.C. 601(2), and are therefore not subject to the requirements of the Act. Nevertheless, these amendments will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612.

IV Paperwork Reduction Act

These amendments do not impose any additional reporting or recordkeeping requirements on the public which require the approval of the Office of

Management and Budget under 44 U.S.C. 3501 et seq.

List of Subjects in 48 CFR 828 and 829

Government procurement.

Approved: May 26, 1989.

Edward J. Derwinski,
Secretary.

In 48 CFR Chapter 8, the title, and Parts 828 and 829 are amended as follows:

1. Title 48, Chapter 8, Code of Federal Regulations, is amended by revising the title to read as follows: Chapter 8—Department of Veterans Affairs

2. The authority citation for Parts 828 and 829 continues to read as follows:

Authority: 38 U.S.C. 210 and 40. U.S.C. 486(c).

PART 828—[AMENDED]

Subpart 828.2—[Removed]

3. Subpart 828.2, sections 828.203, 828.203-1, and 828.203-2 are removed.

4. Section 828.307-1 is added to read as follows:

828.307-1 Group insurance plans.

Under cost reimbursements contracts, before buying insurance under a group insurance plan, the contractor shall submit the plan to the contracting officer for review. During review, the contracting officer should utilize all sources of information available such as audit, industry practices, etc., to determine that acceptance of the group insurance plan, as submitted, is in the Government's best interest, prior to submitting the determination and the plan to the head of the contracting activity for approval.

828.7101 [Amended]

5. In 828.7101(a), remove the word "Administrator" and insert in its place, the word "Secretary" and in 828.7101(b), remove the words "Procurement and Supply" and insert in their place, the words "Acquisition and Materiel Management"

PART 829—[AMENDED]

829.202-70 [Amended]

6. In 829.202-70(a)(2), remove the words "Chief, Marketing Center," and insert in their place, the words "Director, Marketing Center" and remove the words "Chief, Supply Service" and insert in their place, the words "Chief, Acquisition and Materiel Management Service"

829.270 [Amended]

7 In 829.270(a) remove the words "the VA" wherever they appear and insert in their place, the word "VA"

829.270-1 [Amended]

8. In 829.270-1, in paragraphs (a), (b), and (e), remove the words "the VA" wherever they appear and insert in their place, the word "VA"

829.270-2 [Amended]

9. In 829.270-2, the section heading is amended to read as follows:

829.270-2 Processing of order by Department of Veterans Affairs.

Subpart 829.3—[Removed]

10. Subpart 829.3 and section 829.302 are removed.

[FR Doc. 89-13296 Filed 6-5-89; 8:45 am]

BILLING CODE 8320-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. PS-97; Amdt. 192-60A]

RIN 2137-AB20

Confirmation or Revision of Maximum Allowable Operating Pressure; Alternative Method

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule.

SUMMARY: Under this final rule, the maximum allowable operating pressure (MAOP) of a pipeline may be confirmed or revised as a specified percentage of its past test pressure, provided the test was conducted for at least 8 hours. Previously, a pipeline must have been tested to at least 90 percent of the specified minimum yield strength (SMYS) of the pipe to qualify for this method of confirming or revising MAOP. This rule change may reduce the need to retest pipelines for which past test pressures provide an adequate safety basis for current operating pressures.

EFFECTIVE DATE: This final rule takes effect July 6, 1989.

FOR FURTHER INFORMATION CONTACT: Bernard L. Liebler, (202) 366-2392, regarding the subject matter of this final rule or the Docket Unit, (202) 366-4148, regarding copies of this final rule or other material in the docket.

SUPPLEMENTARY INFORMATION:

Background

Section 192.611 requires that, when the class location (population density) of a pipeline segment increases, the

maximum allowable operating pressure (MAOP) must be confirmed or revised to be compatible with the existing class location. The rule permits three alternatives for confirming or revising the MAOP of the pipeline segment.

Under the first alternative (§ 192.611(a)), if the pipeline segment has been tested to at least 90 percent of its SMYS, its MAOP must be confirmed or reduced so that the resulting hoop stress will not exceed 72 percent of SMYS in Class 2 locations; 60 percent of SMYS in Class 3 locations; and 50 percent of SMYS in Class 4 locations. Under the second alternative (§ 192.611(b)), if the segment has not been tested to 90 percent of its SMYS, the MAOP must be reduced so that the corresponding hoop stress is not greater than that permitted for new segments of pipeline in the existing class location. Finally, the third alternative (§ 192.611(c)) requires pressure testing of the pipeline segment in accordance with the requirements of Subpart J. Pipeline segments tested under this alternative must be operated within the hoop stress constraints of the first alternative, and the MAOP is limited to 0.8 times the test pressure in Class 2, 0.667 in Class 3, and 0.555 in Class 4.

Notice 1 of this proceeding (53 FR 1043, January 15, 1988) proposed revising the first alternative to permit operators to confirm or revise the MAOP of a pipeline segment within the hoop stress constraints and MAOP limits of the third alternative based on any prior test pressure held for at least 8 hours. Under this proposal, the pipeline segment need not have been tested to at least 90 percent of its SMYS.

Comments

In response to Notice 1, RSPA received 28 comments from operators, State regulatory agencies, and trade groups. The commenters unanimously supported the objective of the proposed rule change.

A few commenters, however, suggested minor modifications so that the proposed alternative method would not result in a lower MAOP than could be obtained under § 192.611(b). One of these commenters cited the example of a pipeline tested originally to a pressure creating a hoop stress of 66 percent of SMYS, operating currently at 60 percent of SMYS, and experiencing a class location change from Class 2 to Class 3. This commenter noted that, under the proposed alternative method, the pipeline could be operated at 44 percent of SMYS ($66\% \times .667 = 44\%$), but it could be operated under the second alternative (§ 192.611(b)) at a pressure

producing a hoop stress of 50 percent of SMYS.

RSPA has not modified the proposed alternative method as recommended because it was not intended necessarily to allow a higher MAOP than other permitted methods. The intent of the proposed rule was to provide an alternative to retesting pipelines for all pipelines previously tested for at least 8 hours.

One commenter assumed that § 192.611 (a), (b), and (c) must be applied sequentially. Rather, Section 192.611 provides alternative methods for confirming or revising MAOP each of which results in a safe operating pressure. (See, e.g., Docket No. PS-90, Amdt. 192-53; 51 FR 34987.) The alternative method incorporated in this final rule will not change that policy. It will simply provide the operator with an additional method to apply in the proper circumstances.

To ensure the clarity of the rule, RSPA has revised the language of § 192.611 (a), (b), and (c) to specify the alternative nature of the requirements. In addition, RSPA has deleted the existing § 192.611(e)(1), which applies to class location changes that occurred before July 1, 1973, because this section is obsolete; and in the new paragraph (c), a reference to paragraph (a)(1) has been included because as a result of this amendment, pressure reduction may occur under either paragraph (a)(1) or (a)(2).

Advisory Committee Review

Section 4(b) of the Natural Gas Pipeline Safety Act of 1968, as amended (49 U.S.C. 1673(b)), requires that each proposed amendment to a safety standard established under this statute be submitted to a 15-member advisory committee for its consideration. The Technical Pipeline Safety Standards Committee, composed of persons knowledgeable about transportation of gas by pipeline, discussed the proposed rule at a meeting held September 22, 1987. The Committee voted unanimously that the proposal was technically feasible, reasonable, and practicable. The Committee's official report for the meeting is in the docket.

Impact Assessment

This final rule is considered to be nonmajor under Executive Order 12291 and is not a significant rule under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since the rule provides an alternative to an existing requirement, it will have a minimal impact on the economy, and a further evaluation of costs and benefits is unnecessary. Also, based on the facts

available about the impact of this rulemaking action, I certify pursuant to section 605 of the Regulatory Flexibility Act that the action will not have a significant economic impact on a substantial number of small entities.

RSPA has analyzed this action in accordance with the principles and criteria contained in E. O. 12612 (52 FR 41685) and has determined that it does not have sufficient federalism implications to warrant preparing a Federalism Assessment.

List of Subjects in 49 CFR Part 192

Pipeline Safety, Test, Tie-in, Joint.

In view of the foregoing RSPA amends 49 CFR Part 192 as follows:

PART 192—[AMENDED]

1. The authority citation for Part 192 continues to read as follows:

Authority: 49 App. U.S.C. 1672 and 1804; 49 CFR 1.53.

2. Section 192.611 is revised to read as follows:

§ 192.611 Change in class location: Confirmation or revision of maximum allowable operating pressure.

(a) If the hoop stress corresponding to the established maximum allowable operating pressure of a segment of pipeline is not commensurate with the present class location, and the segment is in satisfactory physical condition, the maximum allowable operating pressure of that segment of pipeline must be confirmed or revised according to one of the following requirements:

(1) If the segment involved has been previously tested in place for a period of not less than 8 hours, the maximum allowable operating pressure is 0.8 times the test pressure in Class 2 locations, 0.667 times the test pressure in Class 3 locations, or 0.555 times the test pressure in Class 4 locations. The corresponding hoop stress may not exceed 72 percent of the SMYS of the pipe in Class 2 locations, 60 percent of SMYS in Class 3 locations, or 50 percent of SMYS in Class 4 locations.

(2) The maximum allowable operating pressure of the segment involved must be reduced so that the corresponding hoop stress is not more than that allowed by this part for new segments of pipelines in the existing class location.

(3) The segment involved must be tested in accordance with the applicable requirements of Subpart J of this part, and its maximum allowable operating pressure must then be established according to the following criteria:

(i) The maximum allowable operating pressure after the requalification test is 0.8 times the test pressure for Class 2 locations, 0.667 times the test pressure for Class 3 locations, and 0.555 times the test pressure for Class 4 locations.

(ii) The maximum allowable operating pressure confirmed or revised in accordance with this section, may not exceed the maximum allowable operating pressure established before the confirmation or revision.

(iii) The corresponding hoop stress may not exceed 72 percent of the SMYS of the pipe in Class 2 locations, 60 percent of SMYS in Class 3 locations, or 50 percent of SMYS in Class 4 locations.

(b) Confirmation or revision of the maximum allowable operating pressure of a segment of pipeline in accordance with this section does not preclude the application of §§ 192.553 and 192.555.

(c) Confirmation or revision of the maximum allowable operating pressure that is required as a result of a study under § 192.609 must be completed within 18 months of the change in class location. Pressure reduction under paragraph (a) (1) or (2) of this section within the 18-month period does not preclude establishing a maximum allowable operating pressure under paragraph (a)(3) of this section at a later date.

Issued in Washington, DC, on June 1, 1989.
Travis P Dungan,
Administrator, Research & Special Programs Administration.
 [FR Doc. 89-13388 Filed 6-5-89; 8:45 am]
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DEPARTMENT OF COMMERCE

National Oceanic and Administration

50 CFR Part 661

[Docket No. 90515-9115]

Ocean Salmon Fisheries off the Coasts of Washington, Oregon, and California; Corrections

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of 1989 fishery management measures, modification of the Klamath River fall chinook spawning escapement rate; corrections.

SUMMARY: This notice corrects an error and clarifies a table in the notice of 1989 fishery management measures and modified spawning escapement rate for the commercial and recreational ocean salmon fisheries off Washington, Oregon, and California, which was published May 8, 1989 (54 FR 19798).

EFFECTIVE DATE: May 1, 1989.

FOR FURTHER INFORMATION CONTACT:
 William L. Robinson (Northwest Region, NMFS), 206-526-6140; Rodney R. McInnis (Southwest Region, NMFS), 213-514-6199; or Lawrence D. Six (Pacific Fishery Management Council), 503-221-6352.

In FR document 89-10793 in the issue of May 8, 1989, beginning on page 19798, the following corrections are made:

1. On page 19800, column 1, under the heading "Pink Salmon Stocks" in line 21 of the 2nd paragraph, the coordinate is corrected to read "48° N. lat."

2. Table 3 on pages 19807-8 is clarified to indicate that the restrictions specified under the "Special restrictions by area column apply to both open seasons defined under each treaty-Indian tribe. For example, under the Makah tribe, the special restriction by area (stating "Barbless hooks, except that hooks used with bait and plugs may be barbed. No more than 8 fixed lines per boat, or no more than 4 hand-held lines per person") applies to both the open seasons indicated.

Note: For an additional correction to the document referenced in this document, see the corrections section of this issue.

Dated: May 31, 1989.

James E. Douglas, Jr.,
Deputy Assistant Administrator For Fisheries, National Marine Fisheries Service.
 [FR Doc. 89-13293 Filed 6-5-89; 8:45 am]

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