

**FEDERAL COMMUNICATIONS
COMMISSION**

47 CFR Parts 73, 74

**Reregulation of Radio and TV
Broadcasting; Correction**

AGENCY: Federal Communications
Commission.

ACTION: Correction to Final Order.

SUMMARY: In the Broadcasting Reregulation Order, FCC 79-609, published in the Federal Register on October 11, 1979, at 44 FR 58729, a typographical error showing the power tolerance maximum for TV stations as 105% is corrected to read "110%."

EFFECTIVE DATE: October 22, 1979.

ADDRESSES: Federal Communications
Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:
John Reiser, Philip Cross, Steve Crane,
Broadcast Bureau, (202) 632-9860.

SUPPLEMENTARY INFORMATION:
Released: December 18, 1979.

In the matter of reregulation of Radio and TV Broadcasting.

In the above-captioned Order, FCC 79-609, released October 5, 1979, and published in the Federal Register on October 11, 1979, at 44 FR 58729, a typographical error showed the power tolerance maximum for TV stations as 105% in lieu of 110%. Paragraph (c) of § 73.1560 (Appendix paragraph 35) should read as follows:

§ 73.1560 Operating power tolerance.

* * * * *

(c) *TV stations.* Except as provided in paragraph (d) of this section, the aural and visual transmitter output power of a TV station, as determined by the procedures specified in § 73.633, must be maintained as near as practicable to the authorized transmitter output powers and may not be less than 80% nor more than 110% of the authorized powers. The FCC may specify deviation from the power tolerance requirements for subscription TV operations to the extent it deems necessary to permit proper operation.

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Federal Communications Commission.
William J. Tricarico.
Secretary.

[FR Doc. 79-39031 Filed 12-19-79; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

49 CFR Part 192

[Amdt. 192-35; Docket No. PS-52]

**Transportation of Natural and Other
Gas by Pipeline; Cathodically
Protected Transmission Lines**

AGENCY: Materials Transportation
Bureau (MTB).

ACTION: Final Rule.

SUMMARY: This amendment establishes the monitoring requirements for testing short sections of transmission pipelines on a sampling basis to determine the effectiveness of cathodic protection in controlling corrosion.

EFFECTIVE DATE: December 20, 1979.

FOR FURTHER INFORMATION CONTACT:
George L. Mocharko, (202) 426-2392.

SUPPLEMENTARY INFORMATION: On August 28, 1978, MTB issued a notice of proposed rulemaking to amend the requirements contained in § 192.465 to permit the monitoring of short sections of transmission lines on a sampling basis (43 FR 39401, September 5, 1978). The deadline for comments was October 15, 1978.

Justification for this Rulemaking: Beyond the support cited in the original notice, 14 commenters responded to the notice. In summary: All commenters agreed with MTB's proposal and stated that it reflected good technical judgement since the present more stringent annual monitoring requirement for short sections of transmission lines is not warranted on a public safety basis. They also believe that the economic burden upon industry would be reduced without reducing safety.

Other significant comments and their disposition: Based on one commenter's experience of monitoring short sections of distribution pipelines, it was suggested that the monitoring frequency should be once every 10 years or one-half of the design life of the cathodic protection system, whichever is more frequent. MTB believes that the proposed sampling procedure adequately covers such cases since the preponderance of gas operators use a 20-year design life for cathodic protection systems. Furthermore, MTB believes that use of a sliding scale for monitoring based on design life would increase operator's costs relative to monitoring and create compliance and recordkeeping problems resulting from subjective personal opinions of the operators and enforcement officials as to what date tests must be made. MTB

wished to emphasize; however, that if the sampling method is used, the operator must assure that the design life of the cathodic protection system is not less than the period of sampling.

One commenter stated that MTB's proposed wording does not make it clear that "short sections" would include "hot spot" protection on bare transmission lines. The final regulation applies to pipelines that are separately protected by the "hot spot" method.

Beyond the scope of the notice: One commenter proposed wording that would permit service lines of any length to be monitored on a sampling basis.

One commenter proposed that for transmission lines, MTB should define short sections as 500 feet in Class 1 and 2 locations.

No further Technical Pipeline Safety Standards Committee (TPSSC) consideration is needed, since the TPSSC recommended that the Office of Pipeline Safety Regulation institute rulemaking action concerning this specific amendment at its January 1978 meeting.

MTB has determined that this amendment would not result in a major economic impact (\$100 million or greater) under the terms of Executive Order 12044 and DOT implementing procedures (44 FR 11034). Also, MTB has determined that this amendment does not require a full Final Regulatory Evaluation under those procedures because the amendment establishes an equivalent safety requirement and imposes no added compliance burdens and, therefore, has a minimal cost impact upon the industry. In fact, it could result in an estimated cost savings of \$1 million per year to the industry.

MTB has made the effective date immediate upon publication so that operators can take advantage of the economic relief provided by the amendment.

Based on the foregoing, Part 192 of Title 49 of the Code of Federal Regulations is amended as follows:

By revising § 192.465(a) to read:

§ 192.465 External corrosion control: Monitoring.

(a) Each pipeline that is under cathodic protection must be tested at least once each calendar year, but with intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of § 192.463. However, if tests at those intervals are impractical for separately protected sections of pipeline not in excess of 100 feet, these pipeline sections may be surveyed on a sampling basis. At least 10 percent of these separately protected sections,

distributed over the entire system, must be surveyed each calendar year with a different 10 percent checked each subsequent year, so that all separately protected pipeline sections are tested in each 10-year period.

(49 U.S.C. 1672; 18 U.S.C. 1804 for offshore gathering lines; 49 CFR 1.53, Appendix A of Part 1)

Issued in Washington, D.C., on December 13, 1979.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 79-38872 Filed 12-19-79; 8:45 am]

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National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 78-08; Notice 2]

Lamps, Reflective Devices, and Associated Equipment

AGENCY: National Highway Traffic Safety Administration, (DOT).

ACTION: Final rule.

SUMMARY: This notice amends Motor Vehicle Safety Standard No. 108 to increase the maximum permissible candlepower for single compartment taillamps while extending requirements for contrast between stop (signaling) and tail (marking) functions at test points below the horizontal. This action is taken in response to a petition for rulemaking from industry. The effect of the increase will be to relieve a burden on manufacturers who must monitor production closely to insure continuing compliance of existing lamp designs with the existing limitation.

EFFECTIVE DATES: The amendment is effective immediately but compliance with the contrast requirements is not mandatory until July 1, 1980.

FOR FURTHER INFORMATION CONTACT: Marx Elliott, Crash Avoidance Division, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590. (202-426-2720).

SUPPLEMENTARY INFORMATION: A limit of 15 candlepower on photometric output at test points on or above the horizontal is imposed on single compartment taillamps by 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment*. The intent of this limitation is to eliminate the possibility of excessive glare, and to insure that the ratio between stop lamps and taillamp output offers sufficient contrast that the

stop function can be readily identified when it is actuated.

On February 18, 1977, Truck Safety Equipment Institute (TSEI) petitioned for rulemaking to amend Standard No. 108 to increase the permissible maximum output of single compartment taillamps to 18 candlepower. This figure is derived from SAE Recommended Practice J256a Service Performance Requirements for Motor Vehicle Lighting Devices and Components, June 1972, which permits taillamp output to be 120 percent of the maximum value specified in SAE Standard J585d, Tail Lamps (Rear Position Light) August 1970. The reason for TSEI's request is that the 15 candlepower limitation has become "an unnecessary burden on manufacturers who must attempt to monitor their productions in an attempt to insure a strict compliance with this maximum output". TSEI argued that an increase would have no detrimental effect upon safety because there has been no limitation on candlepower output below the horizontal and it was reasonable to assume that there must be countless driving situations every day "where the following driver is exposed to lamp candlepower outputs from approximately 15 cp to 22 cp" without any evidence of hazardous driving conditions because of glare. The basis of the petition, therefore, was that a restriction should be relaxed for economic reasons, and that the relaxation will have a neutral effect upon safety. The NHTSA granted TSEI's petition for rulemaking and proposed that the maximum output of single compartment taillamps be raised to 18 candlepower, and that the current ratio of candlepower output by stop and taillamps in combination lamps be maintained at test points above the horizontal and extended to test points below the horizontal to minimize problems of glare. NHTSA proposed the extension of the ratio to test points below the horizontal to provide protection equivalent to that at points above the horizontal. Standard No. 108 allows combination stop and taillamps to be mounted as high as 72 inches above the road surface while in today's passenger cars the driver's eye point is much lower, only 38 inches to 48 inches above the road surface.

A notice of proposed rulemaking was published on this subject on May 4, 1978 (43 FR 19250), and an opportunity afforded for comment.

Twenty-seven comments were submitted on the proposal. There was one objection to the increase in candlepower, and two to extension of

contrast ratios. All other comments supported it.

An important suggestion made was that NHTSA adopt SAE Standard J585e, September 1977 as the referenced standard on taillamps since the SAE revision encompassed both of NHTSA's proposals. NHTSA concurred with this recommendation and is amending the standard in this fashion. J585e is otherwise identical to J585d except for the addition of a final sentence to Note 4 which prescribes an alternative way for computing the candlepower ratio for combination lamps when certain conditions are met.

The Japanese Automotive Manufacturers Ass'n. Inc. (JAMA), objected to the extension of the contrast ratio, principally because of its effect upon the motorcycle industry. In JAMA's opinion there is no need for the requirement to cover motorcycles as lamps are not mounted at a height greater than 38 inches. NHTSA does not concur with this comment. The amendment will insure that there is no confusion when the driver's eye reference point is lower than the average 38 to 48 inches above the road surface. This situation could occur when a motorcycle is on a hill in front of the driver of another vehicle. The mandatory compliance date of the requirement, July 1, 1980, should afford sufficient time for tooling of new lamps if needed.

Chrysler Corporation commented that it saw no need to adopt intensity ratio requirements for the test points below horizontal since photometric requirements for tail and stop lamps are the same, whether above or below horizontal. While the requirements are the same, the values prescribed are minimal and a manufacturer may establish its own values above the minimum level. NHTSA has concluded that the amendment would assure that the ratio now required above the horizontal would also be maintained below. It would also avoid use of the wrong replacement lamps or lens.

California Highway Patrol suggested that test point 5 D-V should be added to those at which not less than a 5 to 1 ratio is required. The NHTSA cannot add it at this time since it was not part of the rulemaking proposal, but consideration will be given to it in future rulemaking.

American Motors Corporation supported the proposal but commented that the 120 percent value specified in J256a should apply to all taillamps and not just single compartment designs. This suggestion is beyond the scope of the proposal and NHTSA will consider it in future rulemaking.