

Federal Communications Commission.
R. D. Lichtwardt,
Executive Director.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 23

Participation by Minority Business Enterprise in Department of Transportation Programs

Correction

In FR Doc. 80-9859, appearing on page 21172, in the issue of Monday, March 31, 1980 make the following correction:

On page 21172, first column, in the "Dates:" paragraph the date in the first line should have read "April 30, 1980" and the date in the third line should have read "April 30, 1981"

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Research and Special Programs Administration

49 CFR Part 192

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

Transportation of Natural and Other Gas by Pipeline; Separately Protected Service Lines

AGENCY: Materials Transportation Bureau (MTB), DOT.

ACTION: Final rule.

SUMMARY: A final rule was published (Amdt. 192-35; 44 FR 75384 December 20, 1979) establishing requirements for testing, on a sampling basis, cathodic protection on short sections of transmission lines. That final rule unintentionally altered the requirement for testing cathodic protection on separately protected service lines. This amendment reinstates the original requirement, which allowed separately protected service lines, regardless of their length, to be tested on a sampling basis if annual tests are impractical.

EFFECTIVE DATE: April 7, 1980.

FOR FURTHER INFORMATION CONTACT: L. M. Furrow on (202) 426-2392.

SUPPLEMENTARY INFORMATION: On August 28, 1978, MTB issued a notice of proposed rulemaking to amend the cathodic protection monitoring requirements of § 192.465(a) (43 FR 39401, September 5, 1978). The purpose of the notice was to invite comments on a proposal to allow transmission line sections that are impractical to monitor annually to be monitored by the

sampling procedure applicable to service lines and mains.

The language of the proposal read: "However, if tests at those intervals are impractical for separately protected service lines or short sections of protected mains and transmission lines, not in excess of 100 feet, these pipelines may be surveyed on a sampling basis." (The proposal merely would have added the words "and transmission lines," immediately after the word "mains" in the original rule.) In Amendment 192-35, this proposed language was changed to read: "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." This language change was intended merely to clarify that the phrase "not in excess of 100 feet" in the original rule applied to service lines as well as mains. The change appeared justified by the plain meaning of the original rule, and it did not appear that any contrary interpretation had been made.

Following adoption of Amendment 192-35, MTB has received letters and petitions from several interested persons pointing out that ever since the issuance of section 192.465(a) (Docket No. OPS-5, 36 FR 12302, June 30, 1971), the gas industry has been permitted to monitor separately protected service lines that are impractical to monitor annually, on a sampling basis, regardless of their length. Various arguments (technical, legal, and cost/benefit) have been advanced to support the position that the 100-foot limitation in the original rule was intended only to define "short sections of protected mains" and not to modify the term "service lines."

MTB has evaluated these arguments by checking the record of Docket No. OPS-5 and consulting knowledgeable field enforcement personnel. Both the record and enforcement practices are consistent with the view that until issuance of Amendment 192-35, separately protected service lines have been eligible for monitoring on a sampling basis, regardless of length. It also appears that Departmental training material provided to industry participants indicates that separately protected service lines were not considered subject to the 100-foot limitation. As a result, because Amendment 192-35 was not intended to modify the existing rule with regard to service lines, MTB is hereby amending section 192.465(a) as set forth below to eliminate any further misunderstanding about application of the 100-foot

limitation to separately protected service lines.

In consideration of the foregoing, section 192.465(a) is revised to read as follows:

§ 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 section 192.463. However, if tests at those intervals are impractical for separately protected short sections of mains or transmission lines, not in excess of 100 feet, or separately protected service lines, these pipelines may be surveyed on a sampling basis. At least 10 percent of these protected structures, distributed over the entire system must be surveyed each calendar year, with a different 10 percent checked each subsequent year, so that the entire system is tested in each 10-year period.

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(49 U.S.C. 1672; 49 CFR 1.53 and Appendix A of Part 1)

Issued in Washington, D.C., on April 1, 1980.

L. D. Santman,

Director, Materials Transportation Bureau.

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National Highway Traffic Safety Administration

49 CFR Part 575

[Docket No. 25; Notice 38]

Consumer Information Regulations; Uniform Tire Quality Grading

AGENCY: National Highway Traffic Safety Administration (NHTSA).

ACTION: Interpretation.

SUMMARY: This notice clarifies the procedure to be used under the Uniform Tire Quality Grading (UTQG) Standards in measuring tread depth of tires without circumferential grooves or with a limited number of grooves. The regulation's provision for measurement of tread depth in tire grooves has given rise to questions concerning the proper means of measurement for such tires. This notice is intended to facilitate testing of tires of this type.

EFFECTIVE DATE: This interpretation is effective immediately.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Hipolit, Office of the Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh