one location. Furthermore, EPA is not requiring the use of surcharges. An employer may utilize any measures that he feels would be most effective in his situation; however, all programs would be subject to EPA approval.

The fifth company was confused about the relationship between the Administrator's action of January 15, 1974 and EPA's proposed revision to § 52.1590 published on December 7, 1973. The Administrator's action on January 15, 1974 prohibits EPA from promulgating a regulation that places surcharges on employee parking spaces. His action in no way affects EPA's revision to § 52.1590 because it does not contain a provision for surcharges on employee parking.

This regulation now being promulgated differs from the proposal in a number of ways. "Employer" is now defined as a person who provides 400 parking spaces for his employees. This lower number will increase the number of employers who are affected by the regulation, particularly in the Metropolitan Philadelphia Region. Also, the date for submittal of the plans has been extended because this rulemaking is being published at a later date than originally anticipated. The date used to determine baseline information concerning the number of employees at each facility, the modes of employee commuting, and an estimate of vehicle miles traveled by employees has also been modified. This date may now be any date between August 1, 1973 and April 1, 1974, for which valid data or estimates are available.

It should be noted that an added advantage of this regulation will be to reduce fuel consumption within the two Air Quality Control Regions to which the regulation is applicable.

EPA may expand this program to a second stage. This expansion will be dependent upon the success of the program as it applies to the larger employers.

The second stage, which may take effect in July 1975, and which may apply to employers who supply some number of parking spaces less than 400 will be promulgated at a later date. No regulatory language for it is included in this promulgation; however, EPA currently intends to model it very closely on the requirements as set forth above. This regulation shall take effect July 5, 1974.

(Sections 110(c) and 301(a) of the Clean Air Act, 42 U.S.C. 1857-5(c) and 1857g).

Dated: May 24, 1974.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40, Code of Federal Regulations is amended as follows:

Subpart FF—New Jersey

1. Section 52.1590 is revised to read as follows:

§ 52.1590 Employer's provision for mass transit priority incentives.

(a) Definitions:

(1) "Carpool" means a vehicle containing two or more persons.

(2) "Employee parking space" means any parking space reserved or provided by any employer for the use of his employees.

(b) This section is applicable in the New Jersey portions of the New Jersey-New York-Connecticut and Metropolitan Philadelphia Interstate AQCR's (the "Regions").

(c) Each employer in the Regions who maintains 400 employee parking spaces at any of his facilities shall submit to the Administrator, on or before July 1, 1974, an adequate transit incentive program for that facility designed to encourage the use of mass transit and carpooling by his employees. The employer's program employees. The employer's program should contain the mix of incentive or disincentive provisions most likely to obtain maximum use of carpooling and mass transit so as to reduce vehicle miles travelled (VMT). Some incentive examples are: Subsidies to employees using mass transit, preferential parking or other benefits for those who travel in carpools, provision of special charter or employer buses to and from mass transit stops and formal information systems so that employees can select optimum carpool arrangements. Some examples of disincentive provisions are: Reduction in employee parking spaces, surcharges on use of parking spaces for single passenger drivers and non-preferential parking for single passenger drivers.

(d) By September 1, 1974, the Administrator shall approve or disapprove such program for each employer. Notice of such approval or disapproval will be published in Part 52 to Title 40, Code of Federal Regulations.

(e) Such program shall contain procedures whereby the employer shall supply the Administrator with semi-annual reports which shall show the following information:

(1) The number of employees at each of the employer's facilities within the Regions on April 1, 1974 or any date before April 1, 1974 but not earlier than August 1, 1973, for which valid data or estimates are available, and as of the date of the report.

(2) The number of employees regularly commuting to and from work by (i) single passenger automobile, (ii) carpool, and (iii) mass transit at each affected facility on April 1, 1974 or any date before April 1, 1974 but not earlier than August 1, 1973 for which valid data or estimates are available, and as of the date of the report.

(3) An estimate of employee vehicle miles travelled per day as of April 1, 1974 or any date before April 1, 1974, but not earlier than August 1, 1973 for which valid data or estimates are available, and as of the last typical work day preceding the date of preparation of the report.

(4) Such other information as the Administrator may prescribe.

(f) If, after the Administrator has approved a transit incentive program, the employer fails to submit any reports in full compliance with paragraph (d) of this section, or if the Administrator finds that any such report has been intentionally falsified, or if the Administrator determines that the program is not in operation or is not providing adequate incentives or disincentives for employee use of carpools and mass transit, the Administrator may revoke the approval of such plan.

(g) By October 1, 1974, the Administrator shall prescribe a transit incentive program for each employer to whom paragraph (c) of this section is applicable if such employer has not submitted a program or has submitted a program found to be inadequate. Within two months after any revocation pursuant to paragraph (e) of this section, the Administrator shall prescribe a transit incentive program for the affected employer. Any program prescribed by the Administrator shall be published in this Part 52 of Title 40, Code of Federal Regulations.

[FR Doc.74-12732 Filed 6-3-74;8:45 am]

Title 45—Public Welfare

CHAPTER VIII—CIVIL SERVICE COMMISSION

PART 801—VOTING RIGHTS PROGRAM

Appendix A; Mississippi

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for Filing", one additional place for filing in Mississippi:

Mississippi

County; Place for filing; beginning date.
* * * * *
Pearl River; Picayune—Community Recreation Center; Library; Rosa and Beech Streets; June 8, 1974.

(Secs. 7 and 9 of the Voting Rights Act of 1965; Pub. L. 89-110)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-12745 Filed 6-3-74;8:45 am]

Title 49—Transportation

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—OFFICE OF PIPELINE SAFETY

[Amdt. No. 195-7; Docket No. HM-6B]

PART 195—TRANSPORTATION OF LIQUIDS BY PIPELINE

Movement of Pipelines Containing Liquefied Gases

This amendment modifies the restriction on movement of pipelines containing liquefied gases under § 195.424.

On June 21, 1971, the Federal Railroad Administrator issued Notice 71-19 (36 FR 12175, June 26, 1971), proposing to delete the requirement in § 195.424(b) for isolation of the line section being moved and substitute a new requirement that continuous flow of the commodity be maintained but at a substantially reduced line pressure. As stated in the notice, isolation of a line section during movement is costly to the industry and may create an unnecessary hazard. When a line section is isolated, valves upstream and downstream of the section are closed, stopping the flow of commodity in the section. If a line section so isolated is

exposed to the sun, the heat generated can cause the internal line pressure to rise above the normal operating pressure of the pipeline, resulting in stresses which could be harmful. On the other hand, continuous flow of commodity in the section being moved will dissipate added heat from the sun, and the internal line pressure will not rise above the normal operating pressure. In addition to proposing that pipelines containing liquefied gases be moved under flow conditions, the notice also proposed a concomitant reduction in line pressure below that required by § 195.424(a) to provide a further safeguard against accidental escape of the unusually hazardous liquefied gases.

Interested persons were invited to participate in making the proposed amendment by submitting written comments by August 20, 1971. Two commenters responded to the notice: the American Petroleum Institute, who favored the amendment as proposed, and the National Transportation Safety Board (NTSB), who suggested several changes.

After Notice 71-19 had been issued, section 6(f)(3)(A) of the Department of Transportation Act was amended to delete the authority of the Federal Railroad Administrator to carry out the liquid pipeline safety functions under 18 U.S.C. 831-835. On November 7, 1972, this authority was delegated to the Assistant Secretary for Environment, Safety, and Consumer Affairs (37 FR 24674) and redelegated to the Director, Office of Pipeline Safety (OPS) (37 FR 24901).

The OPS has reviewed this rule making proceeding and fully considered each comment received. In § 195.424, the existing requirement in paragraph (b) is revised and a new paragraph (c) is added to provide greater safety in moving pipelines containing liquefied gases. The final rule also places additional conditions on movement which were not included in the proposed version. These additional conditions reflect the OPS response to NTSB suggestions concerning the safety of moving pipelines containing liquefied gases. The conditions are within the general scope of the notice which was to modify the existing restriction on moving these pipelines in view of the hazard the restriction may create in practice.

The NTSB noted that most pipelines transport other commodities as well as liquefied gases and suggested that these pipelines should be moved only when they contain the other commodities. Moving pipelines when they contain a commodity other than liquefied gases is a desirable safeguard and is followed by industry. For this reason, OPS has adopted the suggestion, but with modification. Making the practice suggested by NTSB mandatory in all situations would unfairly restrict the operation and maintenance practices of carriers who transport a variety of commodities as compared with those who only transport liquefied gases. The NTSB suggestion also could result in maintenance delay and considerable expense in some cases. Therefore, in the final rule, the language has been tempered to apply only in practical situations. The rule provides that a pipeline which contains liquefied gases may not be moved unless moving that pipeline when it contains some other commodity is impractical.

The NTSB also suggested that the public would be better protected if pipelines containing liquefied gases were isolated and drained as a condition to movement in certain circumstances, and moved under flow conditions only in areas of low population density. Except as to areas of low population density, following this suggestion would introduce additional hazards involved in emptying a pipeline containing liquefied gases. The practice of isolating and draining pipelines also would be a very costly safety measure which is unwarranted in view of the good accident record of carriers in moving pipelines. The OPS believes, however, in light of the NTSB recommendation, that the public should be afforded additional safeguards when a pipeline containing liquefied gases is moved. Therefore, § 195.424 now requires as a condition to moving pipelines containing liquefied gases, that the carrier have procedures under § 195.402 designed to protect the public before the pipeline is moved, including procedures to warn the public when evacuation of the surrounding area is necessary.

The NTSB further pointed out that pipelines with mechanical joints present a more hazardous situation when being moved than pipelines with welded joints. The OPS believes the hazard would be worse if mechanically joined pipelines containing liquefied gases were moved with the commodity flowing. Moreover, the extra risk involved would outweigh the safety advantage to be gained from permitting movement under flow conditions in lieu of requiring isolation to prevent flow. As a consequence, the final rule permits movement with continuous flow at reduced pressure for pipelines joined by welding but not for pipelines joined by other means. The existing requirement for isolation of the line section involved is continued in effect for pipelines joined other than by welding. The OPS is considering the problems associated with different pipe characteristics as the subject of a future rule making proposal, particularly with regard to the transportation of highly volatile liquids.

In consideration of the foregoing, in § 195.424 of Title 49 of the Code of Federal Regulations, paragraph (b) is revised and paragraph (c) is added to read as follows, effective July 15, 1974:

§ 195.424 Pipe movement.

* * * * *

(b) No carrier may move any pipeline containing liquefied gases where materials in the line section involved are joined by welding unless—

(1) Movement when the pipeline does not contain liquefied gases is impractical;

(2) The procedures of the carrier under § 195.402 contain precautions to protect the public against the hazard in moving pipelines containing liquefied gases, including the use of warnings, where necessary, to evacuate the area close to the pipeline; and

(3) The pressure in that line section is reduced to the lower of the following:

(i) Fifty percent or less of the maximum operating pressure; or

(ii) The lowest practical level that will maintain the commodity in a liquid state with continuous flow, but not less than 50 psig above the vapor pressure of the commodity.

(c) No carrier may move any pipeline containing liquefied gases where materials in the line section involved are not joined by welding unless—

(1) The carrier complies with paragraphs (b) (1) and (2) of this section; and

(2) That line section is isolated to prevent the flow of commodity.

This amendment is issued under the authority of sections 831-835 of Title 18, United States Code, section 6(e)(4) of the Department of Transportation Act (49 U.S.C. 1655(e)(4)), § 1.58(d) of the regulations of the Office of the Secretary of Transportation (49 CFR 1.58(d)), and the redelegation of authority to the Director, Office of Pipeline Safety, set forth in Appendix A to Part 1 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 1).

Issued in Washington, D.C., on May 28, 1974.

JOSEPH C. CALDWELL,
Director,
Office of Pipeline Safety.

[FR Doc.74-12686 Filed 6-3-74;8:45 am]

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73-9; Notice 6]

PART 570—VEHICLE IN USE INSPECTION STANDARDS

Response to Petitions for Reconsideration Correction

In FR Doc. 74-7966, appearing at page 12867 in the issue of April 9, 1974, the following correction is made:

Section 570.9(b) is revised to read:

§ 570.9 Tires.

* * * * *

(b) * * * (1) *Inspection procedures.* Examine visually. A major mismatch in tire size designation, construction, and profile between tires on the same axle, or a major deviation from the size as recommended by the manufacturer (e.g., as indicated on the glove box placard on 1968 and later passenger cars) are causes for rejection.

(Secs. 103, 108, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1397, 1401); delegation of authority at 49 CFR 1.51.)

Issued on May 29, 1974.

JAMES B. GREGORY,
Administrator.

[FR Doc.74-12687 Filed 6-3-74;8:45 am]