



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

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[Amdt. 195-1; Docket No. HM-6]

**PART 195—TRANSPORTATION OF
LIQUIDS BY PIPELINE**

Miscellaneous Amendments

The purpose of this amendment is to modify slightly several provisions of this new part. These changes will clarify certain provisions and ease the burden of compliance in others without any effect on safety.

On September 29, 1969, the Hazardous Materials Regulations Board issued a new Part 195 which established safety regulations for the design, construction, operation, and maintenance of liquid pipelines. On March 2, 1970, the American Petroleum Institute, on behalf of the liquid petroleum pipeline industry, submitted a petition for reconsideration of certain parts of these new regulations. The petition and the Board's reply have been placed in Docket HM-6 and are available to the public at the Office of Hazardous Materials. In response to parts of this petition, several changes are being made to Part 195.

Section 195.1(b)(4). As previously issued, this subparagraph was not broad enough to accomplish its intended purpose of excluding gathering pipelines in rural areas. It has been reworded to exclude gathering lines of carriers in rural areas, up to the point of connection with the carrier's trunk line.

Sections 195.2 and 195.6(a). The petitioner requested that a definition of petroleum similar to that contained in Part 180 be included in Part 195 to avoid uncertainty as to whether or not certain liquids would be included in the phrase "petroleum and petroleum products". The only provision of the regulations where this uncertainty would be of any significance is § 195.6. As issued, this section might appear to require notification for the shipment of natural gasoline or liquefied petroleum gases, which was not intended. To avoid this problem, § 195.6 is being amended to specifically exclude these two items from the notification requirement.

Section 195.8. From the subject petition and other communications with the liquid pipeline industry, it is apparent that some confusion exists as to when notice must be given under this section with respect to pipelines in operation on April 1, 1970. The very limited number of notices received by the Administrator thus far indicates that, if § 195.8 is permitted to go into effect in its present form, a number of pipelines would either have to shut down or continue operations in violation of the regulations. To avoid this situation, and to permit adequate time for submission and evaluation of the notices required by this section, the applicability will be extended to October 1, 1970, thus giving the operators of existing pipelines until July 3, 1970 to provide notice to the Administrator.

Section 195.234(e)(1). The petitioner has requested that the 100 percent non-destructive testing requirements of this subparagraph be limited to areas between valves that are installed in compliance with § 195.260 (e) and (f). Such a change would be much too limiting. Since a major spill into one of the smaller bodies of water could very easily and quickly spread into a larger one with very serious consequences, this section does not appear overly stringent as issued. However, it is reworded slightly to make it clear that it does not require 100 percent nondestructive testing wherever

a spill is possible, but only where there is a reasonable expectation of pollution if a defective weld ruptured.

Section 195.404(b). The collection of daily operating records at a central location is necessary due to the continuing surveillance to which they will be subjected. However, it is not necessary to place them only at the operator's principal place of business and the requirement has been modified accordingly.

Section 195.418(d). Petitioner has pointed out that § 195.416(f) gives the operator the alternative of reducing the operating pressure on externally corroded pipe rather than replacing or repairing it. This alternative is also requested with respect to internally corroded pipe. The Board agrees that there is no sound technical reason for making such a distinction between internal and external corrosion. Therefore, this section is modified to make the two provisions consistent.

Since the regulations that are affected by this amendment will become effective on April 1, 1970, and since these amendments relieve certain restrictions and will impose no additional burden on any person, I find that notice and public procedure are not necessary, and that good cause exists for making them effective on less than 30 days' notice.

In consideration of the foregoing, Part 195 of Title 49 of the Code of Federal Regulations is amended as follows, effective April 1, 1970.

(Sec. 831-835, title 18, United States Code; sec. 6 (e)(4), (f)(3)(A), Department of Transportation Act (49 U.S.C. 1655 (e)(4), (f)(3)(A)); § 1.4(d)(6), Regulations of the Office of the Secretary of Transportation)

Issued in Washington, D.C., on March 26, 1970.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

1. By amending § 195.1(b)(4) to read as follows:

§ 195.1 Scope.

(b) . . .

(4) Except for Subpart B of this part, transportation of petroleum in rural areas between a production facility and a carrier's trunk line reception point.

2. By amending the section heading of §§ 195.6 and 195.6(a) to read as follows:

§ 195.6 Transportation of certain commodities.

(a) Except for petroleum, petroleum products, natural gasoline, and liquefied petroleum gases, no carrier may transport any commodity unless the carrier notifies the Administrator in writing, with the information listed in paragraph (b) of this section, at least 90 days before the date the transportation is to begin. If the Administrator determines that the transportation of the commodity in the manner proposed would be unduly hazardous, he will, within 90 days after receipt of the notice, order the carrier, in writing, not to transport the commodity in the proposed manner until further notice. As soon as practicable after issuance of such an order,

the Administrator will initiate appropriate action to determine whether and in what manner the commodity may be transported without undue hazard.

3. By amending § 195.8 to read as follows:

§ 195.8 Transportation of commodities in pipelines constructed with other than steel pipe.

After October 1, 1970, no carrier may transport any commodity through a pipe that is constructed with material other than steel unless the carrier has notified the Administrator in writing at least 90 days before the transportation is to begin. The notice must state the chemical name, common name, hazard classification (if any) determined in accordance with Part 173 of this chapter, properties, and characteristics of the commodity to be transported and the material used in construction of the pipeline. If the Administrator determines that the transportation of the commodity in the manner proposed would be unduly hazardous, he will, within 90 days after receipt of the notice order the carrier, in writing, not to transport the commodity in the proposed manner until further notice.

4. By amending § 195.234(e)(1) to read as follows:

§ 195.234 Welds: Nondestructive testing and retention of testing records.

(e)

(1) At any location where a loss of commodity could reasonably be expected to pollute any stream, river, lake, reservoir, or other body of water.

5. By amending § 195.404(b) to read as follows:

§ 195.404 Maps and records.

(b) Each carrier shall maintain daily operating records that indicate the discharge pressures at each pump station and any unusual operations of a facility. The carrier shall retain these records at one central location for at least 3 years.

6. By amending § 195.418(d) to read as follows:

§ 195.418 Internal corrosion control.

(d) Whenever any pipe is removed from the pipeline for any reason, the carrier must inspect the internal surface for evidence of corrosion. If the pipe is generally corroded such that the remaining wall thickness is less than the minimum thickness required by the pipe specification tolerances, the carrier shall investigate adjacent pipe to determine the extent of the corrosion. The corroded pipe must be replaced with pipe that meets the requirements of this part or, based on the actual remaining wall thickness, the operating pressure must be reduced to be commensurate with the limits on operating pressure specified in this subpart.

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