

**APPENDIX A—SET-ASIDE PROGRAM  
ORDER OF PRECEDENCE—Continued**

Source preference	Reference (48 CFR)
11. Partial Set-aside for Small Business concerns.	Section 19.504.
12. Total Labor Surplus Area Set-aside for concerns that are not Small Businesses.	Section 19.504.
13. Other Commercial Sources (including educational and non-profit institutions).	Subpart 6.1.

**Appendix B—Class Justification for use of Other Than Full and Open Competition in Acquisition of Supplies and Services from Indian Industry**

(1) Section 23 of the Act of June 25, 1910 (referred to as the "Buy Indian Act" and codified as 25 U.S.C. 47) provides discretionary authority to the Secretary of the Interior to acquire products and services of Indian industry. This authority has been delegated to the Assistant Secretary—Indian Affairs. It is exercised by the Bureau of Indian Affairs (BIA) in support of its mission and program activities and as a means of fostering economic development and employment for Indian persons.

(2) Pursuant to 25 U.S.C. 47 and the implementing regulations of 48 CFR Part 1480, the BIA may solicit offers and award contracts to eligible Indian economic enterprises to the exclusion of non-eligible offerors for supplies or services that the eligible enterprises either produce through their own labor, skills, or efforts, or provide as regular dealers in such supplies or services. The authority permitting use of other than full and open competition for acquisitions made pursuant to the Buy Indian Act is 41 U.S.C. 253(c)(5). Such acquisitions shall be referred to as "Indian Economic Enterprise Set-Asides."

(3) Offers may not be solicited from non-eligible enterprises except as may be specifically authorized by the Deputy to the Assistant Secretary—Indian Affairs (Operations) or the Contracting Officer.

(4) The authority of the Buy Indian Act and this Class Justification shall not be used to acquire construction of any type or form except as permitted for Indian reservation roads (but not roads in the state of Oklahoma).

(5) By separate memorandum, the Contracting Officer shall certify that:

- The supplies or services to be acquired are available from two or more responsible and eligible Indian economic enterprises;
  - The anticipated cost to the BIA of the required supplies or services is determined to be reasonable and at a fair market price; and
  - The information in this Class Justification is accurate and complete as it pertains to the proposed acquisition.
- (6) This Class Justification is made in accordance with Federal Acquisition

Regulation 6.3 and is approved pursuant to section 303(f)(1)(B) of the Federal Property and Administrative Services Act of 1949, as amended and 41 U.S.C. 253(f). The expiration date of this justification is \_\_\_\_\_

Date: May 3, 1988.

Ralph R. Reeser,  
Acting Assistant Secretary—Indian Affairs.  
[FR Doc. 88-14583 Filed 6-29-88; 8:45 a.m.]  
BILLING CODE 4310-02-M

**DEPARTMENT OF TRANSPORTATION**
**Research and Special Programs  
Administration**
**49 CFR Parts 192 and 195**

[Docket No. PS-101; Notice 1]  
RIN 2137-AB46

**Natural Gas and Hazardous Liquid  
Pipeline Damage Prevention Program**

**AGENCY:** Office of Pipeline Safety (OPS), RSPA, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to require operators of buried onshore, hazardous liquid pipelines to conduct excavation damage prevention programs in accordance with criteria adopted previously for gas pipeline damage prevention programs. In addition, this notice proposes to extend the existing rule governing gas pipeline damage prevention programs to cover all buried onshore gas pipelines, with a few exceptions. Also, operators of buried gas transmission lines and mains would no longer be exempt from installing permanent line markers in populated areas of operation where a damage prevention program is in effect. The proposed rule changes are in response to statistics that show excavation damage to be the largest single cause of gas pipeline incidents and hazardous liquid pipeline accidents. There is widespread agreement that damage prevention programs are the most effective method to reduce excavation damage to pipelines. The intended effect of this proposed action is a reduction of the deaths, personal injuries, property and environmental damage and commodity loss in areas currently not protected by pipeline damage prevention programs that meet DOT criteria.

**DATE:** Interested persons are invited to submit written comments in duplicate by August 29, 1988. Late filed comments

will be considered to the extent practicable. Interested persons should submit as part of their written comments all the material that is considered relevant to any statement of fact or argument made.

**ADDRESS:** Send comments to the Dockets Unit, Room 6417, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Identify the docket and notice numbers stated in the heading of this notice. All comments and docketed materials will be available for inspection and copying in Room 8426 between 8:30 a.m. and 5:00 p.m. each working day. Non-Federal employee visitors are admitted to DOT headquarters building through the southwest quadrant at Seventh and E Streets.

**FOR FURTHER INFORMATION CONTACT:** A.C. Garnett, (202) 366-2036, regarding the subject matter of this notice, or Dockets Unit (202) 366-5046, for copies of this notice or other material in the docket.

**SUPPLEMENTARY INFORMATION:**
**The Problem**

This rulemaking proposal addresses the recurring damage to gas and hazardous liquid pipelines caused by excavators other than the pipeline operators. Sources of excavation damage include equipment rupturing lines, blasting, demolition, boring, tunneling, backfilling, and removal of above and below ground structures. Reducing excavation damage and the accidents that result should substantially improve the overall safety record of gas and hazardous liquid pipelines.

A summary of hazardous liquid pipeline accidents caused by excavation damage by others and reported to DOT on DOT Form 7000-1 for the years 1983 through 1987 is presented in the following table. Prior to October 21, 1985, these excavation damage accidents were reported on the previous Form 7000-1 under Item D, Equipment Rupturing Line, and those reports may have included some damage caused by the operator of its contractor. On the revised form, for accidents occurring on or after October 21, 1985, these accidents were reported under Part J, Damage by others.

## HAZARDOUS LIQUID PIPELINE ACCIDENTS

	1983	1984	1985	1986	1987	Total
Accidents caused by excavation damage by others.....	52	49	50	56	52	259
Deaths.....	6	0	1	1	0	8
Injuries.....	4	16	3	0	2	25
Property damage (\$000).....	459	689	772	3,832	8,666	14,618
Barrels spilled (000).....	72	47	50	89	73	331
Accidents from all causes.....	162	186	183	210	228	969

During this 5 year period, excavation damage by others accounted for 26.7 percent of all reported accidents, including 8 deaths, 25 personal injuries, and \$14,618,000 property damage with some 331,000 barrels of product spilled.

The regulations for reporting accidents on hazardous liquid pipelines are set forth in Part 195, Subpart B—Accident Reporting. It should be noted that for the years 1983, 1984, and until October 21, 1985, accidents on intrastate pipelines were not required to be reported. Also, Subpart B does not require reports of accidents that involve the loss of less than 50 barrels (2,100 gallons) or escape to the atmosphere of 5 barrels (210 gallons) a day or less of highly volatile liquids; or only \$5,000 or less in property damage. Therefore, the table does not purport to show all the accidents or all the property damage or the total volume of liquids spilled due to

excavation damage by others during the 5 year period.

The accident reports for hazardous liquid pipelines do not indicate the population density in the vicinity of the accidents. However, an analysis of the incident statistics for gas pipelines (presented below) shows that 35.3 percent of the excavation damage by other incidents occurred in rural or less populated areas of operation. Therefore, it is reasonable to assume that excavation damage accidents reported for hazardous liquid pipelines have occurred in rural as well as nonrural areas of operation. Accordingly, the largest reduction in excavation damage to hazardous liquid pipelines would result from a damage prevention program that is applicable over the entire length of hazardous liquid pipelines.

Gas pipeline incidents must be reported to DOT on Form RSPA F-7100.1 (Gas Distribution Systems) and on Form RSPA F-7100.2 (Gas Transmission and Gathering Systems). These report forms were revised effective July 1, 1984, to identify incidents by class locations, to increase the reporting threshold of property damage from \$5,000 to \$50,000, and to eliminate other minor reporting events.

A summary of the gas pipeline incidents reported to DOT on the forms described above as caused by excavation damage by others is presented in the following table. Incidents on pipelines in Class 1 and 2 locations, the less populated areas (see below), are stated separately, because DOT's current gas pipeline damage prevention program requirements under § 192.614 do not apply to these pipelines.

## GAS PIPELINE INCIDENTS CAUSED BY EXCAVATION DAMAGE BY OTHERS

[7/1/84 thru 12/31/87]

	Distribution		Transmission & Gathering		Total	
	Class 1 & 2 locations	All locations	Class 1 & 2 locations	All locations	Class 1 & 2 locations	All locations
Incidents.....	72	318	80	112	152	430
Deaths.....	6	25	3	3	9	28
Injuries.....	31	140	1	8	32	148
Property damage (\$000).....	\$707	\$13,560	\$2,946	\$5,208	\$3,653	\$18,768

During the 3½ year period, the number of reported incidents due to excavation damage by others in Class 1 and 2 locations amounted to 35.3 percent of all such reported incidents, including 32.1 percent of all the deaths, 21.6 percent of all the injuries, and 19.5 percent of all the property damage.

For this same 3½ years, there were 686 distribution incidents and 333 transmission/gathering incidents reported from all causes, totaling 1,039 gas pipeline incidents. Therefore, the incidents of excavation damage by others for Class 1 and 2 locations amounted to 10.5 percent of incidents reported for distribution pipelines, 22.7 percent of incidents reported for

transmission/gathering pipelines, or 14.6 percent of the total incidents reported.

The regulations for reporting gas pipeline incidents are set out in Part 191. It should be noted that an incident involving only property damage to the operator or others is not required to be reported if it amounts to less than \$50,000. Therefore, the table does not purport to show all the incidents or the value of all the property damage caused by excavation damage by others during the 3½ year period.

## Background

The most widely accepted approach to reducing excavation damage to buried pipelines is a damage prevention program employing a one-call system. A

conventional one-call system is a communication system established by two or more utilities (or pipeline companies), governmental agencies, or other operators of underground facilities to provide one telephone number for excavation contractors and the general public to call for notification and recording of their intent to engage in excavation activities. This information is then relayed to appropriate members of the one-call system, giving them an opportunity to communicate with excavators, to identify their facilities by temporary markings, and to follow-up the excavation with inspections of their facilities. These latter features of the program are usually handled separately by each member, but may be handled

jointly by the one-call system or by a separate contractor.

At present, there are some 112 one-call systems in the U.S., operating in 46 States and the District of Columbia. Approximately 37 States have statewide one-call coverage, served mostly by 1 or a maximum of 2 centers. About 9 States have incomplete coverage. The one-call systems in Minnesota, North Dakota, and South Dakota have been suspended, but are expected to become active in the near future. Only Hawaii and Puerto Rico have never had one-call coverage available. In addition to the extensive voluntary use of one-call systems, there is an increasing trend for the States to enact legislation requiring the use of one-call systems by utilities and excavators, usually with penalties for non-compliance. OPS believes this type of supporting legislation developed at the State level is a very effective means of increasing the benefits of one-call systems.

In the Pipeline Safety Act of 1979 (Pub. L. 96-129), Congress amended section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1672) to direct DOT to issue new safety standards requiring gas pipeline operators to conduct or participate in damage prevention programs. At the same time Congress gave DOT specific authority under section 203 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2002) to set similar standards for operation of hazardous liquid pipelines.

In response to the Congressional mandate for gas pipelines, on March 25, 1982, DOT issued a final rule (Amendment No. 192-40; 47 FR 13818, April 1, 1982) establishing § 192.614, "Damage prevention program," effective April 1, 1983. This rule required (with minor exceptions) each operator of a buried gas pipeline in Class 3 and 4 locations (the more populated areas) to establish and carry out, or otherwise participate in, a damage prevention program.

Section 192.614 currently requires that operators: (1) identify excavators operating in the area; (2) notify the public and excavators of the details of the program; (3) provide a means for receiving and recording notification of planned excavations; (4) if an operator has buried pipelines in the area of planned excavation, notify the excavator of that fact and the type of temporary markings to be provided; (5) provide temporary marking of buried pipelines; and (6) provide inspection of pipelines that could be damaged by the excavation.

An excavation damage prevention program established under DOT criteria

may differ from a program employing a conventional one-call system in one principal way. A one-call system, as the definition given earlier indicates, is a multiple underground utility program. Since DOT lacks jurisdiction over utilities other than natural gas and hazardous liquid pipelines, the damage prevention program rule under § 192.614 allows gas pipeline operators to run their own programs rather than participate in a one-call system, even if one is available. OPS believes that if such participation were mandatory for pipeline operators alone, they might be unable to control the management of the system as freely as the voluntary participants who are not subject to DOT regulation. In addition, they might have to bear a disproportionate share of program costs.

Nevertheless, participation in a one-call system can be used by an operator to meet, to the extent possible, the requirements of DOT's excavation damage prevention program criteria. When a one-call system is used in this way, the operator is still responsible for compliance with any criteria that are not satisfied by participation in the one-call system. For example, all operators participating in one-call systems must follow-up with marking and needed inspection activities in a timely manner.

#### Support for One-Call Systems

The efficacy of damage prevention programs for buried pipelines is well established. The draft economic evaluation of the impact of this rulemaking action examined the effect of extending DOT's gas pipeline damage prevention program regulation to cover hazardous liquid pipelines. Based on data from selected pipeline operators, the evaluation found that there was a reduction of 21 percent in the aggregate excavation damage accident rates per mile for pipelines participating in one-call system programs over those that did not participate. In a notice of proposed rulemaking preceding the adoption of § 192.614 (44 FR 65792, November 15, 1979), the considerable safety benefits achieved in 6 States during the initial years following the adoption of excavation damage prevention programs were cited. For example, the Connecticut Underground Utility Protection Plan was reported to have "reduced damages to facilities of the participating utilities by 38 percent during its first two years of operation." In addition, pipeline safety recommendations which are published after investigation of pipeline accidents by the National Transportation Safety Board (NTSB) have continued to urge the adoption and adherence to

excavation damage prevention programs that have one-call systems.

In an advance notice of proposed rulemaking (ANPRM), "Proposals for Pipeline Safety; Request for Comment," (52 FR 4361, February 11, 1987), OPS solicited public comments on 18 safety proposals for gas and hazardous liquid pipelines. Proposal No. 17, in the ANPRM "Require operators to create or participate in one-call systems," received strong support by a broad segment of the commenters, but not to the exclusion of other damage prevention programs, particularly those run by a single company, and some objections were raised regarding their value in sparsely populated areas. Several commenters pointed out that one-call systems are most effective when all underground facility operators are members, and also asserted that their effectiveness can be improved by holding excavators responsible for utilizing the one-call systems.

Proposal No. 17 was in response to H.R. 262, "Pipeline Safety Act of 1987," which has been introduced in the 100th Congress, 1st Session by Congressman Vento. Section 10 of H.R. 262 would require DOT to develop regulations to require pipeline operators to participate in one-call systems in the States where these systems currently exist or otherwise to participate in the creation of one-call systems. In addition, Section 11 of H.R. 262 would require persons to contact the appropriate one-call system prior to commencement of excavation to ascertain the exact location of any underground pipelines or utilities. Persons who failed to contact the appropriate one-call system, where such systems exist, would assume liability for damage to underground pipelines or utilities from that person's excavation.

At a meeting on September 24, 1987, in Washington, DC, the Technical Hazardous Liquid Pipeline Safety Standards Committee (comprised of representatives from public, government and industry having expertise in buried pipelines) considered Proposal No. 17. The Committee discussed the proposal, including the problem of the lack of comprehensive legislation requiring all excavators to utilize the one-call system with appropriate penalties for noncompliance. Furthermore, since OPS lacks jurisdiction over persons other than pipeline operators, statutes to require broader compliance with one-call systems would have to be enacted at the State level. Nevertheless, the Committee approved a motion that the concept of the damage prevention programs contained in § 192.614 for gas

pipelines should also apply under Part 195 to hazardous liquid pipelines.

Other statements supporting the broader application of one-call systems have been made by prominent pipeline industry representatives. On October 8, 1987, when appearing before the Senate Committee on Commerce, Science, and Transportation, Surface Transportation Subcommittee, Mr. John Allen, representing the American Gas Association, testified that "A.G.A. supports the concept of one-call systems where such systems are the best means of preventing third-party damage." Additionally, Mr. Allen urged the participation in one-call systems by all owners of subsurface facilities.

Also appearing before the same Senate Subcommittee was Mr. Bob McMahan, representing the Association of Oil Pipe Lines and the American Petroleum Institute. Mr. McMahan testified that—

One-call systems have become a proven method of alerting the excavator to the existence and location of underground facilities and have contributed to the reduction of pipeline accidents where they have been used effectively. It is our position that one-call systems should be encouraged and supported, and participation by pipeline companies, utilities, and public works agencies and excavator alike should be mandatory.

Additionally, Mr. McMahan stated that—

Community awareness of pipelines is another area in which greater attention and uniformity are warranted. We believe that closer communication between pipeline companies and the local and State public safety organizations would improve the coordination which must take place in the event of a pipeline emergency. Also, a greater awareness of pipelines on the part of the general public and particularly people who live adjacent to pipeline rights-of-way possibly could contribute to the prevention and effective reaction to pipeline incidents.

#### Extending the Existing Rules

Most gas and hazardous liquid pipeline operators currently conduct or participate in some form of a damage prevention program like that mandated by § 192.614 for gas pipelines in Class 3 and 4 locations. For example, most hazardous liquid pipeline operators have a procedure for handling notices of impending excavations and marking the locations of their facilities. However, at present, DOT does not require operators of hazardous liquid pipelines or operators of gas pipelines in less populated areas to conduct damage prevention programs, and DOT does not regulate the programs that are being conducted voluntarily. In view of the continuing high incidence of excavation

damage to both gas and liquid pipelines and the apparent success of damage prevention programs that adhere to criteria like that prescribed by § 192.614, OPS believes further rulemaking is appropriate. By this notice, OPS is proposing to extend the current DOT damage prevention program rule, as discussed below. It appears that an extension of the damage prevention program rule may reduce the incidents and accidents caused by excavation damage by others.

For gas pipelines, the proposal would expand the current § 192.614 damage prevention regulations to cover all buried onshore gas pipelines in Class 1 and 2 locations, with a few exceptions. This rule change would be effected by removing the exception for Class 1 and 2 locations for onshore pipelines from § 192.614(c)(1). The Class 1 and 2 location pipelines not covered by the proposal are identified by the existing § 192.614(c) (3) and (4) as those to which access is physically controlled by the operator and those that are part of certain petroleum gas or master meter systems. A class location unit is described in § 192.5 as an area extending 220 yards on either side of any continuous 1-mile length of pipeline. A Class 1 location has 10 or less buildings intended for human occupancy. A Class 2 location has more than 10 but less than 46 buildings intended for human occupancy.

In addition, § 192.614(c)(2), which excludes from damage prevention program coverage certain Class 3 pockets in otherwise Class 1 and 2 locations, would be removed. This exception was established to alleviate the burden of running a program in Class 1 and 2 areas just for these isolated pockets. Under this proposal, this exception would no longer be needed.

For hazardous liquid pipelines, OPS is proposing adoption of a new § 192.442, which would use the existing rule for gas pipelines as the basis for applying damage prevention requirements to all onshore pipelines subject to Part 195, except pipelines to which access is physically controlled by the operator.

Because there is growing support for mandatory participation in one-call systems, OPS is interested in receiving responses to two questions: (1) Should DOT make pipeline participation in one-call systems mandatory even though other utilities are not subject to such a requirement? (2) Should DOT make pipeline participation mandatory in cases where State or local laws make such participation mandatory for the other utilities? Because State laws may only apply to interstate pipelines, the

second question is primarily relevant with regard to participation by interstate pipelines. Any action OPS might propose to make participation mandatory as a result of comments would be part of a future rulemaking.

#### Line Markers

As further protective measure against excavation damage, permanent line makers must be placed and maintained over gas mains and transmission lines at locations required by § 192.707. There is a similar requirement for hazardous liquid pipelines in § 195.410. However, § 192.707(b)(2) excludes from this line marking requirement pipelines in Class 3 and 4 locations "where a damage prevention program is in effect under § 192.614." This exclusion was adopted in the belief that a damage prevention program alone would be a sufficient safeguard against damage, and that operators need not meet both §§ 192.614 and 192.707. Now, however, in view of recurring incidents, OPS believes that gas mains and transmission lines may be better protected from excavation damage by others if operators were required to install line markers in addition to conducting damage prevention programs. In fact, many gas operators voluntarily maintain line markers in Class 3 and 4 locations when it is practical to do so. Accordingly, OPS proposes to revise § 192.707(b)(2) to require operators to install line markers in Class 3 and 4 locations even though a damage prevention program is in effect in those locations under § 192.614. Thus, line markers would be required (with some exceptions) along the complete length of gas mains and transmission lines in the same manner as they are now required for hazardous liquid pipelines (with some exceptions) under § 195.410.

#### Paperwork Reduction Act

This proposed rulemaking contains collection of information requirements in §§ 192.614 and 192.707, and 195.442. These requirements will be submitted to the Office of Management and Budget (OMB) for approval under the Paperwork Reduction Act of 1980 (44 U.S.C. Chap. 35) and 5 CFR part 1320. Persons desiring to comment on this information collection requirements should submit their comments to:

Desk Officer, Research and Special Programs Administration, Office of Regulatory Policy, Office of Management and Budget, 726 Jackson Place, NW., Washington, DC 20503

Persons submitting comments to OMB are also requested to submit a copy of

their comments to OPS, as indicated above under "ADDRESS."

#### Impact

The proposed rules are expected to be nonmajor under Executive Order 12291. That order defines a major rule as one which has an annual effect on the economy of \$100 million, a major increase in costs, or a significant adverse effect on the economy. As shown by the draft evaluation of the costs and benefits of this proposal, these proposed rules will have no such impact. The proposal is also not significant as defined by the Department of Transportation Policies and Procedures (44 FR 11034, February 26, 1979). Also, based on the facts available about the impact of this rule making action, I certify pursuant to section 605 of the Regulatory Flexibility Act that the action will not, if adopted as final, have a significant economic impact on a substantial number of small entities.

OPS 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

##### 49 CFR Part 192

Pipeline safety, Damage prevention program, Line markers.

##### 49 CFR Part 195

Pipeline safety, Damage prevention program, Excavation.

In consideration of the foregoing, OPS proposes to amend 49 CFR Part 192 and 195, 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. In 192.614, paragraph (c)(1) would be revised to read as follows, paragraph (c)(2) would be removed, and paragraphs (c)(3) and (c)(4) would be redesignated (c)(2) and (c)(3), respectively:

##### § 192.614 Damage prevention program.

\* \* \* \* \*

(c) \* \* \*

(1) Pipelines located offshore.

\* \* \* \* \*

3. Section 192.707(b)(2) would be revised to read as follows:

##### § 192.707 Line markers for mains and transmission lines.

\* \* \* \* \*

(B) \* \* \*

(2) In Class 3 or Class 4 locations where placement of a marker is impractical.

\* \* \* \* \*

#### PART 195—[AMENDED]

4. The authority citation for Part 195 is revised to read as follows:

Authority: 49 App. U.S.C. 2002; and 49 CFR 1.53.

5. A new § 195.442 would be added to read as follows:

##### § 195.442 Damage prevention program.

(a) Except for offshore pipelines and pipelines to which access is physically controlled by the operator, each operator of a buried pipeline shall carry out in accordance with this section a written program to prevent damage to that pipeline by excavation activities. For the purpose of this section, "excavation activities" include excavation, blasting, boring, tunneling, backfilling, the removal of above ground structures by either explosive or mechanical means, and other earth moving operations. An operator may comply with any of the requirements of paragraph (b) of this section through

participation in a public service program, such as a "one-call" system.

(b) The damage prevention program required by paragraph (a) of this section must, at a minimum:

(1) Include the identity, on a current basis, of persons who normally engage in excavation activities in the area in which the pipeline is located.

(2) Provide for notification of the public in the vicinity of the pipeline and actual notification of the persons identified in paragraph (b)(1) of this section of the following as often as needed to make them aware of the damage prevention program: (i) The program's existence and purpose; and (ii) How to learn the location of underground pipelines before excavation activities are begun.

(3) Provide a means of receiving and recording notification of planned excavation activities.

(4) If the operator has buried pipelines in the area of excavation activity, provide for actual notification of persons who give notice of their intent to excavate of the type of temporary marking to be provided and how to identify the markings.

(5) Provide for temporary marking of buried pipelines in the area of excavation activity before, as far as practical, the activity begins.

(6) Provide as follows for inspection of pipelines that an operator has reason to believe could be damaged by excavation activities:

(i) The inspection must be done as frequently as necessary during and after the activities to verify the integrity of the pipeline; and

(ii) In the case of blasting, any inspection must utilize leakage surveys applicable to the liquid transported.

Issued in Washington, DC, on June 27, 1988.

Richard L. Beam;

Director, Office of Pipeline Safety.

{FR Doc. 88-14759 Filed 6-29-88; 8:45 am}

BILLING CODE 4910-60-M