§ 101-20.109-12 Correction of hazardous conditions.

(a) Conditions within the agency's responsibility to correct that affect the buildings and grounds and could affect any GSA employees in the performance of their responsibilities shall be corrected within 30 workdays in accordance with 29 CFR 1960.34 or established agency program requirements, whichever is more restrictive. An abatement plan shall be prepared for corrective actions requiring more than 30 days. This plan shall contain an explanation of the circumstances of the delay in abatement, a proposed timetable for the abatement, and a summary of steps being taken in the interim to protect other agency personnel and GSA buildings and grounds from injury or damage by the unsafe or unhealthy working condition. The occupant liaison shall send a copy of the abatement plan to the buildings manager. If the estimated abatement time is more than 60 workdays, a copy shall also be provided to the GSA regional Accident and Fire Prevention Branch.

(b) Conditions considered to be within the scope of GSA's responsibility to correct shall be forwarded to the GSA buildings manager for action. To correct the hazard, six basic steps will be taken: The Occupant agency must identify, document, and present the problem to GSA, after which GSA will investigate, determine, and resolve the problem. Identification of these conditions may be by an occupant agency employee or by an occupant agency safety and health and fire protection specialist. When an imminently dangerous situation exists, as defined by 29 CFR 1960.32, a telephone call from the occupant liaison to the GSA buildings manager will be sufficient to constitute the agency's identification, documentation, and presentation of the problem to GSA. Otherwise, a report must document the hazardous condition and cite references to specific standards violated, such as OSHA regulations, GSA criteria, or agency standards. Documentation should include inspection reports, photographs, sketches, or drawings for safety problems and an industrial hygiene survey report for a health problem. The OSHA Form No. 7 may be used as part of the documentation. The occupant liaison shall satisfy him/herself that there are reasonable grounds to believe that an unsafe or unhealthful condition exists before presenting the situation to the GSA buildings manager.

(c) Resolutions by the buildings manager or other regional management personnel that are unsatisfactory to the occupant agency management may be formally presented to the GSA Regional Administrator by the agency regional, district, or equivalent management.

(d) Unsatisfactory resolutions by GSA regional management may be formally presented to the GSA Safety and Health Official by the agency head or an authorized designee.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)))

Dated: December 3, 1979.

A. R. Marschall,

Commissioner, Public Buildings Service.

[FR Doc. 79-38207 Filed 12-12-79; 8:45 am]

BILLING CODE 6820-23-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket PS-62; Notice 1]

Transportation of Natural and Other Gas by Pipeline; Leakage Surveys

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Notice of proposed Rulemaking.

SUMMARY: This notice proposes to amend Part 192 to require more stringent leakage surveys on pipelines located in areas where gas leaks pose a high risk of damage to persons and property. In addition, time intervals between surveys would be prescribed in a way to permit flexibility in scheduling personnel assignments. This proposal would also establish special procedures for conducting leakage surveys on underground petroleum gas lines to account for the heavier than air nature of petroleum gas.

DATES: Interested persons are invited to submit written comments on this proposal before March 31, 1980

ADDRESSES: Comments should be sent in triplicate to: Dockets Branch, Materials Transportation Bureau, Department of Transportation, Washington, D.C. 20590. Comments submitted will be available for review and copying before and after the closing date at the Docket Branch, Room 8426, Nassif Building, 7th & D Streets, SW., Washington, D.C., between 8:30 a.m. and 5:00 p.m. each working day. Late filed comments will be considered to the extent practicable.

FOR FURTHER INFORMATION CONTACT: Paul J. Cory, 202-426-2392.

SUPPLEMENTARY INFORMATION: *Frequency and Method of Surveys in High Risk Areas.* Currently, § 192.723(b)(1), *Distribution systems, leakage surveys and procedures,* requires that a leakage survey using detector equipment be conducted in "business districts" at intervals not exceeding 1 year. Both the survey method and survey interval are more stringent than that required under § 192.723(b)(2) for other distribution pipeline areas because of the higher population concentration and potential for hazard in business districts. Only a 5-year survey interval is now required for distribution lines outside of business districts and leak detectors are not required. The term "business districts" was originally adopted in Part 192 from the ANSI B31.8-1968 Code, paragraph 852.22(a) but was not defined in that code. For the purpose of applying Part 192, the Materials Transportation Bureau (MTB) has interpreted "business districts" as areas containing shops and offices where persons engage in the purchase and sale of commodities or in related financial transactions.

Apart from "business districts", MTB believes there are many similar areas where there is a higher than normal potential risk from gas leaks. It follows that persons in all these areas should be afforded the same safety benefits from Federal leakage survey requirements as in now provided in "business districts". Therefore, MTB is proposing to amend § 192.723(b) to delete the term "business districts" and to state in broader terms in both § 192.723(b) and § 192.706 *Transmission lines; leakage survey,* three high risk areas where the most stringent leakage surveys would be required.

MTB believes that one area where leaking gas would result in the highest potential hazard and damage is appropriately described as Class 4 locations (areas with buildings of 4-stories or more as defined by § 192.5(e)). A second area is where the pipeline is within 100 yards of buildings that are occupied by 20 or more persons during normal use (such as a Class 3 location as defined by § 192.5(d)(2)(i)). In the latter case, examples are office buildings, shopping centers, schools, hospitals, churches, and theaters. Both areas are places where large groups of persons would be concentrated, thus giving a potential for a highly hazardous condition if a gas leak should occur in the area.

The third high risk area can be defined as locations where the surface of the ground between the pipeline and nearby buildings is paved with materials (normally asphalt or concrete) capable of restricting leaking gas from venting to the atmosphere. In such areas, leaking

gas can migrate under the paving to nearby buildings and expose people to an explosive condition. These areas are normally found in Class 3 and 4 locations, but may also exist in Classes 1 and 2.

Gas migration has been a factor in several accidents investigated by the National Transportation Safety Board (NTSB). Two of these accidents, one in El Paso, Texas, on April 22, 1973, and the other in Allentown, Pennsylvania, on August 8, 1976, illustrate the paving conditon where migration of gas would be likely if any leak should occur. In the accident in El Paso, gas escaping from a leaking 2-inch gas main migrated across a concrete road and under the sidewalk where the gas accumulated in the crawl space under an apartment complex. The gas was ignited by some unknown source causing an explosion, which destroyed at least seven apartment units, hospitalized eight persons and killed seven persons.

The accident in Allentown occurred as a result of a sink hole in the area that broke a 4-inch cast iron main in 5 locations. Although sudden failures of this type might not be detected by a periodic leakage survey, the area where the accident occurred illustrates the type of paving condition under which even a small gas leak would likely migrate under paving to areas that would cause a hazardous condition. The houses in this area of Allentown are built with the front wall of the house at the edge of the sidewalk, and the street paving then completes the cover of the area. The gas main was located under the street.

Paved areas like those in El Paso and Allentown are not uncommon throughout the U.S. Even small leaks occurring on both distribution and transmission pipelines in such areas can be detected by leakage survey methods before they would be detected by odor or before they become hazardous.

In addition to the accidents investigated by NTSB, 992 individual leak reports were filed with DOT under 49 CFR 191.9 during the 4-year period of 1975–78 as a result of leaks that occurred under paving. Leak report form DOT F7100.1, that is required to be submitted in certain distribution system gas leaks under § 191.9 does ask if the leak occurred under paving but does not address migration of gas under paving. MTB therefore, cannot readily determine how many leaks involved migration of gas under pavement resulting in fires and explosions. The number of gas leaks occurring under paving does, however, indicate the magnitude of the potential safety problem. The magnitude of this problem is probably even larger than these leak reports indicate because such reports are not required from distribution operators having less than 100,000 services.

In each of the three high risk areas discussed above, there is a relatively large amount of surface traffic and construction activity. There is also the difficulty in installing and maintaining cathodic protection in such areas, along with the presence of other underground structures, such as water, sewer, telephone and power lines, all of which often provide a direct path for leaking gas to migrate to buildings. All of these factors lead MTB to believe that the hazards associated with gas pipeline leaks in such areas would be substantially reduced if leakage surveys were carried out at frequent intervals and with appropriate leak detection equipment.

For the above reasons, MTB is proposing to amend Part 192 to require that leakage surveys using leak detector equipment, (as now required yearly on distribution systems in "business districts"), be conducted at least once each calendar year with no more than 65 weeks between consecutive surveys on all distribution and odorized transmission lines in Class 4 locations, Class 3 locations as defined in § 192.5(d)(2)(i), and locations where the area between the pipeline and any building wall is covered by a surface capable of restricting the venting of gas from the soil to the atmosphere. For transmission lines transporting unodorized gas in such areas in accordance with § 192.625, MTB is proposing to require leakage surveys using leak detector equipment four times each calendar year with no more than 16 weeks between consecutive surveys.

For distribution lines outside "business districts" that would be included in high risk areas described above, this proposal would increase the leakage survey frequency from the present 5 year interval to once each calendar year and require that leak detectors be used. The proposal would not alter the frequency or method of survey now required for distribution lines in "business districts".

For odorized transmission lines, this proposal represents no change in the currently required frequency of leakage surveys, but would add the requirement to use leak detector equipment in making the surveys in the three high risk areas discussed above. For unodorized transmission lines, leak detector equipment is now required and the proposal would not alter the quarterly survey required in Class 4 locations. However, the semiannual survey now required for unodorized transmission lines in Class 3 locations as defined in § 192.5(d)(2)(i) would be doubled. Offshore transmission and gathering lines would not be affected by this proposal.

Other Significant Population Areas

Beyond the above proposed leakage survey requirements for the type of Class 3 locations in paved areas and where a pipeline lies within 100 yards of a building occupied by 20 or more persons during normal use, MTB also believes that pipeline safety in all other Class 3 locations can be enhanced by more frequent leakage surveys of distribution pipeline systems.

Because Class 3 locations include the areas that have the highest number of buildings intended for human occupancy, so long as the buildings have less than four stories above ground (not Class 4), the Class 3 location covers the areas where most of the population lives, varying in density from the inner city to very spacious suburban subdivisions.

Under the current requirements of § 192.723, a leakage survey of distribution systems in a Class 3 location (outside of "business districts") is required at intervals not exceeding 5 years. Under § 192.706, transmission lines in Class 3 locations must be checked annually, unless the line is unodorized, in which case it must be surveyed twice a year.

In view of the number of persons and amount of property in Class 3 locations and the fact that even small leaks can become hazardous in far less than 5 years, MTB believes that a distribution line leakage survey every 5 years is patently inadequate. In fact, many distribution operators conduct surveys in these areas at much more frequent intervals than now required.

For these reasons, MTB is proposing to require for distribution systems in Class 3 locations (other than those in paved areas and those within 100 yards of a building occupied by 20 or more persons during normal use) leakage surveys with leak detector equipment be conducted at least every other calendar year with not more than 119 weeks between consecutive surveys. MTB is not proposing to amend the current survey requirements for transmission lines in these Class 3 locations.

To clarify the intent of these proposals MTB wishes to emphasize that in §§ 192.706 and 192.723, the term "leakage survey" would permit the survey to be conducted by any effective method that will detect significant gas leaks under existing conditions. Where the phrase "leak detector equipment" is included in the current requirement and the proposed rules, appropriate and

effective leak detection instruments must be used for conducting the survey.

Issue

MTB recognizes that gas leaks are often discovered as a result of the "gas odor" required by § 192.625, and anticipates comments that more frequent surveys are not needed because odorization solves the problem of leak detection. Odor results from either hydrogen sulfides that sometimes occur naturally in the gas or from chemical odorants (mercaptans or cyclic sulphides) that are added to the gas. § 192.625(a) requires that the gas odor must be detectable at a concentration of gas in air of ⅕ of the lower explosive limit. For natural gas this would be at a concentration of about 1% gas in air, which would also be 10,000 parts per million. Instruments in common use can readily detect gas in air at concentrations of 10 parts per million or less. Because these and other instruments are capable of detecting gas in air long before it would be detected by the human sense of smell, MTB considers the leakage survey to be the primary method for detecting gas leaks before they becomd significant. Unfortunately, it is not feasible for leakage surveys to be conducted in all locations on a continuing basis. Thus, odorization of gas is relied upon as a back-up for leakage surveys, but cannot fully substitute for such surveys.

Scheduling Leakage Surveys

The ASME Gas Piping Standards Committee (ASME Committee) in a letter dated December 26, 1975, (Petition No. 75–12) recommended that the present inspection or testing frequencies prescribed at "intervals not exceeding one year" now appearing in various sections of Part 192, including §§ 192.706(b) and 192.723(b), be changed to read "at least once each calendar year, but with intervals not exceeding 15 months." A similar recommendation was made by the Technical Pipeline Safety Standards Committee (TPSSC) at a meeting held in Washington, D.C. on December 5, 1978. The purpose of these recommended changes is to permit scheduling of the required tests and inspections at specified intervals but also permit flexibility in the time intervals to allow for variations in construction and operation activities that often involve the same personnel.

MTB believes that permitting a degree of flexibility in the time interval does not reduce safety and makes compliance with a given requirement considerably less costly to the operator and the public. As a result, MTB is proposing to amend § 192.706(b) to permit surveys now required at intervals of 1 year, 6 months and 3 months (6 months and 3 months are for pipelines carrying unodorized gas in Class 3 and 4 locations) to be conducted 1, 2, or 4 times each calendar year with no more than 65 weeks, 32 weeks or 16 weeks respectively, between consecutive surveys. Maximum intervals are stated in weeks rather than months to give clear definition of the time intervals. A similar change was made for corrosion monitoring requirements of Subpart I by Amendment 192–33; 43 FR 39389, September 5, 1978.

MTB also proposes to amend the current 5-year leakage survey requirement in § 192.723(b)(2), for Class 1 and 2 non-business district locations, outside of those mentioned above, to permit leakage surveys to be conducted at least one time in each 5 calendar years with intervals not exceeding 274 weeks between consecutive surveys.

MTB is considering future proposed revisions to the leakage survey frequency requirements in Class 1 and 2 locations to make the time intervals between surveys more appropriate for distribution lines and for odorized transmission lines. However, MTB does not have sufficient information to provide a basis for proposing changes to these requirements at this time. As a result, commenters are invited to supply any data available on an appropriate leakage survey frequency for both distribution and transmission lines in Class 1 and 2 locations, giving consideration to operating stress level, class location, environment, and outside force influences. It should also be considered that under proper conditions a vegetation survey may be used in Class 1 and 2 locations.

It is anticipated that future rulemaking action will be taken to make similar changes in the inspection and test frequencies in the remaining sections of Part 192 that were addressed by the ASME and the TPSSC.

Petroleum Gas Systems

In many areas of the U.S. and Puerto Rico, there are small petroleum gas pipeline systems transporting gas to customers from liquefied petroleum gas storage tanks. Many of these systems are subject to Part 192 because they either have 10 or more customers or are located in a public place (§ 192.11). It should be noted, however, that based on a statutory interpretation, Part 192 does not apply to any petroleum gas system that serves a single customer when the entire system is located on the customer's property.

One of the characteristics of petroleum gas is that, unlike natural gas that is lighter than air and will readily migrate to the surface, it is heavier than air and will not normally vent to atmosphere. This difference appears to have been overlooked by many operators of petroleum gas systems who now rely upon a surface type of leakage survey using leak detector equipment such as a hydrogen-flame-ionization (HFI) unit, as would normally be used with natural gas. Thus, these operators depend upon a leakage survey procedure that may not detect many potentially hazardous leaks on an underground petroleum gas system. For these reasons, MTB believes that it is necessary to establish more rigid requirements for leakage surveys on underground petroleum gas lines.

The ASME Committee has recognized this problem by adding Appendix G–11A to the ASME Guide for Gas Transmission and Distribution Piping Systems (Guide). Appendix G–11A is a recommended procedure for leakage surveys in petroleum gas systems.

Using paragraph 4.4(a) of Appendix G–11A as a basis, MTB is proposing a new § 192.724 to require leakage surveys of underground petroleum gas pipeline systems subject to § 192.11 to be made by sampling the sub-surface atmosphere at a minimum of 14 inches depth with an instrument capable of detecting petroleum gas at a concentration of 10 parts per million (such as a HFI unit) or at pipe depth with gas detectors capable of detecting petroleum gas at a concentration of 10 percent of the lower explosive limit (such as combustible gas indicator calibrated for petroleum gas) at sufficient locations along the pipeline to detect leakage but in no case more than 20 feet apart.

MTB has discussed the Guide's recommended procedure with members of the ASME Committee and gas leakage survey specialists who have performed surveys with the procedure on petroleum gas systems. As a result of these discussions, MTB believes that the proposed rules will provide an appropriate Federal standard for conducting leakage surveys on petroleum gas systems. However, we do not have field test data to support this belief. Commenters are specifically requested to provide any available test or operational data relative to the adequacy of using a 14-inch depth of survey when an HFI unit or similar gas detector is used and on the desirability of a maximum spacing of 20 feet between test points.

Title Change

In the title and paragraph (a) of § 192.723, the words "system" and "systems" are proposed to be changed

to "line" and "lines" respectively to make it clear that § 192.723 applies to "distribution lines" as defined in § 192.3. Each operator would then apply either § 192.706 or § 192.723 according to whether a pipeline it operates is a transmission or distribution line under § 192.3.

This notice of proposed rulemaking (NPRM) was originally planned to include proposals on the use of vegetation surveys. To permit a more thorough review of the many important aspects of leakage detection and control programs covered in this rulemaking, MTB decided that vegetation surveys will be covered by another NPRM at a later date.

The MTB has determined that the proposals in this notice, if implemented, would not result in major economic impact ($100 million or greater) under the terms of Executive Order 12044 and DOT implementing procedures (44 FR 11034). A regulatory evaluation is available in the public docket. This evaluation estimates an annual added cost to U.S. and Puerto Rican pipeline operators of $27.3 million resulting from this proposal.

In consideration of the foregoing, MTB proposes that Part 192 of Title 49, Code of Federal Regulations, be amended as follows:

1. By amending § 192.706(b) to read as follows:

§ 192.706 Transmission lines: Leakage surveys.

* * * * *

(b) Leakage surveys of each transmission line must be conducted in accordance with the following table:

Area description	Odorized gas			Unodorized gas		
	Surveys each calendar year	Leak detector equipment required	Maximum weeks between surveys	Surveys each calendar year	Leak detector equipment required	Maximum weeks between surveys
Class 4 and Class 3 as defined in § 192.5(d)(2)(i)	1	Yes	65	4	Yes	16
Class 3 other than as defined in § 192.5(d)(2)(1)	1	Yes	65	2	Yes	32
Class 1 and 2	1	[1]Optional	65	1	[1]Optional	65

2. By amending § 192.723 to read as follows:

§ 192.723 Distribution lines: Leakage surveys and procedures.

(a) Each operator of a distribution line shall provide for periodic leakage surveys in its operating and maintenance plan.

(b) Leakage surveys of each distribution line must be conducted in accordance with the following table:

Area description	Frequency	Leak detector equipment required	Maximum weeks between surveys
Class 4 and 3 as defined in § 192.5(d)(2)(i)	Once Each Calendar Year	Yes	65
Class 3 other than as defined in § 192.5(d)(2)(i)[1]	Once Each 2 Calendar Years	Yes	119
Class 1 and 2[1]	Once Each 5 Calendar Years	Optional	274

[1]Locations where the area between the pipeline and any building wall is covered by a surface capable of restricting the venting of leaking gas from the soil to the atmosphere must have a leakage survey conducted using leak detector equipment at least once each calendar year at intervals not exceeding 65 weeks.

3. By adding a new § 192.724 to read as follows:

§ 192.724 Leakage surveys on petroleum gas pipelines.

Leakage surveys of buried pipelines transporting petroleum gas subject to § 192.11 must be made by sampling the subsurface atmosphere at a minimum 36 centimeters (14 in.) depth with an instrument capable of detecting petroleum gas at a concentration of 10 parts per million, or at pipe depth with a gas detector capable of detecting petroleum gas at 10 percent of the lower explosive limit, at sufficient locations along the pipeline to detect leakage but in no case more than 61 decimeters (20 ft.) apart.

(49 U.S.C. 1672; 49 CFR 1.53, Appendix A of Part 1 and Appendix A of Part 106)

Issued in Washington, D.C., on December 5, 1979.

Cesar DeLeon,

Associate Director for Pipeline Safety Regulation, Materials Transportation Bureau.

[FR Doc. 79-37966 Filed 12-12-79; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

Foreign Fishing for Atlantic Billfish and Sharks; Proposed Regulations

AGENCY: National Oceanic and Atmospheric Administraton/Commerce.

ACTION: Proposed Regulations.

SUMMARY: New species reporting codes for Atlantic bill fish and sharks (50 CFR 611.9) are proposed for inclusion in the foreign fishing regulations.

DATES: Written comments are invited until January 14, 1980. Comments should be addressed to: Mr. Denton R. Moore, Acting Chief, Permits and Regulations Division, National Marine Fisheries Service, Washington, D.C. 20235.

FOR FURTHER INFORMATION CONTACT: Wiliam H. Stevenson, Director, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, Florida 33702. Telephone: (813) 893-3141.

SUPPLEMENTARY INFORMATION: Species reporting codes for several species covered by the preliminary fishery management plan for Atlantic billfish and sharks and for species caught incidentally in the fishery are proposed. If a foreign vessel catches these species, it will have to record them by these codes. Presently, all sharks may be