

(iv) Hydrology, including water quality and quantity problems associated with past mining;

(v) Flora and fauna, including endangered and threatened species and their habits;

(vi) Underlying or adjacent coal beds and other minerals and projected methods of extraction; and

(vii) Anticipated benefits from reclamation.

#### List of Subjects in 30 CFR Part 944

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: March 1, 1983.

James R. Harris,

Director, Office of Surface Mining.

Dated: March 8, 1983.

Daniel N. Miller, Jr.,

Assistant Secretary—Energy and Minerals.

[FR Doc. 83-6531 Filed 3-11-83; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 123

[W-7-FRL 2320-6]

#### Kansas Department of Health and Environment Underground Injection Control Primacy Application

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Public Comment Period and of Public Hearing.

**SUMMARY:** The purpose of this notice is to announce that: (1) The Environmental Protection Agency (EPA) has received a complete application from the Kansas Department of Health and Environment requesting primary enforcement responsibility for the Underground Injection Control (UIC) Program; (2) the application is now available for inspection and copying; (3) public comments are requested; and (4) a public hearing will be held.

The proposed comment period will provide EPA the breadth of information and public opinion necessary to approve, disapprove or approve in part and disapprove in part the application of the Kansas Department of Health and Environment to regulate Classes I, III, IV, and V injection wells.

**DATES:** Requests to present oral testimony should be filed by April 11, 1983. The public hearing will be held on April 18, 1983, beginning at 9:00 a.m. and ending at 5:00 p.m. Written comments must be received by April 22, 1983. Should EPA not receive sufficient

comments or requests to present oral testimony by April 11, 1983, the Agency reserves the right to cancel the Public Hearing.

**ADDRESSES:** Comments and/or requests to testify should be mailed to William Pedicino, Ground Water Section, Environmental Protection Agency, Region VII, 324 East 11th Street, Kansas City, Missouri 64106. Copies of the application and pertinent materials are available between 8:00 a.m. and 4:00 p.m., Monday through Friday, at the following locations:

Environmental Protection Agency, Region VII, Room 1320, 324 East 11th Street, Kansas City, Missouri 64106, PH: (816) 374-6515.

Kansas Department of Health and Environment, 202 Century Plaza Building, 111 West Douglas, Wichita, Kansas 67202, PH: (316) 265-3181.

Kansas Department of Health and Environment, Forbes Field, Topeka, Kansas 66620, PH: (913) 862-9360.

The Hearing will be held at the Topeka-Shawnee County Health Department, 1615 West 8th Street, Topeka, Kansas.

#### FOR FURTHER INFORMATION CONTACT:

William Pedicino, Ground Water Section, Environmental Protection Agency, Region VII, 324 East 11th Street, Kansas City, Missouri 64106, (816) 374-6514. Comments should be sent to this address.

**SUPPLEMENTARY INFORMATION:** This application from the Kansas Department of Health and Environment is for the regulation of Class I, III, IV, and V injection wells.

The Underground Injection Control (UIC) program seeks to protect as "underground sources of drinking water" (USDWs) all aquifers capable of yielding a significant amount of water containing less than 10,000 milligrams per liter of total dissolved solids. If this application from Kansas is approved, the State would protect underground sources of drinking water from endangerment by the following kinds of injection practices:

Class I—wells which are used to inject municipal and industrial wastes (including hazardous wastes) below the deepest USDW in the area.

Class III—wells which are used to inject for the extraction of minerals.

Class IV—wells which are used to inject hazardous wastes into or above USDWs.

Class V—all other wells.

At present, Kansas has 57 known Class I wells, 394 Class III wells under 5 area permits, no identified Class IV wells, and approximately 672 Class V wells.

Class I and III wells would require a permit to operate. The permit would apply a number of technical requirements designed to assure that the injection did not result in native or injected fluids reaching USDWs. Such requirements include criteria for siting, construction, testing, operation, monitoring and abandonment.

Class IV wells will be prohibited. Class V wells will be studied to assess what further regulatory measures may be required.

The Safe Drinking Water Act requires EPA to determine whether the proposed State program meets the requirements of regulations issued at 40 CFR Parts 122, 123, 124, and 146. Should this application be disapproved, the Act requires EPA to prescribe the UIC program for the State.

This application includes a description of the State Underground Injection Control program, copies of all applicable regulations and forms, a statement of legal authority, and the memorandum of agreement between the Kansas Department of Health and Environment and the Region VII office of the Environmental Protection Agency.

The terms listed below comprise a complete listing of the thesaurus terms associated with 40 CFR Part 123 which sets forth the requirements for a State requesting the authority to operate its own permit program of which the Underground Injection Control program is a part; and may not all apply to this particular notice:

#### List of Subjects in 40 CFR Part 123

Hazardous materials, Indians—lands, Reporting and recordkeeping, Waste treatment and disposal, Water pollution control, Water supply, Intergovernmental relations, Penalties, Confidential business information.

Dated: March 4, 1983.

Rebecca W. Hanmer,

Assistant Administrator for Water.

[FR Doc. 83-6466 Filed 3-11-83; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Part 192

[Docket No. PS-62; Notice 2]

#### Transportation of Natural and Other Gas by Pipeline; Leakage Surveys

**AGENCY:** Materials Transportation Bureau (MTB)

**ACTION:** Withdrawal of proposed rulemaking.

**SUMMARY:** More rigid standards were proposed for the frequency and location of leakage surveys to reduce the risk of damage from gas pipeline leaks outside business districts. Also, specific procedures were proposed for conducting leakage surveys on petroleum gas systems. Subsequent review shows that because of the normally short time between the occurrence of leaks and ensuing accidents, the proposed more frequent surveys would not be cost effective in reducing risk. Similarly, the benefits of the proposed petroleum gas procedures are indefinite. As a consequence, the proposed standards are withdrawn.

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

**SUPPLEMENTARY INFORMATION:** Part 192 now contains standards for the frequency and location of leakage surveys, but does not specify how the surveys are to be conducted. Section 192.723(b) provides that any portion of a gas distribution system that is located in a "business district" must be surveyed for leaks with gas detector equipment at least once each calendar year. For the remainder of the system, a survey (with or without detector equipment) must be conducted as frequently as necessary, but intervals may not exceed 5 years. On transmission lines, leakage surveys must be conducted as provided by § 192.706(b) once each calendar year. If the transmission line transports unodorized gas, more frequent surveys with gas detector equipment are required when the line crosses certain populated areas.

In Notice 1 (44 FR 72201, December 13, 1979), MTB proposed to amend the existing frequency requirements for leakage surveys so that more stringent standards (more frequent surveys with detection equipment) would apply in three so-called "high risk" areas and in "Class 3" areas as defined by § 192.5(d). The "high risk" areas were described as: (1) Populated areas designated "Class 4" by § 192.5(e), (2) areas where buildings with 20 or more occupants during normal use are located within 100 yards

of the pipeline, and (3) paved areas that are susceptible to gas migration. More stringent standards were proposed in the belief that "the hazards associated with gas pipeline leaks \* \* \* would be substantially reduced if leakage surveys were carried out at frequent intervals and with appropriate leak detection equipment." Specific procedures for leakage surveys on petroleum gas systems were proposed in the belief that some operators failed to consider the high density of petroleum gas when conducting leakage surveys on these systems.

After reviewing the numerous comments received on the notice, MTB is persuaded that more stringent frequency requirements, as proposed, would not yield sufficient public benefits to offset the substantial costs (\$25 million) of compliance. For potential benefits, in terms of reduced deaths, injuries, and property damage, to offset the high costs, the proposed requirements would have to significantly reduce the expected number of accidents attributable to gas pipeline leaks in the "high risk" and Class 3 areas. To be effective in reducing accidents, it is logical that surveys would have to be conducted frequently enough to detect leaks before accidents occur.

In this regard, most commenters pointed out that in their experience the bulk of gas pipeline accidents result from system failures of recent origin, with time between leak and accident being no more than hours or at most a few days. This result is to be expected when considering sudden failures due to outside force impact, as from excavation equipment. It was substantiated for other accident causes by a study of National Transportation Safety Board accident reports submitted by two commenters, the American Gas Association and the Southern California Gas Company. In 20 of 22 accidents investigated between 1969 and 1979 and caused by underground leakage of natural gas (due to corrosion, settlement, soil stress, and other factors), a fire or explosion occurred very shortly (hours or minutes) after leakage began. In these cases, it is very

unlikely that more frequent surveys would have prevented the accidents. For the two accidents with longer periods (months) between the onset of leakage and the occurrence of a fire or explosion, due to the even longer time between surveys (1 or 2 years), there is still only a small probability that the proposed standards would have prevented the accidents.

To supplement this study, the gas company also submitted an analysis of the reportable incidents on its system for the years 1974-1979 to determine those incidents that might have been detected by the more frequent surveys proposed in Notice 1, and the results were projected nationwide. The analysis showed that about a 17 percent increase in early detection of accident-causing leaks could be achieved. Translating this increment into savings, however, showed potential benefits nationwide of less than \$3 million a year, far less than the projected costs.

Similarly, commenters emphasized that more benefit data are needed to justify imposing the specific survey procedures on petroleum gas systems. Also, various provisions of the proposed procedures were controversial from a technical viewpoint.

In summary, there appears to be little likelihood that the proposed increase in the frequency of leakage surveys would have a positive effect on accident reduction large enough to offset the costs of compliance. Likewise, the currently available information does not show the proposed petroleum gas procedures to be cost beneficial. Therefore, Notice 1 is hereby withdrawn. MTB will not consider making any other changes to the existing leakage survey rules until persuasive cost/benefit data become available.

(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 March 8, 1983.

Richard L. Beam,  
Associate Director for Pipeline Safety  
Regulation, Materials Transportation Bureau.

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