

manual, Reporting and recordkeeping requirements.

In consideration of the foregoing, title 49, Code of Federal Regulations, parts 190, 193, and 195 would be amended as follows:

#### PART 190—[AMENDED]

1. The authority citation for part 190 is revised to read as follows:

Authority: 49 App. U.S.C. 1672, 1677, 1679a, 1679b, 1680, 1681, 1804, 2002, 2006, 2007, 2008, 2009, and 2010; 49 CFR 1.53.

2. Section 190.9 would be added to read as follows:

##### § 190.9 Amendment of plans or procedures.

(a) A Region Chief, OPS, begins a proceeding to determine whether an operator's plans or procedures required under parts 192, 193, 195 and 199 of this chapter are inadequate to assure safe operation of a pipeline facility by issuing a notice of amendment. The notice shall provide an opportunity for a hearing under § 190.211 and shall specify the alleged inadequacies and the proposed action for revision of the plans or procedures. The notice shall allow the operator 30 days after receipt of the notice to submit written comments or request a hearing. After considering all material presented in writing or at the hearing, the Director, OPS, shall determine whether the plans or procedures are inadequate as alleged and, if they are inadequate, order the required amendment, or withdraw the notice. In determining the adequacy of an operator's plans and procedures, the Director, OPS, shall consider:

(1) Relevant available pipeline safety data,

(2) Whether the plans or procedures are appropriate in accordance with the requirements of this chapter for the particular type of pipeline transportation or facility,

(3) The reasonableness of the plans or procedures, and

(4) The extent to which the plans or procedures contribute to public safety.

(b) The amendment of an operator's plans or procedures prescribed in paragraph (a) of this section is in addition to, and may be used in conjunction with, the appropriate enforcement actions prescribed in subpart B of this part.

3. Section 190.211(a) would be revised to read as follows:

##### § 190.211 Hearing.

(a) A request for a hearing provided for in this part must be accompanied by a statement of the issues that the respondent intends to raise at the

hearing. The issues may relate to the allegations in the notice, the proposed corrective action, or the proposed civil penalty amount. A respondent's failure to specify an issue may result in waiver of his right to raise that issue at the hearing. The respondent's request must also indicate whether or not he will be represented by counsel at the hearing.

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4. Section 190.233(a) would be revised to read as follows:

##### § 190.233 Hazardous facility orders.

(a) Except as provided by paragraph (b) of this section, if the Director, OPS, finds, after reasonable notice and opportunity for hearing in accordance with paragraph (c) of this section and § 190.211(a), a particular pipeline facility to be hazardous to life or property, he shall issue an order pursuant to this section requiring the owner or operator of the facility to take corrective action. Corrective action may include suspended or restricted use of the facility, physical inspection, testing, repair, replacement, or other action, as appropriate.

\* \* \* \* \*

#### PART 193—[AMENDED]

5. The authority citation for part 193 continues to read as follows:

Authority: 49 App. U.S.C. 1671 *et seq.*; 49 CFR 1.53.

##### § 193.2017 [Amended]

6. In § 293.2017, paragraph (b) would be removed, and the designation (a) would be removed from the remaining paragraph.

#### PART 195—[AMENDED]

7. The authority citation for part 195 continues to read as follows:

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

##### § 195.402 [Amended]

8. In § 195.402, paragraph (b) would be removed and paragraphs (c), (d), (e), and (f) would be redesignated as paragraphs (b), (c), (d), and (e), respectively, and all internal references in the newly designated paragraphs would be changed accordingly.

##### §§ 195.404 and 195.408 [Amended]

9. In §§ 195.404(a)(1)(vi) and 195.408(b)(1), the reference to "§ 195.402(c)(9)" would be changed to read "195.402(b)(9)".

Issued in Washington, DC, on October 31, 1989.

Richard L. Beam,

Director, Office of Pipeline Safety.

[FR Doc. 89-25940 Filed 11-3-89; 8:45 am]

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#### 49 CFR Parts 192 and 195

[Docket No. PS-113; Notice 1]

RIN 2137-AB 44

#### Operation and Maintenance Procedures for Pipelines

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

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** This notice proposes to clarify and delineate the items that must be addressed in procedures for operations and maintenance (O&M) of gas pipeline facilities. The current rule is not sufficiently detailed to assure that operators take timely and appropriate actions under normal conditions or in responding to abnormal situations. More detailed O&M procedures should reduce the likelihood of failures and provide a better basis for personnel training. In addition, operators of gas and hazardous liquid pipelines would be required to establish procedures for personnel safety in trenches where there may be a hazardous accumulation of vapor or gas.

**DATE:** Comments must be received by February 5, 1990. Late filed comments will be considered so far as is practicable.

**ADDRESSES:** Send comments in duplicate to the Dockets Unit, Room 8417, 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 material will be available for inspection and copying in Room 8426 between 8:30 a.m. and 5:00 p.m. each business day.

**FOR FURTHER INFORMATION CONTACT:** Bernard Liebler, (202) 366-2392, regarding changes to safety standards; or the Dockets Unit, (202) 366-5046, for copies of this notice or other material in the docket.

#### SUPPLEMENTARY INFORMATION:

##### Background

Between November 1984 and February 1986, a major operator of gas

transmission pipelines experienced four accidents that resulted in four deaths, 36 injuries, and significant property damage. This unusually high accident rate prompted OPS to form a Task Force to review, among other things, the operator's O&M procedures.

The Task Force, which comprised personnel from OPS's Eastern, Southern, Southwest, and Central Region offices, spent three months inspecting the pipeline facilities and reviewing the written O&M procedures. The reviewers found the procedures, established under §§ 192.603 and 192.605, to be performance oriented, very much like the part 192 standards they were intended to implement. In many areas, the procedures simply repeated the part 192 requirements rather than specifying, precisely how to perform required tasks.

As a result of this finding, the Task Force examined the O&M procedures of five other major pipeline operators. The purpose of examining the procedures of the other operators was to establish whether the performance-oriented presentation adopted by the operator having the four incidents was the exception or the rule. The Task Force found disparity in the scope and depth of coverage of the five operators' procedures. This disparity prompted the Task Force to make the following recommendation:

OPS should revise § 192.605, "Essentials of operating and maintenance plans," to provide more guidance (similar to § 192.615 regarding emergency plans, and § 195.402 regarding liquid pipeline procedural manuals).

#### Need for Action

The primary section governing O&M procedures for gas pipeline facilities in part 192 is § 192.605, Essentials of operating and maintenance plan. This section comprises a list of five broad categories of activities that must be covered in O&M procedures:

- (a) Instructions for employees covering operating and maintenance procedures during normal operations and repairs.
- (b) Items required to be included by the provisions of Subpart M [Maintenance] of this part.
- (c) Specific programs relating to facilities presenting the greatest hazard to public safety either in an emergency or because of extraordinary construction or maintenance requirements.
- (d) A program for conversion procedures, if conversion of a low-pressure distribution system to a higher pressure is contemplated.
- (e) Provisions for periodic inspections to ensure that operating pressures are appropriate for the class location.

[Note that a sixth activity, concerning reporting safety-related conditions, has been added to § 192.605 as paragraph (f), effective September 29, 1988, (53 FR 24950). This activity is not a subject of this proceeding, but is included in the proposed revised text of § 192.605 as paragraph (d)].

While these requirements are fairly comprehensive, they are also extremely general in their description. For example, subsection (a) mandates the inclusion of instructions for normal operations and repair activities; but does not specify precisely what activities the instructions should cover. Similarly, subsection (b) refers the operator to Subpart M, which in three instances (§§ 192.706, 192.723, and 192.727) requires operators to develop O&M procedures, but is vague about the content of the procedures. Finally, subsection (c) requires "specific programs" relating to facilities of unusual hazard, but does not say what the purpose or goal of the programs must be.

The intent of § 192.605 is to ensure that personnel who operate or maintain a gas pipeline have available to them a document that provides procedures for the proper operation and maintenance of the pipeline under part 192 standards. It has been, and remains, RSPA policy to write pipeline safety standards as much as possible in performance language to permit operators flexibility in compliance and to allow for innovation in the industry. This is particularly important with respect to requirements for O&M procedures under § 192.605 because of the many variations in gas pipeline systems. Such flexibility is not desirable, however, in documents meant to implement § 192.605 and guide individuals in performing their duties. A document providing specific requirements would better serve the intent of the regulations and reduce the likelihood of confusion or the application of poor judgment by individuals.

The consequences of inadequate O&M procedures can be serious. Vague, unspecific procedures lead to inconsistent handling of repairs and maintenance activities. Such inconsistency can then result in unpredictable operating conditions and, ultimately, failures. OPS has found that operators with adequate O&M procedures and personnel trained to execute them minimize the opportunity for failures.

In 1986 the National Transportation Safety Board (NTSB) investigated two Texas Eastern incidents at Beaumont and Lancaster, Kentucky and recommended that RSPA:

Amend 49 CFR parts 192 and 195 to require that operators of pipelines develop and conduct selection, training, and testing programs to annually qualify employees for correctly carrying out each assigned responsibility which is necessary for complying with 49 CFR parts 192 and 195 as appropriate. (P-87-2)

Although this proceeding is not addressing qualification of employees (a matter that is the subject of a separate notice of proposed rulemaking to be published later this year), the NTSB recommendation is pertinent in that training and testing in the implementation of very generally stated O&M procedures are not feasible. If a procedure is not specific, the range of available responses is so broad that it is not possible to anticipate a response and project its ramifications comprehensively in a training course. Furthermore, an individual trained under such a regimen does not have sufficient guidance from the regulations in how to discharge his responsibilities.

In response to its Task Force recommendation, OPS published an Advance Notice of Proposed Rulemaking (Docket PS-94), (52 FR 9189, March 23, 1987) to elicit the opinions of other interested parties on the broader issue of personnel qualifications. As part of that notice, OPS asked how regulations governing O&M procedures for gas pipeline operators should differ from the part 195 regulations governing O&M procedures for hazardous liquid pipelines. Two-thirds of the respondents stated that the two sets of regulations (§§ 192.605 and 195.402) need not be parallel. About one-fourth of the commenters suggested that the two could be similar, but several recommended that distinctions be made between transmission and distribution systems or among the products carried. Still another group also believed that the two need not be the same, but recommended changes to part 192 to include requirements for training personnel in the aspects of the O&M procedures needed to perform their duties and to gather all part 192 requirements pertaining to O&M procedures into a single location.

OPS does not agree with the position that parallelism need not be maintained between the O&M procedure requirements of parts 192 and 195. The very existence of two separate sets of regulations is an acknowledgment of the distinctions between gas and liquid pipelines. However, OPS believes that the O&M similarities vastly outnumber the differences and that compliance (particularly for operators who have both liquid and gas pipelines) is

enhanced by making the two regulations reasonably similar while honoring the technical distinctions between gas and liquid pipelines.

The primary goal of this proceeding is to clarify and specify the existing requirements of § 192.605 by including a specific list of essentials that must be covered by gas pipeline O&M procedures. The intended effect of the rulemaking is to cause gas pipeline operators to develop effective O&M procedures and use them to take timely and appropriate action in conducting normal activities and in responding to abnormal situations. A subsidiary goal of this proceeding is to implement RSPA's policy to make the regulations governing O&M procedures for gas and liquid pipelines as similar as practicable. Training connected with O&M procedures is scheduled for rulemaking in Docket PS-94.

#### Current and Proposed Requirements

The requirements governing O&M procedures for hazardous liquid pipelines are in § 195.402, Procedural manual for operations, maintenance, and emergencies. Some of these requirements parallel those in §§ 192.603 and 192.605, but are significantly more detailed. The following discussion will compare § 195.402 with §§ 192.603 and 192.605 and propose appropriate amendments.

Section 195.402(a), in addition to requiring that the operator prepare and follow a manual of written procedures for conducting O&M activities and for handling emergencies, requires the operator to evaluate its effectiveness annually and update and revise the manual as necessary. The subsection also requires that appropriate parts of the manual be available at locations where operations and maintenance activities are conducted. This subsection also states that the manual must be prepared before initial operation of a pipeline system commences. Section 192.603(b) requires operators to establish a written O&M plan, but not in manual form. The remaining provisions of § 195.402(a) are not matched in §§ 192.603 and 192.605. Sections 192.603(b) and 192.605(a) would be revised to agree with § 195.402(a).

Section 195.402(c) requires procedures for several different, specifically-referenced O&M activities, many of which, although pertinent to gas systems, are not addressed directly or are addressed in less detail in part 192, as discussed below.

Section 195.402(c)(1) requires the operator to make construction records, maps, and operating history available to O&M personnel as necessary for safe

operation and maintenance. In contrast, § 192.603(b) simply requires the operator to "keep records necessary to administer" the O&M plan. This section does not have the same effect in regard to availability or kinds of records as § 195.402(c)(1). As set forth below, the proposed § 192.605(b)(3) is comparable to § 195.402(c)(1).

Section 195.402(c)(2) requires procedures for the collection of data needed for reporting accidents to RSPA. Section 192.605 does not require that operators have similar procedures. Therefore, a new § 192.605(b)(4) is proposed to agree with § 195.402(c)(2).

Section 195.402(c)(3) requires procedures for operating, repairing, and maintaining the pipeline system in accordance with the O&M regulations in subpart F of part 195. Sections 192.603(b) and 192.605(b) have similar intent, but it is not as clearly stated. The existing § 192.605(b) would be revised and redesignated as the proposed § 192.605(b)(1) to agree with § 195.402(c)(3).

Section 195.402(c)(4) requires procedures for determining which facilities require immediate response in the event of failure or malfunction. Section 192.605 does not address this issue. A new § 192.605(b)(5) is proposed to agree with § 195.402(c)(4).

Section 195.402(c)(5) covers analyzing pipeline accidents to determine their causes, and procedures for this topic are covered adequately by § 192.617. However, for conformity with § 195.402, OPS is proposing under § 192.605(e) that these procedures be included in the O&M manual. This proposal would serve to unite all O&M procedures in a single manual and clarify that the accident investigation procedures required by § 192.617 must be written.

Section 195.402(c)(6) requires procedures for minimizing potential hazards at those locations identified under § 195.402(c)(4) and for minimizing the recurrence of accidents. Section 192.605(c) requires "[s]pecific programs relating to facilities presenting the greatest hazard to public safety," but does not elaborate on the intent of the programs. A new § 192.605(b)(6) is proposed to parallel § 195.402(c)(6) with regard to minimizing the potential for hazards. Procedures to minimize accident recurrence are required by § 192.617.

Section 195.402(c)(7) requires procedures for pipeline startup and shutdown within appropriate operating parameters. Part 192 does not contain a similar requirement, except with regard to compressor stations under § 192.729. Gas pipelines are shut down, intentionally and unintentionally, and

restarted, and appropriate procedures are vital for maintaining the safety of the pipeline. The proposed § 192.605(b)(7) is comparable to § 195.402(c)(7).

Sections 195.402(c)(8) and (c)(9) pertain to monitoring pipelines that are not equipped to fail safe for operation outside of normal limits. Part 192 does not contain a similar requirement. Liquid pipelines can fail in extremely short times as a result of pressure excursions. Gas pipelines do not exhibit similar behavior. Therefore, provisions comparable to (c)(8) and (c)(9) need not be added to § 192.605.

Section 195.402(c)(10) requires procedures for abandoning pipeline facilities. In part 192, § 192.727 covers this topic in appropriate detail and requires that procedures for abandonment be included in each operator's O&M plan. Thus, there is no need for further treatment of this topic under § 192.605.

Section 195.402(c)(11) addresses minimizing the potential for ignition of vapors at locations determined to require immediate response under § 195.402(c)(4) where the potential exists for the presence of flammable liquids or gases. Section 192.751 similarly requires operators to minimize the potential for gas ignition in structures and other locations where the presence of gas constitutes an ignition or explosion hazard. Although this section does not require written procedures, they would have to be prepared and included in the O&M manual under the proposed § 192.605(b)(1), which would require procedures for implementing all subpart M maintenance standards. OPS is not proposing any other change to § 192.605 to compare with § 195.402(c)(11).

Section 195.402(c)(12) addresses establishing and maintaining liaison with police, fire, and other public officials so that operator and public response capabilities are known in advance of any emergency. Part 192 covers this topic adequately in § 192.615(c), and it need not be added to § 192.605.

Section 195.402(c)(13) requires periodic review of the work of operator personnel to determine the effectiveness of O&M procedures. It requires further that the operator correct any deficiencies encountered. Section 192.605 does not require similar review and revision of O&M procedures. Thus, § 192.605(b)(10) is proposed to compare with § 195.402(c)(13).

The proposed § 192.605(b)(11) is the existing § 192.605(e).

The existing requirements of § 192.605(d) regarding the conversion of

a low-pressure distribution system to a higher pressure would be deleted because such conversion is equivalent to uprating, and § 192.553(c) requires a written procedure to ensure compliance with subpart K, Uprating.

Section 195.402(d) addresses abnormal operations. It requires procedures to provide safety when operating design limits are exceeded, as indicated by, among other items, operation of safety devices, unintended closure of valves or shutdowns, pressure excursions beyond normal limits, and loss of communications. Part 192 does not currently require procedures to respond to abnormal operations, but OPS believes such procedures are appropriate for transmission lines. Since abnormal conditions on transmission lines can worsen, creating an imminent hazard or emergency, they should properly be addressed in the O&M procedures. Therefore, a new § 192.605(c) is proposed to agree with § 195.402(d). Section 195.402(d)(3) has not been included because it would be redundant with the proposed § 192.605(c)(1)(ii).

Section 195.402(e) covers emergency response procedures. Under part 192, such procedures are required by § 192.615. However, for conformity with § 195.402, OPS is proposing under § 192.605(e) that the gas pipeline emergency procedures be included in the O&M manual. Many operators now do so. This proposal would serve to unite all O&M procedures in a manual. The public education program required by § 192.615(d) would be restated as § 192.616 to not confuse it with the emergency procedures to be added to the O&M manual. Also, § 195.440 separates similar education requirements from requirements for emergency procedures.

Also, to unite all O&M procedures in a manual, the proposed § 192.605(e) would require that the surveillance procedures operators must prepare under § 192.613(a) be included in the O&M manual.

#### Personnel Safety

The intent of the Federal minimum safety standards embodied in parts 192 and 195 is to protect the public from the hazards attendant to the transportation of gas and hazardous liquids by pipeline. Included implicitly in this statement is the goal of protecting pipeline personnel, as they also constitute a part of the general public.

Personnel protection is for the most part an indirect consequence of the regulations and need not often be addressed explicitly. However, OPS has identified two areas that do merit direct

address. A large fraction of pipeline maintenance, particularly leak repair, is done in excavated trenches where escaping gas or evaporating liquid can create a hazardous environment. Although pipeline personnel are generally trained to work in such environments, OPS believes that, to ensure the safety of personnel, each O&M procedures manual should include procedures for: (1) Taking adequate precautions in excavated trenches to protect personnel from the hazards of unsafe accumulations of vapor or gas; and (2) making available at the excavation emergency rescue equipment, including a breathing apparatus and a rescue harness and line. The proposed § 192.605(b)(12) and § 195.402(b)(14) would establish these requirements.

#### Other Related Sections

In subpart I of part 192, § 192.453 requires gas operators to establish procedures to implement the corrosion control requirements of the subpart. In keeping with OPS's objective of requiring gas operators to collect all required procedures for pipeline maintenance in a single manual, the requirement of § 192.453 to establish corrosion control procedures would be transferred to § 192.605(b)(2), and § 192.453 would be revised appropriately. By including this requirement in § 192.605, it would be clear that gas pipeline corrosion control procedures must be written and be a part of the O&M manual.

In subpart M of part 192, § 192.706, Transmission lines: Leakage surveys, § 192.723, Distribution systems: Leakage surveys and procedures, and § 192.727, Abandonment or inactivation of facilities, each contain an explicit requirement that the operator cover the respective subject in its O&M procedures. Each section then provides relevant safety requirements. Because the proposed § 192.605(a) would require procedures for operating and maintaining pipelines generally, and § 192.605(b)(1) would require procedures to meet all of the O&M requirements of subparts L and M, the specific references to O&M procedures in §§ 192.706, 192.723, and 192.727 would no longer be needed and could be construed to limit the application of § 192.605(b)(1). Therefore, §§ 192.706, 192.723, and 192.727 would be modified to remove the reference to O&M procedures.

Three other sections in subpart M of part 192, §§ 192.729, 192.731, and 192.733 require procedures for starting, operating, and shutting down compressors and for maintaining

compressor stations. In addition § 192.737 requires a plan for inspection and testing of pipe-type and bottle-type holders. OPS proposes to delete these sections and move the requirements they contain to § 192.605(b)(8), (9), and (13). This would serve to consolidate all O&M plans and procedures in a single manual and to clarify that the plans and procedures required for compressors and for pipe-type and bottle-type holders must be written.

#### Impact Assessment

Gas pipeline operators are currently required to have written comprehensive O&M procedures. This proposal would merely specify more clearly the required contents of such procedures. Thus, most operators' procedures should already cover the proposed topics, although possibly not in the detail being proposed or in manual form. The expense associated with compliance would be for collection and organization of existing procedures, with some elaboration where necessary. Therefore, this proposal is considered to be nonmajor under Executive Order 12291 but is considered significant under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979) because of the need for adequate procedures to provide a basis for training and qualifying operator personnel. Since the proposed rule should require minimal compliance expense, it does not warrant preparation of a Draft Evaluation. Also, based on the facts available concerning the impact of this proposal, I certify under section 605 of the Regulatory Flexibility Act that it would not, if adopted as final, have a significant economic impact on a substantial number of small entities.

#### Paperwork Reduction Act

This proposed rulemaking would modify existing information collection requirements in § 192.605. This proposed modification 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). Persons desiring to comment on these information collection requirements should submit their comments to the Office of Regulatory Policy, Office of Management and Budget, 726 Jackson Place, NW., Washington, DC 20503, Attention: Desk Officer, Research and Special Programs Administration (RSPA). Persons submitting comments to OMB are also requested to submit a copy of their comments to RSPA as indicated above under ADDRESS.

**Federalism**

This action has been analyzed in accordance with the principles and criteria contained in E.O. 12612. RSPA has determined that it does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

**List of Subjects****49 CFR Part 192**

Emergency, Maintenance, Operations, Pipeline safety, Reporting and recordkeeping requirements.

**49 CFR Part 195**

Emergency, Maintenance, Operations, Pipeline safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, OPS proposes to amend parts 192, and 195 as set forth below:

1. The authority citation for part 192 continues to read as follows:

Authority: 49 App. U.S.C. 1672 and 1804; and 49 CFR 1.53.

3. Section 192.453 would be revised to read as follows:

**§ 192.453 General.**

The corrosion control procedures required by § 192.605(b)(2) of this part, including those for the design, installation, operation, and maintenance of cathodic protection systems, must be carried out by, or under the direction of, a person qualified by experience and training in pipeline corrosion control methods.

4. Section 192.603(b) would be revised to read as follows:

**§ 192.603 General provisions.**

(b) Each operator shall keep records necessary to administer the procedures established under § 192.605 of this part.

5. Section 192.605 would be revised to read as follows:

**§ 192.605 Procedural manual for operations, maintenance, and emergencies.**

(a) *General.* Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting normal operations and maintenance activities and handling emergencies. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to ensure that the manual is effective. This manual must be prepared before initial operations of a pipeline system

commence, and appropriate parts must be kept at locations where operations and maintenance activities are conducted.

(b) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:

(1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part.

(2) Controlling corrosion in accordance with each of the requirements of subpart I of this part.

(3) Making construction records, maps, and operating history available to appropriate personnel as necessary for safe operation and maintenance.

(4) Gathering of data needed for reporting incidents under part 191 of this chapter in a timely and effective manner.

(5) Determining which pipeline facilities are located in areas that would require an immediate response by the operator to prevent hazards to the public if the facilities failed or malfunctioned.

(6) Minimizing the potential for hazards identified under paragraph (b)(5) of this section.

(7) Starting up and shutting down any part of the pipeline in a manner designed to assure operation within the MAOP limits prescribed by this part, plus the build-up allowed for operation of pressure-limiting and control devices.

(8) Maintaining compressor stations, including provisions for isolating units or sections of pipe and for purging before returning to service.

(9) Starting, operating, and shutting down gas compressor units.

(10) Periodically reviewing the work done by operator personnel to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found.

(11) Periodic inspections to ensure that operating pressures are appropriate for the class location.

(12) Taking adequate precautions in excavated trenches to protect personnel from the hazards of unsafe accumulations of vapor or gas, and making available when needed at the excavation emergency rescue equipment, including a breathing apparatus and a rescue harness and line.

(13) Systematic and routine testing and inspection of pipe-type or bottle-type holders including—

(i) Provision for detecting external corrosion before the strength of the container has been impaired;

(ii) Periodic sampling and testing of gas in storage to determine the dew point of vapors contained in the stored gas which, if condensed, might cause internal corrosion or interfere with the safe operation of the storage plant; and

(iii) Periodic inspection and testing of pressure limiting equipment to determine that it is in a safe operating condition and has adequate capacity.

(c) *Abnormal operation.* For transmission lines, the manual required by paragraph (a) of this section must include procedures for the following to provide safety when operating design limits have been exceeded:

(1) Responding to, investigating, and correcting the cause of:

(i) Unintended closure of valves or shutdowns;

(ii) Increase or decrease in pressure or flow rate outside normal operating limits;

(iii) Loss of communications;

(iv) Operation of any safety device;

(v) Any other malfunction of a component, deviation from normal operation, or personnel error which could cause a hazard to persons or property.

(2) Checking variations from normal operation after abnormal operation has ended at sufficient critical locations in the system to determine continued integrity and safe operation.

(3) Notifying responsible operator personnel when notice of an abnormal operation is received.

(4) Periodically reviewing the response of operator personnel to determine the effectiveness of the procedures controlling abnormal operation and taking corrective action where deficiencies are found.

(d) *Safety-related condition reports.* The manual required by paragraph (a) of this section must include instructions enabling personnel who perform operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the reporting requirements of § 191.23 of this chapter.

(e) *Surveillance, emergency response, and accident investigation.* The procedures required by §§ 192.613(a), 192.615, and 192.617 of this part must be included in the manual required by paragraph (a) of this section.

**§ 192.615 [Redesignated as § 192.616(d)]**

6. Section 192.615(d) would be redesignated as § 192.616 *Public education*, and the paragraph designation would be removed.

**§ 192.706 [Amended]**

7. In § 192.706, paragraph (a) would be removed, the introductory text of paragraph (b) would be redesignated as the introductory text of the section, and paragraphs (b)(1) and (b)(2) would be redesignated paragraphs (a) and (b), respectively.

8. In § 192.723, the section heading and paragraph (a) would be revised to read as follows:

**§ 192.723 Distribution systems: Leakage surveys.**

(a) Each operator of a distribution system shall conduct periodic leakage surveys in accordance with this section.

9. In § 192.727, the section heading and paragraph (a) would be revised to read as follows:

**§ 192.727 Abandonment or deactivation of facilities.**

(a) Each operator shall conduct abandonment or deactivation of

pipelines in accordance with the requirements of this section.  
\* \* \* \* \*

**§ 192.729 [Removed]**

10. Section 192.729 would be removed.

**§ 192.733 [Removed]**

11. Section 192.733 would be removed.

**§ 192.737 [Removed]**

12. Section 192.737 would be removed.

**PART 195—[AMENDED]**

13. The authority citation for part 195 continues to read as follows:

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

14. In § 195.402, a new paragraph (b)(14) would be added to read as follows:<sup>1</sup>

<sup>1</sup> Editorial Note: Elsewhere in this Part III, the Research and Special Programs Administration is proposing to redesignate current paragraph (c) in § 195.402 as paragraph (b). This proposed amendment would affect newly designated paragraph (b).

**§ 195.402 Procedural manual for operations, maintenance, and emergencies.**  
\* \* \* \* \*

(b) \* \* \*

(14) Taking adequate precautions in excavated trenches to protect personnel from the hazards of unsafe accumulations of vapor or gas, and making available when needed at the excavation emergency rescue equipment, including a breathing apparatus and a rescue harness and line.  
\* \* \* \* \*

Issued in Washington, DC, on October 26, 1989.

**Richard L. Beam,**  
*Director, Office of Pipeline Safety.*  
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