

and environmental factors and in relation to relevant statutory and regulatory requirements.

#### D. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

This action proposing approval of Pennsylvania's Title V program has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

Authority: 42 U.S.C. 7401-7671q.

Dated: February 23, 1996.

Stanley L. Laskowski,

*Acting Regional Administrator, EPA Region III.*

[FR Doc. 96-5415 Filed 3-6-96; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Parts 89, 90, and 91

[FRL-5437-7]

RIN 2060-AE54

#### Control of Air Pollution; Supplementary Notice of Proposed Rulemaking for New Gasoline Spark-Ignition Marine Engines; Exemptions for Non-Road Compression-Ignition Engines at or Above 37 Kilowatts and New Nonroad Spark-Ignition Engines at or Below 19 Kilowatts

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Supplementary Notice of Proposed Rule; Notice of Data Availability.

**SUMMARY:** Regarding gasoline marine engines, EPA has data available for public review regarding relative engine use by age of engine.

**DATES:** The comment period will remain open until March 8, 1996 for purposes of taking comment on the issues raised regarding marine gasoline engine relative use by engine age. Please direct all correspondence to the address specified below.

**ADDRESSES:** Interested parties may submit written comments (in duplicate, if possible) for EPA consideration by addressing them as follows: EPA Air Docket (LE-131), Attention: Docket Number A-92-28, room M-1500, 401 M Street, S.W., Washington, D.C. 20460.

Materials relevant to this rulemaking are contained in this docket and may be reviewed at this location from 8:00 a.m. until 5:30 p.m. Monday through Friday. As provided in 40 CFR part 2, a reasonable fee may be charged by EPA for photocopying.

**FOR FURTHER INFORMATION CONTACT:** Deanne R. North, Office of Mobile Sources, Engine Programs and Compliance Division, (313) 668-4283.

#### SUPPLEMENTARY INFORMATION:

##### I. Notice of Data Availability

The State of Wisconsin performed a survey of the 1995 summer season to obtain better information on relative use of spark-ignition gasoline marine engines by age. This Wisconsin data is available now in the Air Docket A-92-28 and on EPA's Technology Transfer Network/Bulletin Board System as described below. EPA may consider the survey results when deciding how to finalize the marine spark-ignition gasoline engine rule with respect to the relative use by age function.

The Agency proposed in the Supplemental Notice of Proposed Rulemaking (SNPRM) (61 FR 4600,

February 7, 1996) to include a statistical function in the credit calculation formula in § 91.207 of the regulations proposed for 40 CFR Part 91, representing relative usage of engines by engine age and power output. EPA will accept comment on the Wisconsin data and the proposals in the SNPRM through March 8, 1996.

##### II. Obtaining Information on this Rulemaking

The SNPRM preamble, proposed regulatory language, and supporting data are available to the public through several sources. Electronic copies (on 3.5" diskettes) of the proposed regulatory language may be obtained free of charge by visiting, writing, or calling the Environmental Protection Agency, Engine Programs and Compliance Division, 2565 Plymouth Road, Ann Arbor, MI 48105, (313) 668-4288. Refer to Docket A-92-28. A copy is also available for inspection in the docket (see ADDRESSES).

The SNPRM preamble, proposed regulatory language, and some supporting information are also available electronically on the Technology Transfer Network (TTN), which is an electronic bulletin board system (BBS) operated by EPA's Office of Air Quality Planning and Standards. The service is free of charge, except for the cost of the phone call. Users are able to access and download TTN files on their first call using a personal computer and modem per the following information.

TTN BBS: 919-541-5742 (1200-14400 bps, no parity, 8 data bits, 1 stop bit) Voice Helpline: 919-541-5384 Also accessible via Internet: TELNET ttnbbs.rtpnc.epa.gov Off-line: Mondays from 8:00 AM to 12:00 Noon ET.

A user who has not called TTN previously will first be required to answer some basic informational questions for registration purposes. After completing the registration process, proceed through the following menu choices from the Top Menu to access information on this rulemaking.  
<T> GATEWAY TO TTN TECHNICAL AREAS (Bulletin Boards)  
<M> OMS—Mobile Sources Information  
<K> Rulemaking & Reporting  
<6> Non-Road  
<1> File area #1. Non-Road Marine Engines

At this point, the system will list all available files in the chosen category in chronological order with brief descriptions. To download a file, select a transfer protocol that is supported by the terminal software on your own computer, then set your own software to receive the file using that same protocol.

If unfamiliar with handling compressed (that is, ZIP'ed) files, go to the TTN top menu, System Utilities (Command: 1) for information and the necessary program to download in order to unZIP the files of interest after downloading to your computer. After getting the files you want onto your computer, you can quit the TTN BBS with the <G>oodbye command.

Please note that due to differences between the software used to develop the document and the software into which the document may be downloaded, changes in format, page length, etc. may occur.

#### List of Subjects

##### 40 CFR Part 89

Environmental protection, Administrative practice and procedure, Air pollution control, Confidential business information, Environmental protection, Imports, Incorporation by reference, Labeling, Nonroad source pollution, Reporting and recordkeeping requirements.

##### 40 CFR Part 90

Administrative practice and procedure, Air pollution control, Confidential business information, Environmental protection, Imports, Incorporation by reference, Labeling, Nonroad source pollution, Reporting and recordkeeping requirements.

##### 40 CFR Part 91

Administrative practice and procedure, Air pollution control, Confidential business information, Environmental protection, Imports, Incorporation by reference, Labeling, Nonroad source pollution, Reporting and recordkeeping requirements.

Dated: March 1, 1996.

Richard Wilson,

*Acting Assistant Administrator.*

[FR Doc. 96-5418 Filed 3-6-96; 8:45 am]

BILLING CODE 6560-50-P

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Parts 191 and 192

[Docket No. PS-106; Notice 3]

RIN 2137-AB63

#### Transportation of Hydrogen Sulfide by Pipeline

AGENCY: Research and Special Programs Administration (RSPA).

**ACTION:** Withdrawal of notice of proposed rulemaking (NPRM).

**SUMMARY:** In response to three National Transportation Safety Board (NTSB) Safety Recommendations, RSPA issued an Advance Notice of Proposed Rulemaking (ANPRM) followed by a Notice of Proposed Rulemaking (NPRM) that proposed changes in the Pipeline Safety Regulations to address the hazard of excessive levels of hydrogen sulfide (H<sub>2</sub>S) in natural gas transmission pipelines. In a final review of information and comment from all sources, including advice from the Technical Pipeline Safety Standards Committee (TPSSC), RSPA determined that a regulation to address H<sub>2</sub>S in transmission lines is not warranted. Therefore, the NPRM is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Mike Israni, (202) 366-4571, regarding the subject matter of this notice, or the Dockets Unit, (202) 366-4453, regarding copies of this notice or other material in the docket as referenced above.

#### SUPPLEMENTARY INFORMATION:

##### Background

H<sub>2</sub>S is a colorless and flammable gas which is hazardous to life and health at concentrations above 300 parts per million (ppm). At concentrations of 1000 ppm in air it can cause immediate unconsciousness and death. The Occupational Safety and Health Administration has established an upper concentration level of 10 ppm for prolonged (8 hours) workplace exposure.

The current regulations in 49 CFR Parts 192 and 195 address H<sub>2</sub>S only with respect to its corrosive effect on pipelines, as follows:

- § 192.125(d) states that copper pipe that does not have an internal corrosion resistant lining may not be used to carry gas that has an average H<sub>2</sub>S content of over 0.3 grains per 100 standard cubic feet (SCF) of gas.

- § 192.475 states that corrosive gas may not be transported by pipeline unless the corrosive effect of the gas on the pipeline has been investigated and steps have been taken to minimize internal corrosion. In addition, gas containing more than 0.1 grains of H<sub>2</sub>S per 100 SCF may not be stored in pipe-type or bottle-type holders.

- § 195.418 states that no operator may transport any hazardous liquid that would corrode the pipe or other pipeline components unless it has investigated the corrosive effect of the hazardous liquid on the system and taken adequate steps to mitigate corrosion.

#### NTSB Recommendations

As a result of the NTSB investigation of an August 1987 accidental release of H<sub>2</sub>S into a gas supply to Lone Star Gas Company in Texas, and after learning of 11 additional H<sub>2</sub>S releases since 1977 (none of which involved any fatalities or serious injuries), NTSB issued three Safety Recommendations to RSPA (P-88-1, -2 and -3) which called for (-1) establishing a maximum allowable concentration of H<sub>2</sub>S in natural gas pipeline systems, (-2) requiring operators to report all incidents in which concentrations of H<sub>2</sub>S exceed this maximum, and (-3) requiring operators to install equipment to automatically detect and shut off the flow of gas when H<sub>2</sub>S concentrations exceed the maximum.

#### Advance Notice of Proposed Rulemaking (ANPRM)

The RSPA responded to the NTSB recommendations by issuing an ANPRM on June 7, 1989 (54 FR 24361). Because the Pipeline Safety Regulations do not require any monitoring of H<sub>2</sub>S levels in natural gas pipeline systems, the ANPRM included a request for information to be used in assessing the need for any such regulations. The ANPRM provided background information and discussion on gas wells having significant concentrations of H<sub>2</sub>S (sour gas), on the toxicity of H<sub>2</sub>S, and on the effects of H<sub>2</sub>S with regard to sulfide stress and stress corrosion cracking of line pipe. It discussed two H<sub>2</sub>S incidents in California (1983 and 1984) and one in Texas (1987) that were reported by NTSB, and mentioned some instances where workers were overcome by H<sub>2</sub>S at a sour gas field in Canada. It quoted the aforementioned three NTSB Safety Recommendations (P-88-1, -2 and -3), summarized the aforementioned Federal Regulations (49 CFR 192.125, 192.475 and 195.418), discussed state regulations on H<sub>2</sub>S (California General Order 58; Michigan Rules 299, 460 and 81; and Texas Rule 36), and mentioned seven sections in Canadian Standard Z184-1975 that deal with sour gas. For additional information on the above items refer to the ANPRM which is available in the docket.

In its request for information, the ANPRM included four questions as follows:

Question 1. What factors should be considered in determining the need for a maximum allowable concentration of H<sub>2</sub>S in natural gas pipeline systems? What should this concentration be?

Question 2. Describe events you know of in which H<sub>2</sub>S has been released from,