

§ 3422.2 Notice of sale and detailed statement.

(a) * * * BLM will post notice of the sale in BLM State Office where the coal lands are managed. It will also mail notice to any surface owner of lands noticed for sale and to any other person who has requested notice of sales in the area. * * *

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11. Amend § 3425.1-9 by adding a sentence at the end of this section to read:

§ 3425.1-9 Modification of application area.

* * * If an environmental assessment of the modification is required, BLM will solicit and consider public comments on the modified application.

12. Amend § 3425.3(a) by adding two sentences at the end of paragraph (a) to read:

§ 3425.3 Environmental analysis.

(a) * * * BLM will publish a notice in the **Federal Register** and for two consecutive weeks in a newspaper of general circulation in the area of the sale, announcing the availability of the environmental assessment or draft environmental impact statement and the hearing required by § 3425.4(a)(1). BLM also will mail to the surface owner of any lands to be offered for sale and to any person who has requested notice of sales in the area.

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

[Docket No. RSPA-98-4868, Notice 1]

RIN 2137-AB15

Gas Gathering Line Definition

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Request for comments.

SUMMARY: This notice announces an electronic public discussion forum and subsequent written comment period on defining gas gathering lines for the purposes of pipeline safety regulation. In 1991, we proposed a definition of gas gathering. A change to the pipeline safety laws in 1992 requires us to revisit that proposal and to consider whether and to what extent we should regulate gathering lines in rural areas. This

opportunity for public input will allow us to decide whether and how to modify the regulations. The comments may also inform the process when we consider development of a separate proposal on regulating gas gathering lines in rural areas.

DATES: Comments must be submitted on or before April 28, 1999. The electronic public discussion forum will commence on April 13, 1999, at 9:00 a.m. EST and end on May 5, 1999, at 4:30 p.m. EST.

ADDRESSES: The Internet address for the electronic discussion forum is <http://ops.dot.gov/forum>. Address written comments to the Dockets Management System, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. Comments should identify the Docket No. RSPA-98-4868. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed, stamped postcard. Comments may be submitted by e-mail to rules@rspa.dot.gov.

The Dockets Management System is located on the Plaza Level of the Department of Transportation's Nassif Building at 400 Seventh Street, SW, Washington, DC. Public dockets may be reviewed in person between the hours of 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. In addition, the public may also review comments by accessing the Docket Management System's home page at <http://dms.dot.gov>. An electronic copy of any document may be downloaded from the Government Printing Office Electronic Bulletin Board Service at (202) 512-1661.

FOR FURTHER INFORMATION CONTACT: L.E. Herrick, (202) 366-5523, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION: The electronic public discussion forum will be held at the conferences and public meetings section of the Office of Pipeline Safety's Internet home page. The forum will allow near real-time electronic discussion of the rulemaking. We hope it will increase the breadth of participation in the commenting process. A transcript of the electronic discussion forum will be placed in the docket.

Issues for discussion: Segments of gathering lines in rural areas are excluded from the Federal pipeline safety regulations in 49 CFR Part 192. In these regulations the term "gathering line" is defined with reference to a "transmission line" or "main", a type of distribution line. The term

"transmission line" is then defined with reference to a gathering line, and "distribution line" is defined with reference to a gathering or transmission line. Therefore under current regulations:

"Distribution line" means a pipeline other than a gathering or transmission line.

"Gathering line" means a pipeline that transports gas from a current production facility to a transmission line or main.

"Transmission line" means a pipeline, other than a gathering line, that transports gas from a gathering line or storage facility to a distribution center or storage facility; operates at a hoop stress of 20 percent or more of SMYS; or transports gas within a storage field.

These definitions have long been unsatisfactory. As a result of this cross-referencing, the point where a gathering line ends and transmission or distribution begins is often subject to varying interpretation.

On September 25, 1991, we proposed a revised definition in a notice of proposed rulemaking (NPRM):

"Gathering line" means, except as provided in paragraph (4), any pipeline or part of a connected series of pipelines used to transport gas from a well or the first production facility where gas is separated from produced hydrocarbons, whichever is farther downstream, to an applicable end point described in paragraphs (1), (2), or (3) below:

(1) The inlet of the first natural gas processing plant used to remove liquefied petroleum gases or other natural gas liquids.

(2) If there is no natural gas processing plant, the point where custody of the gas is transferred to others who transport it by pipeline to:

- (i) A distribution center;
- (ii) A gas storage facility; or
- (iii) an industrial consumer.

(3) If there is no natural gas processing plant or point where custody of the gas is so transferred, the last point downstream where gas produced in the same production field or two adjacent production fields is commingled.

(4) A gathering line does not include any part of a pipeline that transports gas downstream—

- (i) From the end points in (1), (2), or (3) in this Section;
- (ii) From a production facility, if no end point exists; or
- (iii) In any interstate transmission facility subject to the jurisdiction of the Federal Energy Regulatory Commission under the Natural Gas Act (15 U.S.C. 717 *et seq.*).

Legislative Changes

There has been a legislative change in underlying Federal pipeline safety laws since the NPRM was published on September 25, 1991. The Pipeline Safety Act of 1992 (Pub. L. 102-508) enacted on October 24, 1992, provided that, in defining "gathering line" we should

consider the functional and operational characteristics of the line. We are neither required to follow classifications established by FERC under the Natural Gas Act of 1938 nor prevented from using them if we choose. In addition, we are to prescribe standards defining the term "regulated gathering line" which may result in some regulation of rural gathering lines. In determining the specific physical characteristics which warrant regulation, we will consider factors which include location, length of line from the well site, operating pressure, throughput, and the composition of the transported gas.

Industry Recommendation

On September 28, 1998 we met with representatives of the Gas Processors Association (GPA) a trade organization representing much of the gas gathering industry. GPA suggested basing a definition of gathering on pipeline function. GPA suggested the following:

"Gathering line" means any pipeline or part of a connected series of pipelines used to transport gas from a production source—gas wells; gas well separators; oil well separators; flow lines; and, dehydrators. The terminating end is either a single pipeline or a network of pipelines that collects gas from production facilities—and delivers the gas to facilities downstream from the end of the gathering line. The end of gathering shall be the most downstream location of the following:

(1) The inlet of a gas processing plant (notes: a gathering line could split and feed two separate gas plants (in-parallel) a gathering line would end at the first gas plant if the second plant is downstream of the first. (In-series))

(2) Excluding well head compressors (usually low horsepower) the outlet of the first compressor station located downstream of a production facility-or-the outlet of the first onshore compressor station downstream of an offshore gathering line.

(3) The outlet of the furthest downstream: dehydration equipment; treating equipment; scrubber station; that makes the gas of suitable quality for residential consumption .

(4) The inlet to a storage facility; a FERC designated transmission line; or other line transporting gas of suitable quality for residential consumption.

If a gas plant exists, it is downstream of (2, 3, & 4). If (1, 2, 3) do not exist then the end of gathering is in effect a transmission line or a storage facility. If a gas plant exists, it is downstream of (2, 3, and 4). If (1, 2, 3) do not exist then the end of gathering is in effect a transmission line or a storage facility.

The GPA also suggested defining "gathering return line".

Gathering return line: means a line that returns treated gas to a production facility—or a field compressor—for: gas lift gas injection fuel for production equipment. Non-rural gathering return lines are not exempt from the requirements of 49 CFR 192. Rural gathering returns lines are exempt from

the requirements of 49 CFR 192. These lines usually operate with maximum operating pressure less than 20% of the specified minimum yield strength do not service the general public.

The GPA proposed definition differs from the definition we presented in our 1991 NPRM in the focus on the function of the lines without reference to the custody or ownership of the product in the line.

Request for Participation

We are trying to change the fundamental relationship between the regulator and the operating companies in protecting the public and the environment. The purpose of this public discussion forum is to help create an environment in which the regulated industry, state agencies and other interested parties are encouraged to evaluate the issues and to find the best, safest, most cost effective solutions to any safety and environmental challenges raised by gas gathering.

Issued in Washington, D.C. on March 5, 1999.

Richard B. Felder,

Associate Administrator for Pipeline Safety, Research and Special Programs Administration.

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