one third of the EMS services contacted by ODI did not experience a tire failure while driving.[18]

6.0 Discussion

In determining whether to open a defect investigation into a product, ODI typically considers a number of factors, dependent upon the alleged defect and component at issue. The decision whether to re-open an investigation into Firestone Steeltex tires was based on consideration of a number of matters identified during the course of the technical review. These considerations were discussed at length above and include such items as the number and trend of owner complaints, claims and adjustment data, the number and severity of injury claims, and evidence of a possible source and mode of failure.

Standing alone, no one factual consideration was dispositive. For example, the fact that the adjustment or property damage claims rates for Steeltex tires may have been comparable to or lower than competitor tires, was but one factor. Other information was considered as well, such as the number and severity of injury incidents associated with the tires, and the variety of failure conditions observed during ODI's tire examinations.

As noted in the denial of DP02–011, the subject Steeltex tires represent an immense and diverse population of tires that are used in the harshest LTR tire applications. The data continue to show that the rate of Steeltex tire failures is similar to that of other tires in similar uses.

The petitioners' data and VOQs show that Class C RVs, representing a relatively small segment of vehicles that use Steeltex tires, account for the largest share of recent failures, but a very small share of the crash numbers. Class C RVs are an especially severe LTR tire application because, by design, they operate very close to the tires' rated capacities, are subject to tire pressure maintenance concerns, and accumulate mileage at a lower rate than most other vehicles equipped with LTR tires.

Additionally, the independent tire failure expert ODI retained to examine an assortment of failed Steeltex tires was unable to find evidence of any specific type or mode of failure in the tires. His examination concluded that the tires demonstrated evidence of a wide variety of failure modes, all of which were consistent with the failure modes typically seen in tires of comparable size and type, regardless of manufacturer.

With regard to ambulance applications in particular, tire examinations and interviews conducted by ODI, and surveys conducted by Firestone have uncovered evidence of significant tire maintenance concerns (many of which also apply to RVs). ODI examined 21 ambulance tires and found many of the same conditions observed at Marengo, including flex failures and unrepaired road hazards. The dual rear wheel arrangement on many ambulances often renders the inner valve stem inaccessible, making it difficult to assure that proper pressures are maintained. Up to a third of the vehicles surveyed by Firestone evidenced substantial underinflation of their tires. This is especially significant because, like RVs, ambulances operate very close to the maximum carrying capacity of their tires most of the time.[19]

7.0 Conclusions

Based on ODI's analysis of information submitted in support of the petitions, additional complaint and claims information gathered since the DP02–011 denial, and its examination of failed Steeltex tires, it is unlikely that NHTSA would issue an order for the notification and remedy of a safety-related defect in the subject tires at the conclusion of the investigations requested by the petitioners. Therefore, in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, ODI is denying the petitions to reopen the Steeltex investigation. ODI will continue to monitor the performance of these tires for any signs of an emerging defect trend.

Authority: 49 U.S.C. 30120(e); delegations of authority at CFR 1.50 and 501.8.

Issued on: September 24, 2004.

Kenneth N. Weinstein,

Associate Administrator for Enforcement.

[FR Doc. 04–21786 Filed 9–28–04; 8:45 am]

BILLING CODE 4910–59–P

[18] In these instances, complainants reported valve stem leakage, vibration, bulges, and irregular wear.

[19] Based on these and other operational and maintenance issues identified in dual rear wheel tire applications during the course of this review, NHTSA plans to conduct outreach activities to the EMS and RV communities in an effort to improve vehicle/tire loading and tire pressure maintenance conditions.

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Pipeline Safety: Hazards Associated With De-Watering of Pipelines

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

ACTION: Notice; issuance of advisory bulletin.

SUMMARY: On June 21, 2004, the Research and Special Programs Administration's Office of Pipeline Safety (RSPA/OPS) issued Advisory Bulletin ADB–04–01 to owners and operators of gas and hazardous liquid pipelines to consider the hazards associated with pipeline de-watering operations. This advisory bulletin was originally issued jointly with the Department of Labor's Occupational Safety and Health Administration (OSHA) as Safety and Health Information Bulletin SHIB 06–21–2004. Operators are strongly encouraged to follow the recommended work practices and guidelines to reduce the potential for unexpected separation of temporary de-watering pipes.

FOR FURTHER INFORMATION CONTACT: Richard Huriaux, (202) 366–4565; or by e-mail, *richard.huriaux@rspa.dot.gov.* This document can be viewed at the OPS home page at *http://ops.dot.gov.* The original advisory bulletin issued by OSHA can be viewed at *http://www.osha.gov.* General information about the RSPA/OPS programs may be obtained by accessing RSPA's home page at *http://rspa.dot.gov.*

SUPPLEMENTARY INFORMATION:

Background

The OSHA Allentown and Wilkes-Barre Area Offices recently investigated two fatalities that occurred in conjunction with de-watering processes associated with newly constructed gas pipelines. In both cases, the temporary de-watering piping violently separated from its couplings, striking and fatally injuring employees. In one instance, the separated section of pipe was thrown 45 feet from where it had been attached to the temporary de-watering valve. OSHA determined that a major contributing factor to both of the accidents was temporary de-watering pipelines that were not adequately secured to prevent the piping from moving or separating. In one case, the failure occurred at a pipe coupler that was not being used within the safe tolerances established by the manufacturer.

After a pipeline is laid, a hydrostatic test is conducted to ensure its integrity. Hydrostatic testing may also be conducted during the service life of the pipeline to evaluate its operational integrity. The hydrostatic test consists of pumping water into the pipeline, pressuring up the line to specified test pressures, and holding that pressure for a discrete period of time in accordance with applicable regulations and guidelines, including regulations

promulgated by RSPA/OPS. After completion of the hydrostatic test, the pressure is relieved and the water is removed from the pipeline during de-watering procedures.

The de-watering process involves connecting a temporary de-watering line to the main pipeline with mechanical couplers and adequately securing the temporary de-watering line to prevent displacement. A de-watering pig is then forced through the main pipeline using several hundred pounds pressure of compressed air. As the pig is forced through the pipeline with air pressure, the water remaining in the line from hydrostatic testing is pushed out of the main pipeline through the temporary de-watering line.

During the de-watering process, significant and sudden variations in pressure often occur within the main pipeline and temporary de-watering line. These variations can be caused by changes in pig velocity as it passes through bends in the pipeline or changes in pig and water velocity due to changes in pipeline elevation. Compressed air escaping around the pig, which can combine with air already present in the main pipeline at high spots in the pipe, can also create a source for stored energy within the main pipeline. These sudden pressure changes produce surges that are transferred from the main pipeline to the temporary de-watering line. This can result in movement of the temporary de-watering line, as the pressures can easily exceed the working pressures and bending capabilities of the temporary de-watering line couplers. The movement of the de-watering line can result in violent failure of the temporary piping system, particularly when the temporary piping is not properly anchored. This situation can be exacerbated when the temporary pipeline suddenly changes direction, when couplers or pipe sections have worn beyond the specified tolerances established by the manufacturer of the de-watering piping system, or when the entire de-watering manifold is inadequately designed for the stresses that can be imposed while de-watering.

RSPA/OPS recognizes the existence of hazards associated with testing pipelines and requires operators to protect their employees and the public during hydrostatic testing. Section 192.515(a) states that ''* * * each operator shall insure that every reasonable precaution is taken to protect its employees and the general public during the testing.'' In addition, § 195.402(c) requires each pipeline operator to prepare and follow procedures for safety during maintenance and normal operation.

Advisory Bulletin (ADB–04–01)

To: Owners and operators of gas and hazardous liquid pipeline systems.

Subject: Hazards associated with de-watering of pipelines.

Purpose: To advise owners and operators of gas and hazardous liquid pipelines to consider hazards associated with pipeline de-watering operations and to follow recommended work practices and guidelines to reduce the potential for unexpected separation of temporary de-watering pipes.

Advisory: Each operator of a gas or hazardous liquid pipeline should take recommended precautions against the unexpected separation of temporary de-watering pipes during de-watering procedures. This advisory bulletin was originally issued jointly with the Department of Labor's Occupational Safety and Health Administration (OSHA) as Safety and Health Information Bulletin SHIB 06–21–2004. The original advisory bulletin issued by OSHA can be viewed at *http://www.osha.gov,* or the RSPA/OPS Web site at *http://www.ops.gov.*

The following guidelines will help reduce the risk of injury to employees involved in de-watering activities:

• *Study the piping system.* During the initial planning stage of a de-watering operation, an engineering analysis of the existing and temporary piping system should be performed to identify the pressure associated with fluids and other forces that could adversely affect the integrity of the pipeline or the stability of the drainage and its components. The operator should design the de-watering system and develop installation techniques based on the expected forces of the particular project. Alternatively, designs and techniques could be developed for a ''worst case'' scenario that could be applied to all de-watering projects.

• *Anchor the de-watering lines.* It is accepted industry practice to adequately anchor or secure de-watering piping to prevent movement and separation of the piping. Operators should establish effective anchoring systems based on expected forces and ensure that the systems are used during de-watering projects.

• *Ensure condition of couplings and parts.* All couplings and parts of the de-watering system need to be properly selected for their application. The associated piping which the couplings connect is a significant variable in the entire mechanical piping system. The couplings are manufactured in a controlled environment, and variations in the quality of the couplings should be limited. Operators should ensure that couplings are within manufacturer's tolerances and free of damage that may result in connection failure. A chain is only as strong as its weakest link—in de-watering piping systems, the weakest link frequently is the temporary de-watering pipe connections.

• *Provide adequate employee training.* This training should instruct employees on de-watering installation designs and techniques, including proper coupling and anchoring methods. Operators should ensure that employees understand the potential hazards of improperly installed de-watering systems, provide employees a means of determining whether the pipe groove meets manufacturer's tolerances, and the procedures they should implement to protect themselves and others working around them.

• *Proper procedures.* Operators should ensure that proper installation and de-watering procedures are followed on the job site.

Operators may refer to recommended practices provided by national consensus standards organizations, such as American Petroleum Institute (API) Recommended Practice for Occupational Safety for Oil and Gas Well Drilling and Servicing Operations (API RP 54–1999, Section 12.4.3); American National Standards Institute (ANSI) Power Piping (ANSI B31.1–1973, Section 121.2); and U.S. Army Corps of Engineers (USACE) Safety and Health Requirements Manual (EM 285–1–1, 1996 Section 20).

Issued in Washington, DC, on September 23, 2004.

Stacey L. Gerard,

Associate Administrator for Pipeline Safety.

[FR Doc. 04–21829 Filed 9–28–04; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–6 (Sub–No. 425X)]

The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Chase, Morris, Marion and Dickinson Counties, KS

The Burlington Northern and Santa Fe Railway Company (BNSF) has filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments,* to abandon a 25.57-mile line of railroad between BNSF milepost 0.00 near Neva and milepost 25.45 near Lost Springs, in Chase, Morris, Marion and Dickinson Counties, KS. The line