

occupants in frontal crashes when compared to sled-certified air bags.

### Procedural Matters

*How can I influence NHTSA's thinking on this subject?*

NHTSA welcomes public review of the technical report. NHTSA will submit to the Docket a response to the comments and, if appropriate, will supplement or revise the report.

*How do I prepare and submit comments?*

Your comments must be written and in English. To ensure that your comments are correctly filed in the Docket, please include the Docket number of this document (NHTSA-2013-0115) in your comments.

Your primary comments must not be more than 15 pages long (49 CFR 553.21). However, you may attach additional documents to your primary comments. There is no limit on the length of the attachments.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit <http://www.regulations.gov>.

Please send two paper copies of your comments to Docket Management, fax them, or use the Federal eRulemaking Portal. The mailing address is U.S. Department of Transportation, Docket Management Facility, M-30, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. The fax number is 1-202-366-3189. To use the Federal eRulemaking Portal, go to <http://www.regulations.gov> and follow the online instructions for submitting comments.

We also request, but do not require you to send a copy to Nathan K. Greenwell, Mathematical Statistician, Evaluation Division, NVS-431, National Highway Traffic Safety Administration, Room W53-438, 1200 New Jersey Avenue SE., Washington, DC 20590 (or email them to [nathan.greenwell@dot.gov](mailto:nathan.greenwell@dot.gov)). He can check if your comments have been received at the Docket and he can expedite their review by NHTSA.

*How can I be sure that my comments were received?*

If you wish Docket Management to notify you upon its receipt of your

comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

*How do I submit confidential business information?*

If you wish to submit any information under a claim of confidentiality, send three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Include a cover letter supplying the information specified in our confidential business information regulation (49 CFR Part 512).

In addition, send two copies from which you have deleted the claimed confidential business information to U.S. Department of Transportation, Docket Management Facility, M-30, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, or submit them via the Federal eRulemaking Portal.

*Will the agency consider late comments?*

In our response, we will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under DATES. To the extent possible, we will also consider comments that Docket Management receives after that date.

Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically check the Docket for new material.

*How can I read the comments submitted by other people?*

You may read the materials placed in the docket for this document (e.g., the comments submitted in response to this document by other interested persons) at any time by going to <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. You may also read the materials at the Docket Management Facility by going to the street address given above under ADDRESSES. The Docket Management Facility is open between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.

**Authority:** 49 U.S.C. 30111, 30168; delegation of authority at 49 CFR 1.50 and 501.8.

Issued in Washington, DC, on October 28, 2013.

**James F. Simons,**

*Director, Office of Regulatory Analysis and Evaluation.*

[FR Doc. 2013-25951 Filed 10-30-13; 8:45 am]

**BILLING CODE 4910-59-P**

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2013-0097]

#### Pipeline Safety: Reminder of Requirements for Liquefied Petroleum Gas and Utility Liquefied Petroleum Gas Pipeline Systems

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

**ACTION:** Notice; Correction of Advisory Bulletin.

**SUMMARY:** PHMSA published an Advisory Bulletin in the **Federal Register** on July 18, 2013, (78 FR 42889) reminding owners and operators of liquefied petroleum gas (LPG) and utility liquefied petroleum gas (Utility LP-Gas) plants of their obligation to follow certain sections of Part 192 in addition to the American National Standards Institute/National Fire Protection Association (ANSI/NFPA) standards 58 or 59. This document supersedes the July 18, 2013, Advisory Bulletin by correcting a typographical error in the sixth bullet and removing the exemption for small utility LP gas systems from Subpart N (Qualification of Pipeline Personnel) from the bulleted list.

**FOR FURTHER INFORMATION CONTACT:** Todd DelVecchio by phone at 727-213-1575 or by email at [todd.delvecchio@dot.gov](mailto:todd.delvecchio@dot.gov), or Mike Israni at 202-366-4571 or by email at [mike.israni@dot.gov](mailto:mike.israni@dot.gov). Information about PHMSA may be found at <http://phmsa.dot.gov>.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

49 CFR 192.11 requires that each plant that supplies petroleum gas by pipeline to a natural gas distribution system must meet the requirements of Part 192 and ANSI/NFPA 58 and 59 (2004) (192.11(a)). It also states that each pipeline system subject to Part 192 that transports only petroleum gas or petroleum gas/air mixtures must meet the requirements of Part 192 and of ANSI/NFPA 58 and 59 (192.11(b)).

Finally, the regulation lays out a primacy provision stating that in the event of a conflict between the regulation and the standard, ANSI/NFPA 58 and 59 prevail (192.11(c)). However, this primacy provision does not excuse operators from following Part 192 requirements. For instance, when ANSI/NFPA 58 or 59 (2004) does not address a specific subject, then no conflict has occurred and the operator must follow Part 192 requirements.

At the time the primacy provision was added to the regulations in 1996, the standards took advantage of more current petroleum gas transportation technology and safety practices. In a July 22, 2009, (74 FR 36139) Notice of Proposed Rulemaking (NPRM), PHMSA proposed changing this primacy provision. PHMSA proposed changing this provision because the new NFPA standards issued in 2008 had many conflicts with Part 192 and PHMSA had noticed that operators were

misinterpreting § 192.11(c). In response to the NPRM, commenters objected to the change suggesting it would result in unanticipated safety consequences. PHMSA did not take any action at the final rule stage but in the future, PHMSA may undertake a rulemaking to address this issue. This Advisory Bulletin serves to remind owners and operators of petroleum gas systems that they must continue to comply with certain requirements of Part 192.

**II. Advisory Bulletin (ADB-2013-03)**

*To:* Owners and Operators of LPG and Utility LP-Gas Plants.

*Subject:* Applicability of Part 192 to Owners and Operators of LPG and Utility LP-Gas Plants.

*Advisory:* When ANSI/NFPA 58 or 59 (2004) does not address a specific subject, then a conflict has not occurred and the operator must follow Part 192 requirements. Part 192 covers areas that

are not addressed in ANSI/NFPA 58 or 59 (2004). These areas include:

- Inspection requirements for distribution mains (§§ 192.305 and 192.307).
- Backfill requirements for installing pipe in a ditch (§ 192.319).
- Underground pipe clearance requirements (§ 192.325).
- Valve requirements for service lines (§§ 192.363 and 192.365).
- Continuing surveillance (§ 192.613).
- Public awareness (§ 192.616).
- Operator qualification (Subpart N)
- Distribution Pipeline Integrity Management (Subpart P).

While not intended to be an exhaustive list, the following table highlights various requirements of Part 192 that are not addressed by ANSI/NFPA 58 and 59 (2004). Because ANSI/NFPA 58 and 59 (2004) do not have specific language on these topics, there is no conflict and therefore, Part 192 applies in these areas.

**APPLICABLE SECTIONS OF PART 192 IN ADDITION TO THE REQUIREMENTS OF NFPA 58 AND 59 (2004)**

Section	Title
<b>Subpart G—General Construction Requirements for Transmission Lines and Mains</b>	
192.305 .....	Inspection: General.
192.307 .....	Inspection of materials.
192.319 .....	Installation of pipe in a ditch.
192.323 .....	Casing.
192.325 .....	Underground clearance.
<b>Subpart H—Customer Meters, Service Regulators, and Service Lines</b>	
192.363 .....	Service lines: Valve requirements.
192.365 .....	Service lines: Location of valves.
<b>Subpart L—Operations</b>	
192.613 .....	Continuing Surveillance.
192.614 .....	Damage Prevention Program.
192.615 .....	Emergency Plans.
192.616 .....	Public Awareness.
<b>Subpart N—Qualification of Pipeline Personnel</b>	
The entire Part 192 subpart would apply with the exception of § 192.805(h). NFPA 58 and 59 do not address any of the operator qualification and testing requirements. Therefore, owners and operators of LPG and Utility LP-Gas Plants would be required to meet the training requirements under the NFPA standard and the operator qualification and testing requirements under Part 192.	
<b>Subpart P—Distribution Pipeline Integrity Management (IM)</b>	
This Part 192 subpart would apply in its entirety; NFPA 58 does not address any requirements of this subpart.	

Issued in Washington, DC, on October 25, 2013.

**Alan K. Mayberry,**  
Deputy Associate Administrator for Policy and Programs.

[FR Doc. 2013-25837 Filed 10-30-13; 8:45 am]

BILLING CODE 4910-60-P

**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

[Docket No. PHMSA-2010-0041]

**Pipeline Safety: Request for Special Permit**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal pipeline safety laws, PHMSA is publishing this notice of a special permit request received from a pipeline operator seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. This notice seeks public comments on this request, including comments on any safety or environmental impacts. At the conclusion of the 30-day comment period, PHMSA will evaluate the request and determine whether to grant or deny a special permit.

**DATES:** Submit any comments regarding this special permit request by December 2, 2013.

**ADDRESSES:** Comments should reference the docket number for the specific special permit request and may be submitted in the following ways:

- *E-Gov Web site:* <http://www.Regulations.gov>. This site allows the public to enter comments on any Federal Register notice issued by any agency.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

*Instructions:* You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>.

**Note:** Comments are posted without changes or edits to <http://www.Regulations.gov>, including any personal information provided. There is a privacy

statement published on <http://www.Regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

*General:* Kay McIver by telephone at 202-366-0113, or email at [kay.mciver@dot.gov](mailto:kay.mciver@dot.gov).

*Technical:* Steve Nanney by telephone at 713-272-2855, or email at [Steve.Nanney@dot.gov](mailto:Steve.Nanney@dot.gov).

**SUPPLEMENTARY INFORMATION:** PHMSA has received a request for a special permit from a pipeline operator seeking relief from compliance with certain pipeline safety regulations. The request includes a technical analysis provided by the operator. The request has been filed at [www.Regulations.gov](http://www.Regulations.gov) and assigned a docket number. We invite interested persons to participate by reviewing this special permit request at <http://www.Regulations.gov>, and by submitting written comments, data or other views. Please include any comments on potential environmental impacts that may result if this special permit is granted.

Before acting on this special permit request, PHMSA will evaluate all comments received on or before the comments closing date. Comments will be evaluated after this date if it is possible to do so without incurring additional expense or delay. PHMSA will consider each relevant comment we receive in making our decision to grant or deny a request.

PHMSA has received the following special permit request:

Docket No.	Requester	Regulation(s) affected	Nature of special permit
PHMSA-2010-0041 .....	Williams Gas Pipeline Company, LLC (WGP).	49 CFR 192.150 .....	To authorize the extension of a special permit issued to WGP on June 10, 2011, from its current expiration date of June 10, 2014 to December 31, 2014.  PHMSA issued the June 10, 2011 special permit to WGP to waive compliance from Federal Regulations in 49 CFR 192.150 for one (1) segment of natural gas transmission pipeline, the Transcontinental Gas Pipe Line (Transco) Mainline "A" located in Chester County, Pennsylvania. The Federal pipeline safety regulations in 49 CFR 192.150 require that new transmission pipelines or replacement components of a transmission line be designed and constructed to accommodate the passage of instrumented internal inspection devices. This includes the replacement of line pipe, valves, fittings, or other pipeline components.  The current configuration of the pipeline does not allow passage of commercially available internal inspection devices and, as a result, the pipeline is not in compliance with PHMSA regulations. The special permit would allow WGP to replace an approximate 2,100-foot segment of 30-inch pipeline with a 42-inch diameter pipeline at the Brandywine Creek, in Chester County, Pennsylvania. The 42-inch replacement pipeline would accommodate internal inspection devices.