

will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315.

#### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 32 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (63 FR 66226; 64 FR 16517; 66 FR 41656; 68 FR 19598; 68 FR 33570; 68 FR 44837; 70 FR 17504; 70 FR 25878; 70 FR 30997; 70 FR 41811; 72 FR 27624; 72 FR 28093; 72 FR 39879; 72 FR 40362; 72 FR 52419; 74 FR 20523; 74 FR 26461; 74 FR 34630; 74 FR 41971). Each of these 32 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

#### Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by October 3, 2011.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed,

subsequent comments submitted by interested parties. As indicated above, the Agency previously published notices of final disposition announcing its decision to exempt these 32 individuals from the vision requirement in 49 CFR 391.41(b)(10). The final decision to grant an exemption to each of these individuals was made on the merits of each case and made only after careful consideration of the comments received to its notices of applications. The notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: August 19, 2011.

**Larry W. Minor,**

*Associate Administrator Office of Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2011-0183]

#### Pipeline Safety: Potential for Damage to Pipeline Facilities Caused by the Passage of Hurricanes

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

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

**SUMMARY:** PHMSA is issuing this advisory bulletin to remind owners and operators of gas and hazardous liquid pipelines of the potential for damage to pipeline facilities caused by the passage of Hurricanes.

**ADDRESSES:** This document can be viewed on the Office of Pipeline Safety (OPS) home page at: <http://ops.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Operators of pipelines subject to regulation by PHMSA should contact

the appropriate PHMSA Regional Office. The PHMSA Regional Offices and their contact information are as follows:

- *Eastern Region:* Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, call 609-989-2171.

- *Southern Region:* Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, and Tennessee, call 404-832-1140.

- *Central Region:* Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, call 816-329-3800.

- *Southwest Region:* Arkansas, Louisiana, New Mexico, Oklahoma, and Texas, call 713-272-2859.

- *Western Region:* Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, call 720-963-3160.

Intrastate pipeline operators should contact the appropriate State pipeline safety authority. A list of State pipeline safety authorities is provided at: [http://www.napsr.org/managers/napsr\\_state\\_program\\_managers2.htm](http://www.napsr.org/managers/napsr_state_program_managers2.htm).

For general information about this notice contact John Hess, Director for Emergency Support and Security, 202-366-4595 or by e-mail at [PHMSA.OPA90@dot.gov](mailto:PHMSA.OPA90@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The purpose of this advisory bulletin is to remind all owners and operators of gas and hazardous liquid pipelines, particularly those with facilities located in offshore and inland areas, about the serious safety-related issues that can result from the passage of hurricanes. That includes the potential for damage to offshore platforms and pipelines and onshore pumping stations, compressor stations, and terminals.

Operators of gas and hazardous liquid pipelines have a general obligation to identify any conditions that can adversely affect the operation of their pipelines and to take appropriate corrective measures upon discovering such conditions. Specifically, § 192.613 of the gas pipeline safety regulations states that “[e]ach operator shall have a procedure for continuing surveillance of its facilities to determine and take appropriate action concerning \* \* \* unusual operating and maintenance conditions,” and that “[i]f a segment of pipeline is determined to be in unsatisfactory condition but no immediate hazard exists, the operator

shall initiate a program to recondition or phase out the segment involved, or, if the segment cannot be reconditioned or phased out, reduce the maximum allowable operating pressure in accordance with § 192.619(a) and (b).” Section 195.401(b)(1) of the hazardous liquid pipeline safety regulations states that “[w]hen an operator discovers any condition that could adversely affect the safe operation of its pipeline system, it must correct the condition within a reasonable time. However, if the condition is of such a nature that it presents an immediate hazard to persons or property, the operator may not operate the affected part of the system until it has corrected the unsafe condition.” Section 195.401(b)(2) further states that “[w]hen an operator discovers a condition on a pipeline covered under [the integrity management requirements in] § 195.452, the operator must correct the condition as prescribed in § 195.452(h).”

Operators of shallow-water gas and hazardous liquid pipelines in the Gulf of Mexico and its inlets have a specific obligation to “prepare and follow a procedure to identify [their] pipelines \* \* \* that are at risk of being an exposed underwater pipeline or a hazard to navigation \* \* \* [and to] conduct appropriate underwater inspections \* \* \* [of those pipelines] based on the identified risk[.]” and upon discovering that “its pipeline is an exposed underwater pipeline or poses a hazard to navigation,” to promptly report the location of that pipeline to the National Response Center, to mark its location, and to ensure its reburial within a specified time. 49 CFR 192.612, 195.413.

Hurricanes can adversely affect the operation of a pipeline and require corrective action under §§ 192.613 and 195.401. Hurricanes also increase the risk of underwater pipelines in the Gulf of Mexico and its inlets becoming exposed or constituting a hazard to navigation under §§ 192.612 and 195.413. The concentration of U.S. oil and gas production, processing, and transportation facilities in the Gulf of Mexico and onshore Gulf Coast means that a significant percentage of domestic oil and gas production and processing is prone to disruption by hurricanes.

In 2005, Hurricanes Katrina and Rita caused significant damage to the oil and gas production structures. The onshore damage caused a significant impact in the ability of the oil and gas industry to respond due to the lack of resources, personnel, and infrastructure, as well as significant damage to onshore processing facilities and power supplies. There were significant

competing resource needs with the impacts caused by the devastation of New Orleans and western Louisiana/eastern Texas shore communities that normally provide the services and supplies for the industry.

## II. Advisory Bulletin (ADB-11-05)

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

Subject: Potential for damage to pipeline facilities caused by hurricanes.

Advisory: All owners and operators of gas and hazardous liquid pipelines are reminded that pipeline safety problems can occur by the passage of hurricanes. Pipeline operators are urged to take the following actions to ensure pipeline safety:

1. Identify persons who normally engage in shallow-water commercial fishing, shrimping, and other marine vessel operations and caution them that underwater offshore pipelines may be exposed or constitute a hazard to navigation. Marine vessels operating in water depths comparable to a vessel's draft or when operating bottom dragging equipment can be damaged and their crews endangered by an encounter with an underwater pipeline.

2. Identify and caution marine vessel operators in offshore shipping lanes and other offshore areas that deploying fishing nets or anchors and conducting dredging operations may damage underwater pipelines, their vessels, and endanger their crews.

3. If operators should need to bring offshore and inland transmission facilities back online, check for structural damage to piping, valves, emergency shutdown systems, risers and supporting systems. Aerial inspections of pipeline routes should be conducted to check for leaks in the transmission systems. In areas where floating and jack-up rigs have moved and their path could have been over the pipelines, review possible routes and check for sub-sea pipeline damage where required.

4. Operators should take action to minimize and mitigate damages caused by flooding to gas distribution systems including the prevention of overpressure of low pressure and high pressure distribution systems.

PHMSA would appreciate receiving information about any damage to pipeline facilities caused by hurricanes. The Federal pipeline safety regulations require that operators report certain incidents and accidents to PHMSA by specific methods. Damage not reported by these methods may be reported to John Hess, Director for Emergency Support and Security, 202-366-4595 or by e-mail at [PHMSA.OPA90@dot.gov](mailto:PHMSA.OPA90@dot.gov).

Chapter 601; 49 CFR 1.53.

Issued in Washington, DC, on August 26, 2011.

**Alan K. Mayberry,**

*Deputy Associate Administrator for Field Operations.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2006-26618]

#### 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 to announce the availability of the draft environmental assessment prepared in response to the request for a special permit we have received from El Paso Pipeline, seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. This notice also seeks public comments on any safety or environmental impacts relative to this request. At the conclusion of the 30-day comment period, PHMSA will evaluate the comments and determine whether to grant or deny a special permit.

**DATES:** Submit any comments regarding the draft environmental assessment for this special permit request by October 3, 2011.

**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 a.m. and 5 p.m., Monday through Friday, except Federal holidays.