before the time of installation to give RSPA or the state agent a chance to inspect the installation process. As to the offer concerning personnel qualification, we proposed that initial training and certification be supplemented by periodic refresher training and recertification. Finally, we said we would review the performance evaluations of Clock Spring® wrap repairs, and consider terminating the waiver 3 years after it is granted.

RSPA received written comments on the proposed waiver from eight entities: INGAA, Enron Operations Corp. (Enron), Southern Natural Gas (Southern), Coastal Corporation (Coastal), Bay State Gas Company (Bay State), Columbia Gas Transmission Corporation, Natural Gas Pipeline Company of America (Natural), and Panhandle. The comments are discussed below according to the issues presented. All the commenters supported the proposed waiver, although some commenters requested changes in the proposed conditions under which the waiver could be applied.

Reporting Repairs. INGAA, Enron, Natural, and Panhandle advised that 30 days' advance notification would not be in the public interest when repairs are needed quickly. Coastal wanted RSPA to accept the original proposal to report Clock Spring® wrap repairs within 30 days after installation. INGAA and Natural suggested the waiver allow operators to give notice when they decide to use Clock Spring® wrap to repair a damaged pipeline. The operators, said INGAA, Coastal, and Natural, should then be allowed to proceed immediately with repairs, unless, INGAA and Natural said, the appropriate agency tells the operator it wants to view the installation. Panhandle opposed this latter condition because it would make pipeline maintenance subject to agency schedules.

Given the importance of repairing unsafe conditions as soon as practicable, requiring notification of Clock Spring® wrap repairs at least 30 days beforehand could discourage use of the wrap. Although we agree operators should not have to conform their repair plans to government work schedules, RSPA or state agents need some period of advance notification to prepare to inspect wrap installations. Therefore, as a condition of the waiver, we are requiring that operators report scheduled Clock Spring® wrap repairs a reasonable time in advance of installation to allow for government inspection. Under this condition, which does not apply to emergency installations, deciding when to install

Clock Spring® wrap after giving notice must take into account the reasonable travel time of government inspectors. But operators would not have to delay installation to conform to government work schedules apart from reasonable travel time.

Personnel Training. INGAA, Coastal, and Natural suggested the waiver allow installation personnel who have been trained and certified by the Clock Spring Company to train and certify other personnel. Also, INGAA suggested refresher training and recertification should be required only for personnel who infrequently install Clock Spring® wrap. Enron recommended that certified installers maintain their qualifications under RSPA's proposed qualification of personnel rules.9

Our concern about Clock Spring® wrap installers is that they be qualified. The suggestion that persons who have received initial training and certification from the Clock Spring Company be allowed to train and certify others is reasonable and would satisfy this concern. As for refresher training, installers would be subject to the refresher training requirements of the proposed qualification rules. Because we probably will issue final qualification rules before installers need refresher training, it is not now necessary to make refresher training part of this waiver. However, when we consider the performance evaluations of Clock Spring® wrap, we will reexamine the refresher training issue if final qualification rules have not been published.

Waiver Termination. Enron asked us not to include a termination date in the waiver. Instead, Enron recommended the waiver remain in effect until it is revoked or becomes unnecessary because of a change in the regulations. Southern advised the waiver should be extended after 3 years if the performance evaluations are favorable.

By saying we would consider terminating the waiver within 3 years after it is granted, we meant the waiver might be revoked after 3 years if the performance of Clock Spring® wrap repairs is generally unfavorable. We did not intend for the waiver to last only 3 years. If the initial evaluations are favorable, the waiver would continue in effect, unless new information causes us to revoke the waiver or a rule change makes the waiver no longer necessary.

Repair Length. Southern requested that we clarify that the proposed 10-foot restriction applies to corroded pipe under § 192.485(a), and not to imperfections or damage under § 192.713(a). Coastal asked that we eliminate the proposed restriction entirely, saying there is no practical limit to repairs using Clock Spring® wrap. Bay State said the 10-foot limit was arbitrary, since Clock Spring® wrap has been shown to be an effective alternative to pipe replacement. Panhandle felt the 10-foot limit was unnecessary and artificial.

As stated above, RSPA specifically asked for comments on the merits of allowing unlimited areas of general corrosion to be repaired with Clock Spring® wrap. None of the commenters expressed concern about the safety of using Clock Spring® wrap beyond the 10-foot range. Indeed, a few commenters pointed out there is no engineering basis for imposing a 10-foot limit. Accordingly, in the absence of an engineering basis, and considering the sound GRI test results and the plans to evaluate Clock Spring® wrap installations, we believe the waiver may be applied safely without a limit on the length of repair.

Role of GRI. Panhandle requested clarification of GRI's role in carrying out the waiver. The operator did not welcome assistance from GRI in any capacity other than as a record keeper.

Because Clock Spring® wrap is new technology, a major purpose of this waiver is to provide an opportunity to evaluate the performance of the wrap under various operating conditions. Long range, if the results are favorable, we would use the collected data as a basis to change the safety standards that, in certain instances, prohibit the use of Clock Spring® wrap as a pipeline repair method. As mentioned above, GRI has agreed to assist operators in this data collection effort by assuring the data are representative. GRI also will assist operators to evaluate the wrap in a statistical sampling of sites, record the results, and provide the results to RSPA. GRI's participation will add uniformity and reliability to evaluations that might otherwise vary among operators. Thus, we believe GRI's participation is an integral part of this waiver. Any operator who is unwilling to cooperate with GRI in the data collection aspect of this waiver is not entitled to apply the waiver.

Grant of Waiver. Therefore, for the reasons stated in Notice 1 of this proceeding, RSPA, by this order, finds that the requested waiver is not inconsistent with pipeline safety. The petition for waiver of §§ 192.485 and

<sup>&</sup>lt;sup>9</sup>RSPA proposed qualification standards for persons who perform, or supervise the performance of, operation, maintenance, or emergency-response functions regulated under 49 CFR Part 192 or 195 (59 FR 39506; Aug. 3, 1994). To maintain qualifications, refresher training was proposed to occur at 24-month intervals after certification.