"industrial tap," operators of these taps are not excepted from the final rule.

We recognize that local distribution companies operate some metered farm taps on transmission lines. In these cases, the local distribution company is responsible for compliance with the final rule.

F. Meaning of "Maintain"

The mandate applies to operators who do not "maintain" customer piping up to building walls. What Congress meant by "maintain" is important, because operators who maintain customer piping up to building walls need not advise customers of the need for maintenance. Because "maintain" is inexact, the NPRM and SNPRM proposed to clarify the mandate by giving "maintain" a particular meaning: "maintain * * * to Part 192 standards" (proposed § 192.16(a)).

Commenters thought the standards in Part 192 were not an appropriate gauge of whether an operator maintains covered piping as Congress had in mind. One operator put it this way: while it may be reasonable to conduct a leakage survey every 3 years (under § 192.723) up to the nearest building wall and, if a leak is detected, shut off the flow of gas, it would not be reasonable to maintain a customer's piping to meet all Part 192 maintenance standards. Another operator thought the proposal was unreasonable because it would require operators to send notices to customers even if operators maintain covered piping according to State requirements, but not to Part 192.

RSPA agrees that operators would have difficulty meeting Part 192 maintenance standards on covered piping. Operators may lack permission from property owners to take maintenance action or lack the necessary information upon which to base maintenance action. For example, under § 192.725, each disconnected service line must be pressure tested as a new line. Yet operators probably would need access to the customer's building and other permission from the customer or property owner to do this test on a customer's piping. Another example is § 192.455(a), which provides that each buried pipeline installed after July 31, 1971, must be protected against external corrosion. This regulation presumes operators know the installation date of their pipelines, a fact they may not know for a customer's piping.

Upon further consideration, we are defining "maintain" to mean whatever maintenance is reasonable for operators to do on covered piping, considering the Congressional intent. Although the

legislative history casts little light on what Congress meant by "maintain," it does show that Congress was concerned about corrosion-related accidents on service lines.

Preventing and correcting hazardous leaks are the major safety reasons to maintain gas pipelines. The comments show that many operators already check customer piping between customer meters and building walls for leaks. Some operators may check for leaks while doing routine leakage surveys on their own pipelines under § 192.723. If a leak is found, depending on the nature of the leak, they either shut off the flow of gas or warn the customer to repair the leak.

Besides leakage checks, another reasonable maintenance activity is to monitor customer piping for corrosion, a major cause of leaks on metallic pipelines. More specifically, operators must periodically monitor their buried metallic service lines for external corrosion under § 192.465. With permission from the land owner or tenant, operators could also monitor covered piping according to this standard. However, rather than take the specified remedial action, which might be difficult to do on covered piping, they could shut off the flow of gas or warn the customer to repair any harmful corrosion found.

Considering the reasons for maintenance, Congress's concern about corrosion, present industry practices, and commenters' advice, we believe "maintain" means periodic checking for leaks and corrosion, with appropriate follow-up action. Thus, the final rule (§ 192.16(a)) provides that operators who do not maintain covered piping according to § 192.465 (if applicable) and § 192.723, with appropriate remedial action, must send the customer a maintenance notice.

In accordance with Executive Order 12898 on Environmental Justice, we have considered the potential effect of this final rule on minority and low income customers. Because the rule applies only to gas operators who do not inspect certain customer piping, the rule will not impose direct costs on gas customers. However, some customers may incur indirect costs of the rule. Customers who own exterior gas piping and decide to heed the gas company's maintenance advice could face large repair bills, depending on the condition and amount of their piping. Indirect costs can also arise when operators who inspect customer-owned piping discover that it is leaking or otherwise unsafe and require customers to repair the piping if gas service is to continue.

We cannot predict which customers would be likely to incur these indirect costs. However, the proportion of minority and low income customers that might incur them should be small, because most minority and low income gas customers are tenants. As tenants, they can reasonably be expected to refer the matter of piping maintenance or unsafe piping to their landlords, who are responsible for corrective action.

When minority and low income customers must bear the indirect costs themselves, voluntary organizations and local welfare agencies can reasonably be expected to provide assistance, especially in response to gas shut off situations if the health of customers is affected. In addition, we expect that states adopting this final rule will monitor its effect on minority and low income gas customers and find additional ways to lessen the indirect cost burden. For example, states may require operators to stand the cost of maintenance or establish a fund to pay for maintenance that minority and lowincome customers cannot afford.

Despite the potentially low impact of this final rule on minority and low income customers as a whole and efforts to defray indirect costs, the cost of piping maintenance will unavoidably be a hardship for some minority and low income customers. Still, in view of the high safety risk of deteriorating residential gas piping and Congress's mandate that operators warn customers about this potential problem, we see no federal regulatory alternative that would lessen the potential cost burden. We will, however, examine this issue further in the report to Congress on the safety of customer-owned service lines that is required by section 115(b) of the Pipeline Safety Act of 1992 (Public Law 102-508, 106 Stat. 3296).

G. Customer Responsibility

The NPRM and SNPRM proposed that operators who do not maintain covered piping must notify the customer that "the customer owns and is responsible for the maintenance of the customerowned service line" (proposed § 192.16(a)(1)). The purpose of this proposal was to alert customers that the operator does not maintain the customer's piping.

AGA and several operators pointed out that customers who occupy rental properties, especially commercial buildings, may not own the piping through which they receive gas. Other commenters observed that operators may not know who owns the customer's piping. One solution a commenter suggested was that the notice advise