

well. We will consider all public comments in developing future proposals on gathering lines.

DATES: The deadline for submitting written comments is January 17, 2004. The public meeting will occur Tuesday, December 16, 2003, from 8:30 am to 4:30 pm, and Wednesday, December 17, 2003, from 8:30 am to 4:30 p.m.

ADDRESSES: The meeting will take place at the Anchorage Marriott Downtown, 820 W. 7th Ave., Anchorage, AK 99506 phone: (907) 279-8000. You may participate in the meeting by making oral or written comments about any of the topics discussed in this notice. You may also submit written comments directly to the dockets by any of the following methods:

- Mail: Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street SW., 20590-0001. Anyone wanting confirmation of mailed comments must include a self-addressed stamped postcard.
- Hand delivery or courier: Room PL-401, 400 Seventh Street, SW., Washington, DC. The Dockets Facility is open from 10 am to 5 pm, Monday through Friday, except Federal holidays.
- Web site: Go to <http://dms.dot.gov>, click on "Comment/Submissions" and follow instructions at the site.

Further instructions about the meeting and submission of written comments are under the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this notice.

Docket access. For copies of this notice or other material in the docket, you may contact the Dockets Facility by phone (202) 366-9329 or visit the facility at the above street address. For Web access to the dockets to read and download filed material, go to <http://dms.dot.gov/search>. Then type in the last four digits of the gas or liquid docket number shown in the heading of this notice, and click on "Search." A transcript of the meeting should be available in the dockets about 3 weeks after the meeting.

FOR FURTHER INFORMATION CONTACT: DeWitt Burdeaux by phone at (405) 954-7220 or by e-mail at dewitt_burdeaux@tsi.jcabi.gov regarding the subject matter of this notice.

SUPPLEMENTARY INFORMATION:

Public Participation

Oral comments. Anyone who wants to make an oral presentation at the meeting should notify Janice Morgan by December 5, 2003, by phone, (202) 366-2392, or by e-mail; janice.morgan@rspa.dot.gov. Please state the topic of your presentation and

the amount of time requested. If necessary, the presiding officer may limit the time for oral presentations so that everyone who requests an opportunity to speak may do so. Those who do not request time for presentations in advance may have an opportunity to speak as time allows. On Tuesday, December 16, 2003, the agenda for the meeting will focus on gas gathering and on Wednesday, December 17, 2003, liquid gathering.

Written comments. The deadline for submitting written comments to the dockets is January 17, 2004. Late filed comments will be considered as far as practicable. All written comments should identify the gas or liquid docket number and notice number stated in the heading of this notice. Written comments submitted at the meeting will be included in the meeting transcript or filed in the dockets.

Privacy Act Information. Anyone can search the electronic form of all comments filed in any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the April 11, 2000 issue of the **Federal Register** (65 FR 19477) or go to <http://dms.dot.gov>.

Individuals with Disabilities. For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, contact Janice Morgan by phone, (202) 366-2392, or by e-mail: janice.morgan@rspa.dot.gov.

Background

Gas Gathering Line Definition. RSPA's gas pipeline safety regulations in 49 CFR part 192 apply to pipelines used in the gathering, transmission, or distribution of gas, except gathering lines in rural locations and certain offshore pipelines (§ 192.1). As defined in § 192.3, "gathering line" means "a pipeline that transports gas from a current production facility to a transmission line or main." Although part 192 does not define "production facility," it does define "transmission line" and "main." However, under § 192.3, the definition of "transmission line" refers to a pipeline "other than a gathering line." Also, the definition of "main" refers to "distribution line," which means a "pipeline other than a gathering or transmission line."

The absence of a production facility definition and the circular logic of the definitions of gathering line, transmission line, and distribution line have made it difficult to determine the beginning and end of gathering lines

covered by part 192. It is also difficult to determine which pipelines are exempt from part 192 as rural gathering lines. Inspectors from RSPA's five regional offices have often disagreed with pipeline operators across the nation over whether pipelines are gathering or transmission lines. In 1986, RSPA asked the National Association of Pipeline Safety Representatives (NAPSR) for comments on the gathering line problem. Responses from NAPSR members showed that in the 30 States where gathering lines exist, there are at least 2,800 gathering operators and 111,000 miles of gathering lines (as interpreted by the States). NAPSR members from five States, with about 54 percent of gathering-line operators and 75 percent of the mileage, said they had disagreements with operators over classifying rural pipelines as gathering lines or transmission lines. Members from three of these States said the disagreements were too numerous to list. One NAPSR member recalled many disagreements with two major gas gathering and transmission pipeline operators over where a gathering line ends. Another NAPSR member related continuing disagreements over the classification of various segments of pipeline operated by one of the largest gas gathering line operators in the United States.

The difficulty of identifying gas gathering lines not only affects government enforcement of the part 192 safety standards, but it also affects other program areas. RSPA annually collects user fees from gas pipeline operators to recoup regulatory program costs. However, by law, these fees are only assessable for costs related to transmission lines. In addition, the Pipeline Safety Improvement Act of 2002 (Pub. L. 107-355; Dec. 17, 2002) requires operators to provide to RSPA, certain geospatial data and other information for use in the National Pipeline Mapping System. However, gathering and distribution lines are specifically excluded from this requirement.

Seeking to resolve the gas gathering line interpretive problem, RSPA proposed to amend part 192 gathering line definition (Docket PS-122; 56 FR 48505; Sept. 25, 1991).¹ However,

¹ The proposal was: "Gathering line" means, except as provided in paragraph (4), any pipeline or part of a connected series of pipelines used to transport gas from a well or the first production facility where gas is separated from produced hydrocarbons, whichever is farther downstream, to an applicable endpoint described in paragraph (1), (2), or (3) below:

(1) The inlet of the first natural gas processing plant used to remove liquefied petroleum gases or other natural gas liquids.