



# Pipeline and Hazardous Materials Safety Administration

## Office of Pipeline Safety

### Pipeline Safety Regulatory Update

William Lowry, PE

January 2024



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

PHMSA: Your Safety is Our Mission



# What's Happening

- **PIPES Act of 2011/2016/2020**
  - Completion of 2011/2016 Mandates
  - PIPES Act of 2020 Impact on current regulatory agenda
  - PIPES Act Web Chart
    - Monthly updates
- **White House Methane Reduction Action Plan**
  - RIN2, RIN3, Valves, LDAR, GD, LNG
- **CO2/Hydrogen/Bio-Gas/PIR**
- **Rulemaking Timelines**
  - [Reginfo.gov](https://www.reginfo.gov)



# PIPES Act Web Chart

PIPES ACT 2020 WEB CHART

Rule Title/Subject/Docket No.	RIN	Rule Stage	Legislation	Description of Work Plan	Rulemaking Timeline (*actual date)		OST Date for Completing Review (45 days)	Date(s) Sent back to PHMSA	Date(s) Sent Back to OST	Current Staff PHMSA/OST Allocation **	Resource Constraints Affecting Process in PHMSA/ OST	OMB Date for Completing Review (90 days) ( <a href="https://www.reginfo.gov">reginfo.gov</a> )	Additional Details Affecting Rulemaking	Additional Comments on Rulemaking Status
					To OST	To OMB								
OPS: Gas Pipeline Leak Detection	2137-AF51	NPRM	<b>PIPES Act 2020</b> Sec 113	Hold GPAC meeting	To OST To OMB FR Pub	10/28/22* 2/13/23* 5/18/23*	12/14/22	11/25/22 01/09/23 01/20/23	12/22/22 01/19/23 01/25/23	8 staff PHMSA 5 staff OST	YES	5/15/2023	<a href="#">PHMSA held public meetings May 5-6, 2021, and February 17, 2022.</a>	The NPRM published in the Federal Register [88 FR 31890] on 5/18/2023. GPAC meeting held week of November 27, 2023. Additional GPAC meeting scheduled for week of March 25 <sup>th</sup> . Comment period closed on August 16, 2023.
OPS: Safety of Gas Distribution Pipelines	2137-AF53	NPRM	<b>PIPES Act 2020; Leonel Rondon Act</b> Sec 202, 203, 204, and 206	Hold GPAC meeting	To OST To OMB FR Pub	2/14/23* 4/18/23* 9/7/23*	4/10/23	02/27/23 3/15/23	3/14/23 3/21/23	8 staff PHMSA 5 staff OST	YES	7/18/2023		The NPRM published in the FR on 9/7/2023. Comment period closed 11/6/2023.
OPS: Amendments to Liquefied Natural Gas Facilities	2137-AF45	NPRM	<b>PIPES Act 2016</b> Sec 27; <b>PIPES Act 2020</b> Sec 110	Complete NPRM	To OST To OMB FR Pub	12/29/23 2/12/24 5/30/24				8 staff PHMSA 5 staff OST	YES			
OPS: Class Location	2137-AF29	Final Rule	<b>PIPES Act 2020</b> Sec 115	Hold GPAC meeting	To OST To OMB FR Pub	8/1/24 9/13/24 12/30/24				8 staff PHMSA 5 staff OST	YES			<a href="#">NPRM published in FR on 10/14/2020.</a> Comment period closed 12/14/2020; GPAC meeting scheduled for week of March 25 <sup>th</sup> .
OPS: Pipeline Operational Status	2137-AF52	NPRM	<b>PIPES Act 2020</b> Sec 109	Complete NPRM	To OST To OMB FR Pub	1/5/24 2/20/24 6/5/24				8 staff PHMSA 5 staff OST	YES			
OPS: Carbon Dioxide and Hazardous Liquid Pipelines	2137-AF60	NPRM	<b>Pipeline Safety Act 2011</b> Sec 15	Complete NPRM	To OST To OMB OMB Approval	12/13/23* 12/29/23 3/29/24				8 staff PHMSA 5 staff OST	YES			Public meeting held May 31 – June 1, 2023.

\*\*Staff allocations listed in this chart identify the total number of persons assigned to each rulemaking project. However, PHMSA and DOT staff are often assigned to multiple rulemaking teams and have additional tasks that prevent them from working full-time on a single rulemaking project. Workplan Projected Completion Dates based on currently available information.

ACRONYMS used: OPS - Office of Pipeline Safety; FR - Federal Register; OST - Office of the Secretary of Transportation; OMB - Office of Management and Budget; IFR - Interim Final Rule; NPRM - Notice of Proposed Rulemaking; ANPRM - Advance Notice of Proposed Rulemaking; GPAC - Gas Pipeline Advisory Committee; LPAC - Liquid Pipeline Advisory Committee; FR Pub - Federal Register Publication Date.

<https://www.phmsa.dot.gov/legislative-mandates/pipes-act-web-chart>



# PAC Activity



- **PAC meetings:**
  - Class Location and Leak Detection
    - Fall of 2023
    - GPAC only
  - Standards Update II
    - Planning
    - GPAC/LPAC



# COMPLETED ACTIONS

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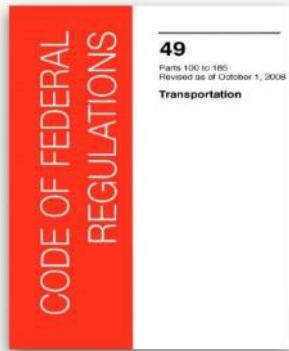
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# Original Gas Rule NPRM Issued on 4/8/16

## Split Into Three Final Rules:



### **RIN 1 – Safety of Gas Transmission Pipelines: MAOP Reconfirmation, Expansion of Assessment Requirements, and Other Related Amendments**

- Final Rule Published October 1, 2019

### **RIN 2 (2137-AF39) – Repair Criteria, IM Improvements, Cathodic Protection, Management of Changes, and Other Related Amendments**

- Final Rule published, August 24, 2022

### **RIN 3 (2137-AF38) – Gas Gathering**

- Final Rule Published November 15, 2021





## Regulation Identifier Numbers

Every entry appearing in the Unified Agenda or Regulatory Plan is assigned a Regulation Identifier Number (RIN), in accordance with the requirements for the Unified Agenda set forth in section 4 of [Executive Order 12866](#). RINs help the public to identify and follow the progress of each regulatory action or rulemaking proceeding in the Unified Agenda, the Federal Register, and on the [Reginfo.gov](#) website. Each regulatory action retains the same RIN throughout the entire rulemaking process.

A RIN consists of a 4-digit agency code plus a 4-character alphanumeric code, assigned sequentially when a rulemaking is first entered into the database, which identifies the individual regulation under development. For example, all RINs for the Occupational Safety and Health Administration have agency code 1218. The RIN for OSHA's rulemaking on hazard communication is 1218-AC20.



## Executive Order Review Search Results

**EO Review Search Criteria:** Agencies=All; Review Status=Pending Review,Concluded; Terms= 2137;

**Number Of Records Found:** 480    [View All](#)    [New Search](#)

<u>Received Date</u>	<u>RIN</u>	<u>Agency</u>	<u>Rule Title</u>	<u>Status</u>	<u>Concluded Date</u>	<u>Conclusion Action</u>
07/14/2023	<a href="#">2137-AF55</a>	2137-DOT/PHMSA	Hazardous Materials: Suspension of HMR Amendments Authorizing Transportation of Liquefied Natural Gas by Rail	<u>Pending Review</u>		
04/17/2023	<a href="#">2137-AF53</a>	2137-DOT/PHMSA	Pipeline Safety: Safety of Gas Distribution Pipelines and Other Pipeline Safety Initiatives	<u>Pending Review</u>		
02/13/2023	<a href="#">2137-AF51</a>	2137-DOT/PHMSA	Pipeline Safety: Gas Pipeline Leak Detection and Repair	<u>Concluded</u>	05/04/2023	Consistent with Change
02/23/2022	<a href="#">2137-AF39</a>	2137-DOT/PHMSA	Pipeline Safety: Safety of Gas Transmission Pipelines, Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments	<u>Concluded</u>	07/13/2022	Consistent with Change
12/15/2021	<a href="#">2137-AF06</a>	2137-DOT/PHMSA	Pipeline Safety: Amendments to Parts 192 and 195 to require Valve installation and Minimum Rupture Detection Standards	<u>Concluded</u>	03/18/2022	Consistent with Change
10/26/2021	<a href="#">2137-AF31</a>	2137-DOT/PHMSA	Pipeline Safety: Coastal Ecological Unusually Sensitive Areas	<u>Concluded</u>	12/10/2021	Consistent with Change
09/15/2021	<a href="#">2137-AF55</a>	2137-DOT/PHMSA	Hazardous Materials: Suspension of HMR Amendments Authorizing Transportation of Liquefied Natural Gas by Rail	<u>Concluded</u>	10/18/2021	Consistent with Change
09/01/2021	<a href="#">2137-AF38</a>	2137-DOT/PHMSA	Pipeline Safety: Safety of Gas Gathering Pipelines	<u>Concluded</u>	11/01/2021	Consistent with Change
12/22/2020	<a href="#">2137-AF36</a>	2137-DOT/PHMSA	Pipeline Safety: Gas Pipeline Regulatory Reform	<u>Published</u>	01/05/2021	Consistent with Change
07/07/2020	<a href="#">2137-AF29</a>	2137-DOT/PHMSA	Pipeline Safety: Class Location Requirements	<u>Published</u>	08/26/2020	Consistent with Change





# Safety of Gas Transmission Lines (RIN 2)

**RIN: 2137-AF39**



- **Final Rule Published 8/24/2022**
  - Effective Date: 5/24/23
- **GPAC Meetings Held 2017-2018**
- **Petitions for Reconsiderations received from AGA, INGAA and API**
- **Lawsuit from INGAA**



# Safety of Gas Transmission Lines (cont.)

## Highlights of New Requirements:

- Definitions (§ 192.3)
  - Distribution Center; Transmission line; ILI etc
- Management of Change (§§ 192.13 & 192.911)
- Corrosion Control (§§ 192.319, 192.461, 192.465, 192.473, 192.478, 192.935)
- Inspections Following Extreme Events (§ 192.613)
- Repair Criteria (§§ 192.711, 192.714, 192.933)
- IM Clarifications (§§ 192.917 (a) – (d), 192.935(a))
- Strengthening Requirements for Assessment Methods (§§ 192.923, 192.927, 192.929)



# Safety of Gas Transmission Lines (cont.)

## Recent developments

- Petition for rulemaking received from AGA and INGAA/API
- PHMSA response to AGA issued 11/28/22
  - Edate/Definition of Transmission line and ILI
- PHMSA response to INGAA/API issued 4/19/23
- Stay of enforcement issued 12/06/22 for existing lines – Until 2/24/24
- Stay of enforcement issued 4/17/23 for new and replaced lines – Until 2/24/24
- Correction document published 4/24/2023
- Lawsuit from INGAA
- FAQ's under development



# Safety of Gas Gathering Lines

**RIN: 2137-AF38**



- **Final Rule Published 11/15/21**
  - Effective date: May 16, 2022
- **Corrections/ petition response May and June of 2022**
- **Major Topics**
  - Incident and annual reporting
  - Definitions (RP80/Incidental gathering)
  - Safety regulations for large diameter/high pressure lines
- Petition for reconsideration received; response sent 4/1/2022; appeal and lawsuit.
- **Limited stay of enforcement**: Sec. 192.9 requirements for pipelines less than or equal to 12.75”Until May 17, 2024





# Safety of Gas Gathering Lines - Rule Coverage

Provision	Scope
Reporting (incident, annual) Part 191	Previously unregulated gathering
Design, Construction, initial Inspection and Testing**	All new and replaced Type C (diameter $\geq$ 8.625")
Damage Prevention § 192.614	All Type C (diameter $\geq$ 8.625")
Emergency Plans § 192.615	All Type C (diameter $\geq$ 8.625")
Public Awareness § 192.616	Diameter 8.625" through 16" with a PIR exception All Type C with a diameter $>$ 16"
Line Markers § 192.707	Diameter 8.625" through 16" with a PIR exception All Type C with a diameter $>$ 16"
Corrosion Control Subpart I to part 192	Diameter 8.625" through 16" with a PIR exception All Type C with a diameter $>$ 16"
Leakage Surveys and Repairs §§ 192.703, 192.706	Diameter 8.625" through 16" with a PIR exception All Type C with a diameter $>$ 16"
Maximum Allowable Operating Pressure § 192.619	Diameter $>$ 12.75" through 16" with a PIR exception All Type C with a diameter $>$ 16"
Plastic Pipe Requirements	Diameter $>$ 12.75" through 16" with a PIR exception All Type C with a diameter $>$ 16"

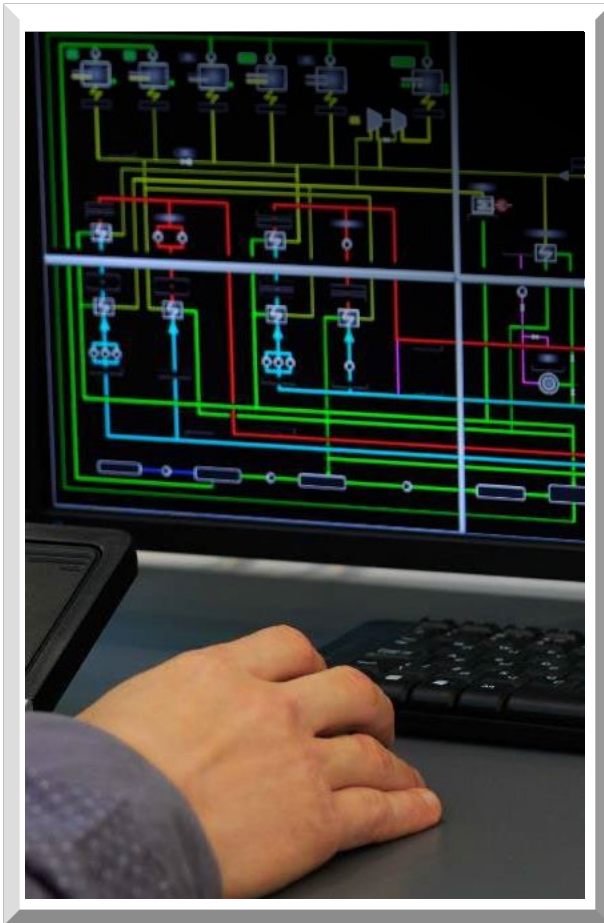
\* Estimated

\*\* Allowance for the use of composite pipe and short segment replacements



# Rupture Detection and Valve Rule

**RIN: 2137-AF06**



- **Final Rule Published 4/8/2022**
  - Effective Date: 10/5/22; 4/20/23
- **Major Topics**
  - Rupture mitigation valves (RMVs)
    - Installation, operation, and spacing of RMV's
  - Emergency plans
  - Petition/lawsuit on Gathering lines
  - Correction document published 8/1/2023





# Rupture Detection and Valve Rule (cont.)

## Highlights of New Requirements

- **RMVs required** for newly constructed or “**entirely replaced**” HL and Gas transmission pipelines that are  $\geq 6$ ” in diameter
  - Exception for Class 1 and 2 lines with 150ft PIR
  - Different “replacement standard” for HCA and Class 3 and 4’s versus Class 1 & 2 lines (non-HCA)
- **New valve spacing provisions HL pipelines**
- **Maintenance/lessons learned and Emergency response requirements**



# RULEMAKINGS IN PROGRESS

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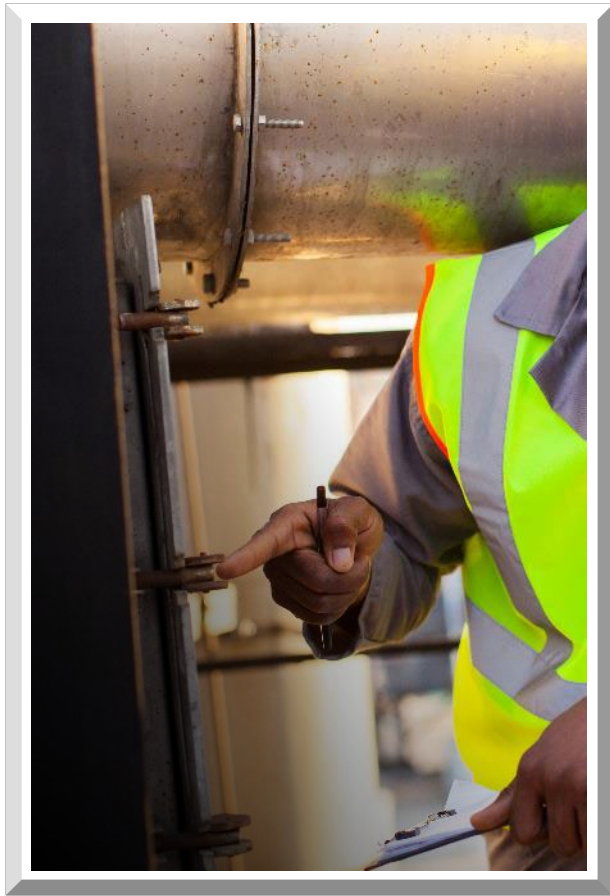
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# Published: Leak Detection and Repair NPRM

**RIN: 2137-AF51**



- **NPRM Published May 18, 2023**
  - Responds to Section 113 of PIPES Act of 2020
  - Comment period ends August 16<sup>th</sup>.
  
- **Major Topics in the NPRM**
  - Grade and repair all leaks.
  - More frequent leakage surveys and patrols
  - Performance standard for LDAR equipment and programs.
  - Minimize O&M-related releases.
  - Reporting on large releases, leaks discovered, and NPMS participation for regulated gathering.
  
- **Impacts:**
  - 0.5-1.0 MT of methane eliminated annually
  - \$0.3-1.4 billion of annualized net benefits
  
- **Next Action:** GPAC meeting held week of Nov 27<sup>th</sup>.

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# Leak Detection and Repair NPRM

## Highlights of New Requirements

### ▪ Leak Detection and Repair:

- Advanced leak detection program (ALDP) requirement for gas transmission, distribution, and regulated gathering pipelines.
- Requirement to use leak detection equipment with few exceptions.
- Grading, prioritization, and repair requirement for all leaks based on the grading framework in the GPTC guide.
- More frequent leakage surveys and patrols.

### ▪ Operational releases:

- Codify §114 O&M manual update requirements.
- Requirement to minimize emissions from routine transmission and LNG blowdowns.
- Design, configuration, and maintenance of relief devices.

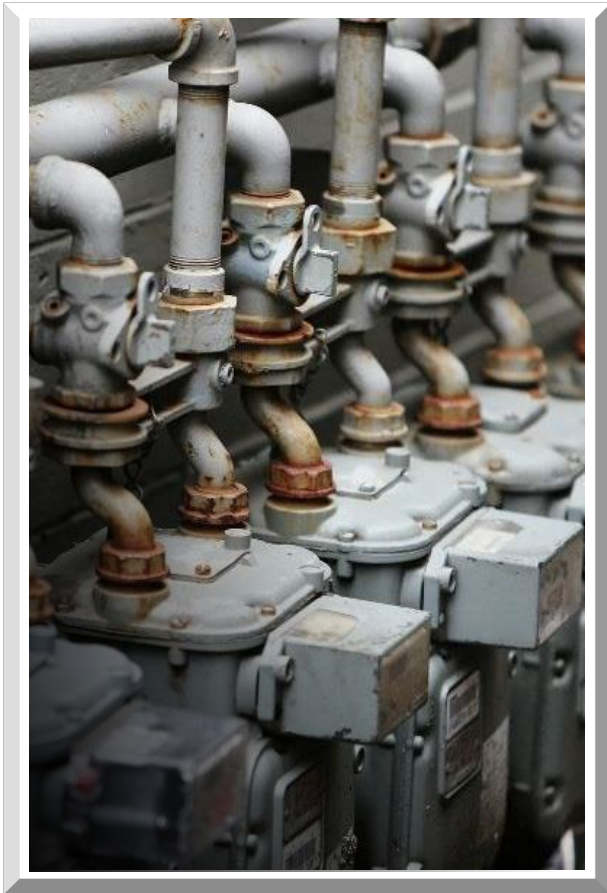
### ▪ Reporting:

- Emissions, leaks discovered, and leaks repaired by grade added to annual reports
- Large volume release reporting: unintentional and intentional releases >1 MMCF
- NPMS reporting for gas gathering pipelines.



# Safety of Gas Distribution Pipelines

**RIN: 2137-AF53**



## **Under Development**

- Addresses Leonel Rondon Act in the PIPES Act of 2020
- **Major Topics Under Consideration**
  - Distribution integrity management plans
  - Emergency response plans
  - Operations and maintenance





# Safety of Gas Distribution Pipelines and Other Pipeline Safety Initiatives

**RIN: 2137-AF53**

- Proposes revisions to the pipeline safety regulations to require operators of gas distribution pipelines to update their distribution integrity management programs (DIMP), emergency response plans, operations and maintenance manuals, and other safety practices.
- These proposals implement provisions of the Leonel Rondon Pipeline Safety Act—part of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020
- NPRM published September 7, 2023





# Class Location Requirements

**RIN: 2137-AF29**

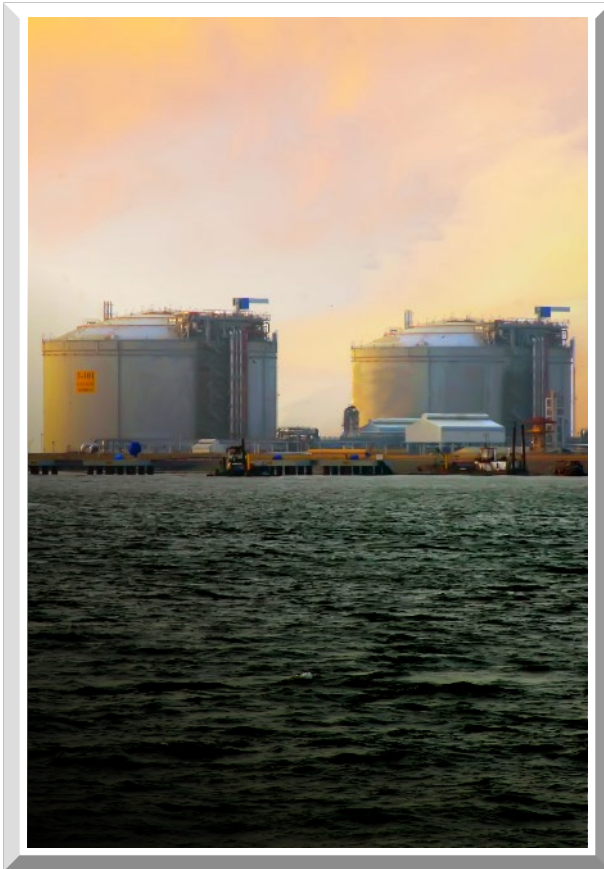


- **NPRM Published 10/14/20**
  - Comment period ended 12/14/20
- **Major Topics Under Consideration:** Options for CL changes due to population increases
- **Next Action:** PAC meeting week of Nov 27<sup>th</sup>.



# Liquefied Natural Gas

**RIN: 2137-AF45**



- **Major Topics Under Consideration:**
  - Updated NFPA 59A
  - Petitions for Rulemaking
- **PIPES Act 2020**  
(Section 110; PSM for O&M activities)
- **Next Action:** Publish NPRM



# Carbon Dioxide

**RIN: 2137-AF60**



## Under Development

- In response to carbon capture initiatives, and the growth of CO<sub>2</sub> pipelines – both liquid and gaseous
  - Gaseous vs liquid pipelines
  - Vapor dispersion modeling for CO<sub>2</sub> pipelines
  - Crack arresters
  - Odorization
- Public meeting held in Iowa

## Next Action:

- Publish NPRM



# Standards Update I

**RIN: 2137-AF13**



- **NPRM Published 1/15/2021**
  - Comment period ended 3/16/2021
  - PAC meeting held 10/21/21
- **Major Topics Under Consideration**
- **Next Action:** Publish final rule





# Standards Update II

**RIN: 2137-AF48**

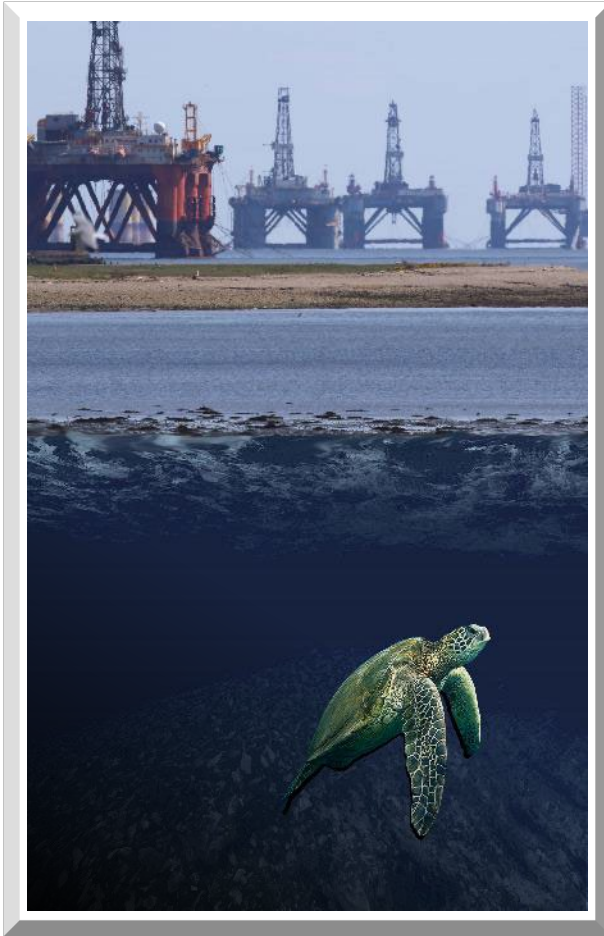


- **NPRM Published 8/29/22**
  - Comment period ended 10/28/2022
- **Major Topics Under Consideration**
  - Proposes 28 updated standards
- **Next Action:** PAC meeting



# Coastal Ecological Unusually Sensitive Areas

**RIN: 2137-AF31**



- **Interim Final Rule (IFR) Published 12/27/2021**
  - Effective date 2/25/2022
  - API GPA Petition/lawsuit
  - PHMSA Response; stay of enforcement (low stress/gathering)
- **LPAC Meeting on 8/17/2022**
- **Major Topics**
  - Expand definition of USA to include Great Lakes, coastal beaches and coastal waters
  - Subject pipelines in such areas to IM in 49 CFR 195
  - Updated USAs in the NPMS
  - **Next Action:** Publish final rule





# Oil Spill Response Plans and Misc. HL Changes

**RIN: 2137-AF37**

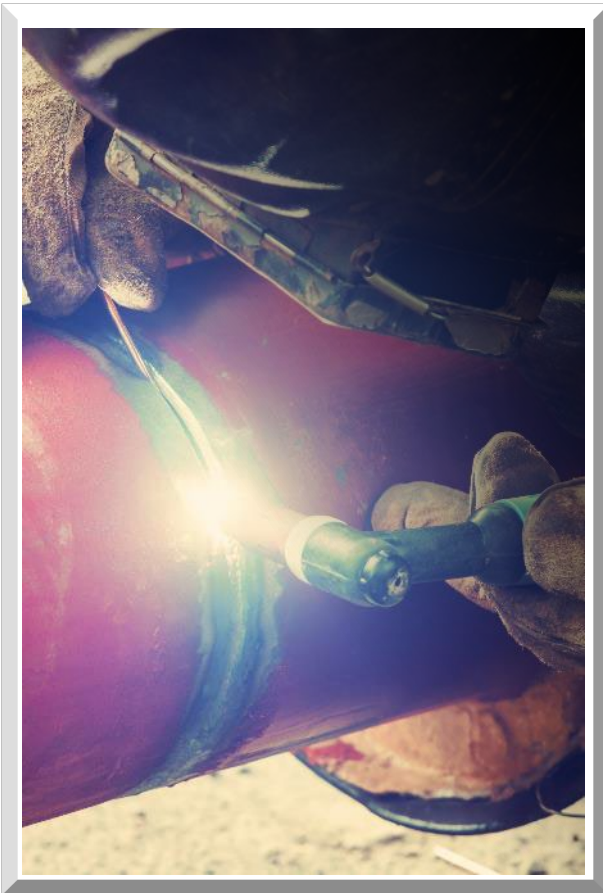


- **NPRM Published 4/16/20**
  - Comment period ended 6/15/20
- **Note:** Name changed to “Pipeline Safety: Oil Spill Response Plans, Accident Notifications, Inspections and Investigations and other Miscellaneous Pipeline Safety Changes”
- **Next Action:** Publish SNPRM



# Hazardous Liquid Repair Criteria

**RIN: 2137-AF44**



- **Under Development**
- Split from original Hazardous Liquid NPRM
- Possible Part 192 implications
- **Major Topics Under Consideration**
  - Repairs in HCA and non-HCAs

## **Next Action:**

- Publish NPRM



# Pipeline Operational Status

**RIN: 2137-AF52**



- **Under Development**
- **PIPES Act of 2020** defines an “idled pipeline”
  - Will not resume service in 180 days
  - Has been isolated from all sources of hazardous liquid, natural gas has been purged
- **API RP 1181**; addresses idled pipelines
- **Next Action:** Publish NPRM



# Thank You

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<https://www.phmsa.dot.gov>

