

REGULATORY UPDATE AND OTHER STUFF

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RULEMAKING PROCESS

PHMSA RULEMAKING PROCESS

- Advance Notice of Proposed Rulemaking (ANPRM) – PHMSA publishes intent and asks for public comment before an NPRM is published
- Notice of Proposed Rulemaking (NPRM) – PHMSA publishes proposed rule language with a public comment period.
- Supplemental Notice of Proposed Rulemaking (SNPRM) – Issued if changes and further public comment is necessary.

PHMSA RULEMAKING PROCESS

- Final Rule (FR)
 - Final rule text and implementation date is published along with responses to issues raised by public comment (preamble)
 - Implementation date, often 30 – 90 days depending on significance of regulation
- Direct Final Rule (DFR)
 - Used for non-controversial issues
- Interim Final Rule – Final rules that deal with imminent safety issues or Congressional mandates that requires immediate changes. IFRs also provide the opportunity for public comment

PHMSA RULEMAKING PROCESS

- Other Federal Register Notices
 - Advisory Bulletins
 - Information Collection and Other Notices
 - Notifications such as Drug & Alcohol Testing rates
 - Notices from other agencies such as TSA
 - Announcing public meetings
 - Publication of FAQs

NEW REGULATIONS

RECENT CHANGES TO GAS REGULATIONS

- Amendment 192-125 MAOP reconfirmation, Assessment Requirements
 - October 1, 2019, effective July 1, 2020
 - Stay of enforcement until December 31, 2020
 - Amendment 191-26 Reporting requirement
 - Transmission MAOP exceedance reporting
- Amendment 192-126 – Clarification regarding MAOP reconfirmation

AMENDMENT 192-125

- **MAOP Reconfirmation, Expansion of Assessment Requirements**
- Moderate consequence areas
 - Operators should be examining their systems to evaluate for MCAs
 - Procedures should include process for MCA evaluation of transmission pipelines operating $\geq 30\%$ SMYS

AMENDMENT 192-126

- Amendment 192-126 Final Rule for Underground Natural Gas Storage
 - Effective March 13, 2020
 - Amendment 191-27 issued at same time with clarification for reporting requirements for storage

AMENDMENT 191-29 AND 192-128

- Easing regulatory burdens for construction, maintenance and operation of gas systems
- Result of petitions for rulemaking, industry requests for clarifications or deletions of regulations, and internal agency review
- Effective March 21, 2021

REPORTABLE INCIDENTS

§191.3 incident definition

- PHMSA – property damage of \$122,000 or more
- Calculated according to new Appendix A to 191
 - Effective July 1 – June 30 of next year.
 - Publish Updates in Federal Register
 - Notice July 7, 2022 – threshold \$129,300 effective 7/1/22
 - Update O&M manuals when it changes

ANNUAL REPORTS

• § 191.11 – Distribution Annual Reports

- Annual reports not required for:
 - Master Meters
 - LPG System <100 customers
 - Individual service lines directed connected to a production pipeline or an unregulated gathering lines (farm taps)

MASTER METERS LPG SYSTEM < 100 CUSTOMERS

- Not required to file annual report as per §191.11
- Removed DIMP requirements for master meters as per §192.1003
- Changed LPG DIMP requirements as per §192.1015
- Removed the requirements for mechanical fitting failure reports in §§191.12 and 192.1009
 - Now included as part of annual report

INCORPORATED BY REFERENCE

- **§192.7 – Incorporated by reference (IBR) documents**
- Updated several documents
 - API Standard 1104 – 20th edition Welding
 - ASTM D2513-18A Standard specification for PE Pipe
 - ASTM F2620-19 – Standard for Heat Fusion of PE Pipe
- Added PE standards to **§192 Appendix B Qualification of Pipe and Components**

CORROSION

- **§192.465** Remote rectifier readings
- **§192.481** Atmospheric monitoring of service lines
 - Five years not to exceed 63 months
 - If corrosion found, next inspection in 3 years
- **§192.491(c)** Record keeping
 - Retain two most recent atmospheric for 5 year service line inspections

PLASTIC PIPE

- Updated some incorporated by reference document in §192.7
- Added some PE standards to §192 Appendix B
- Updated PE design information in §192.121
- Added to §192 Subpart F regarding plastic pipe fusion and qualifications

PLASTIC PIPE STORAGE

IBR edition	Effective Dates	UV Exposure
D2513-99	Pre March 6, 2015	Limited to 2 years
D2513-09a	March 6, 2015 to January 21, 2019	Limited to 3 years
D2513-12ae1	January 22, 2019 to present	Limited to 3 years

- Plastic Pipe Storage still 2 year outdoor storage limitations outlined in §192.321(g)

PLASTIC PIPE FUSION

- **§192.281 – Plastic Pipe**
 - Heat fusion joints must comply with ASTM F2620 (IBR) or alternative procedure that:
 - Provides equivalent or superior level of safety
 - Proven by test or experience to produce gastight joints
- **§192.283 – Qualifying joining procedures**
 - Editorial corrections

AMENDMENT 192-128

- **§192.285 – Plastic Pipe: Qualifying persons**

- Added testing according to
 - test methods under §192.283(a)
 - PE visually inspected in accordance with ASTM F 2620
 - Written procedure demonstrated to provide an equivalent or greater level of safety.

NEED DOCUMENTATION OF DESTRUCTIVE TESTS!!

TESTING

- **§192.505 – Strength tests for steel pipelines >30% SMYS**
 - Editorial clarification of reference
- **§192.507(d) – Test requirements for pipelines <30% SMYS and ≥ 100 psi**
 - Fabricated units and short sections of pipe, for which a post installation test is impractical, a pre-installation hydrostatic pressure test must be conducted in accordance with the requirements of this section.

TESTING

- **§192.507(d) – Test requirements for pipelines <30% SMYS and ≥ 100 psi**
 - Hydrostatic test not required for pretesting
 - Can use medium other than water
 - Pretested pipe is not allowed for:
 - Plastic pipelines
 - Service lines
 - Type B gathering lines <100 psig

MAOP

- **§192.619(a)(2) – Maximum allowable operating pressure: steel or plastic pipelines**
- Table 1 – added new footnote regarding test factor for fabricated fittings and pressure vessels as outlined in new §192.153
- Test factor for steel pipe in Class 1 and 2 now 1.25

§192.740 FARM TAPS

- Removed stay of enforcement for farm taps
- Regulations limited to regulated gathering or transmission pipelines
- Clarified requirements for farm taps for inspections or under DIMP

DIMP

- §192.1003 – What do the regulations in this subpart cover?
- §192.1005 – What must a gas distribution operator (Other than a small LPG operator) do to implement this subpart?
- §192.1015 – What must a small LPG operator do to implement this subpart?

**All remove master meter and LPT operators
from DIMP requirements**

AMENDMENT 192-129, 192-131, 191-31, 191-32

- Subject all gas gathering lines, including previously unregulated lines, to PHMSA annual and incident reporting requirements (estimated > 425,000 miles of pipeline nationally)
- Limit the use of the incidental gathering line exception to lines 10 miles or less. No other definition changes adopted.

AMENDMENT 192-129, 192-131, 191-31, 191-32

- Previously-unregulated gathering pipelines (SMYS >20% in Class 1 areas) now subject to safety standards:
 - Approximately 91,000 additional miles of pipe subject to damage prevention, and emergency planning requirements.
 - 20,000 additional miles of pipe subject to public awareness, line marker, corrosion control and leak survey requirements.
 - 14,000 additional miles of pipe subject to MAOP requirements.
 - All new and replaced pipe 8 inches or greater will have to be constructed in accordance with the current pipeline safety regulations.

GAS GATHERING FINAL RULE 11/15/2021

- Added two new categories of gathering line - Type R & Type C
- Effective Date – May 16, 2022
 - Incident reporting after this date
- Annual Reports – Due March 15, 2023
- Type C lines identified by November 16, 2022
- Compliance with safety standards by May 16, 2023

TYPE R GATHERING LINES

- §192.8(c)(3) defines Type R as all other onshore gathering lines, specifically in Class 1 and Class 2 locations
 - Class 1 <8" in diameter, no pressure limitation
 - Class 2 location outside of Area 2 (b) and (c) definitions
- Type R gathering line is subject to the reporting requirements under Part 191, but is not a regulated gathering line under Part 192.

TYPE R REQUIREMENTS

- §191.5 – Immediate notice of certain incidents
- §191.15 – Transmission Systems; gathering systems: Incident report
 - Written report within 30 days of incident using PHSMA Form F 7100.2
- Forms posted at: <https://www.phmsa.dot.gov/forms/pipeline-compliance-forms>

TYPE R REQUIREMENTS

- §191.22 – National Registry of Operators
 - OPID request PHSMA Form F 1000.1
- §191.17 – Transmission Systems; gathering systems;...: Annual Report
 - Due March 15 of every year
 - First annual report due March 15, 2023 for all gathering lines operated in 2022

TYPE C GATHERING LINES

- Defined in §192.8(b)(2) - Outside diameter ≥ 8.625 " and any of the following:
 - Metallic with MAOP produces hoop stress $> 20\%$ SMYS
 - If hoop stress unknown, metallic with MAOP > 125 psig
 - Non-metallic with MAOP > 125 psig
 - Non-metallic could include plastic or various composite type pipe

SUMMARY OF TYPE C REQUIREMENTS

Criteria	Type C requirements (cumulative)
All pipelines with diameter equal to or greater than 8.625 inches	-Damage prevention § 192.614 -Emergency Plans § 192.615 - New/replaced - Design, installation, construction, inspection, and testing requirements* (allowance for composite pipe)
Diameter 8.625 inches through 12.75 inches with a PIR exception:	The above and: -Public Awareness § 192.616 -Line Markers § 192.707 -Corrosion control (subpart I) - Leakage surveys (192.706)
Diameter > 12.75 inches through 16 inches with a PIR exception, or Diameter > 16 inches	The above and: -Plastic pipe requirements -Establish maximum allowable operating pressure (MAOP, § 192.619)

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AMENDMENT 192-130

Final Rule – Valve installation & minimum rupture detection

- Effective October 5, 2022
- Applicable to onshore gas transmission, Type A gas gathering, and hazardous liquid pipelines with diameters of 6 inches or greater
- Requires installation of rupture mitigation valves (RMS) or alternative technology

FINAL RULE – VALVE INSTALLATION & MINIMUM RUPTURE DETECTION STANDARDS

- Requirements for rupture mitigation valve spacing, maintenance, inspection, and risk analysis
- Requires additional liaison to 911 centers, and reporting to 911 immediately of a potential rupture (§192.615)

FINAL RULE – VALVE INSTALLATION & MINIMUM RUPTURE DETECTION STANDARDS

- Transmission valve rupture mitigation valves (§192.179)
- Class location change valve spacing (new §192.610)
- Failure investigations and lessons learned (§192.617)
- Valve maintenance (§192.745)

FINAL RULE – VALVE INSTALLATION & MINIMUM RUPTURE DETECTION STANDARDS

- Rupture mitigation valve installation (new §192.634)
- Notification of potential ruptures (new §192.635)
- Response to ruptures (new §192.636)
- IM considerations

AMENDMENT 192-132

- Safety of Gas Transmission Lines: Repair Criteria, Integrity Management Improvements, Cathodic Protections, Management of Change and other Related Amendments
- Rin 2 of Megarule
- Published August 24, 2022
- Effective May 24, 2023

AMENDMENT 192-132

- §192.3 – Definitions
 - CIS, Distribution Center, Dry gas, ILI, wrinkle bend
 - Revised transmission line definition
- 192.7 – incorporated by reference documents
 - Added NACE Standards for IM
- §192.9 Gathering lines – exempted requirements

AMENDMENT 192-132

- Transmission requirements
 - §192.13 – General Requirements
 - Added management of change
 - §192.319 – Installation of pipe
 - Added coating assessment requirement -
 - Same requirement in §192.461 and repair under §192.465

AMENDMENT 192-132

- Transmission Requirements
 - §192.473 – Interference Currents
 - §192.478 – Internal Corrosion Control
 - §192.485 – Remedial Measures

AMENDMENT 192-132

- Transmission Lines
 - §192.613 – Continuing Surveillance
 - §192.710 – Assessments outside of HCAs
 - §§192.711 and .712– Repair Criteria and Remaining Strength
 - §192.714 – Repair Criteria

AMENDMENT 192-132

- Transmission Lines
 - §192.917 – Threat Identification
 - §192.923 – Direct Assessment
 - §192.933 – Actions to address Integrity Issues
 - §192.935 – P&M Measures
 - §192.941 – Low Stress Reassessments

ADVISORY BULLETINS

ADVISORY BULLETIN 20-01

- Requirements for Inside Meters and Regulators
 - Silver Spring, MD apartment building incident
 - Seven deaths, 65 sent to hospital, 3 firefighters treated
 - Exceeded \$1,000,000
 - §§192.353, .355, and .357 location and safety
 - §§192.723 and .481 leakage and atmospheric
 - §192.1007 consider as threat under DIMP
 - PHMSA sent letter to State Commissions

ADVISORY BULLETIN 20-02

- Overpressure Protection on Low-pressure Natural Gas Distribution Systems
- Merrimack Valley, MA
- NTSB report listed number of recommendations
- Requirements under DIMP to know system, identify threat, and implement measures to address risk

ADVISORY BULLETIN 21-01

- Statutory Mandate To Update Inspection and Maintenance Plans To Address Eliminating Hazardous Leaks and Minimizing Releases of Natural Gas From Pipeline Facilities
- Issued 6-4-21

ADB 21-01

- Addresses Section 114 of 2020 PIPES Act
 - Self executing section of statute
 - Requires operator to review and implement O&M measures to reduce gas emissions by December 28, 2021
 - Includes natural gas and hazardous liquid lines
 - Does not include propane lines

ADB 21-01

- Public Meeting in February 2022
- Performing inspections to determine if operators have addressed emission reduction in O&M manuals
- PHMSA complete inspection by 12/28/22
- Only one inspection per manual
 - Share manual with other operators
 - If already had inspection – let us know

ADVISORY BULLETIN 22-01

- Potential for Damage to Pipeline Facilities Caused by Earth Movement and Other Geological Hazards
- Issued May 26, 2022
- Similar to ADB 19-02
- Provides information regarding preventative and mitigative measures for IM

OTHER RULEMAKING

- Leak detection
 - Section 113 of PIPES Act addresses leak detection and repair
 - Results of Section 114 inspection may influence

OTHER RULEMAKING

- Safety of Distribution pipelines
 - Section 202, 203, 204, and 206 of Leonel Rondon Act
- Class Location Change Requirements
- Idled pipelines
 - PIPES Act of 2020 defined idled pipelines
- Standards update

PIPES ACT 2020 WEB CHART													
Rule Title/Subject/Docket No.	RIN	Rule Stage and Significance	Legislation	Description of Work Plan	Rulemaking Timeline ("actual dates")	OST Date for Completing Review (45 days)	Dates Sent back to PHMSA	Dates Sent Back to OST	Current Staff PHMSA/OST Allocation **	Resource Constraints Affecting Process in PHMSA/OST	OMB Date for Completing Review (90 days) (10/16/20)	Additional Details Affecting Rulemaking	Additional Comments on Rulemaking Status
OPS: Safety of Gas Gathering Pipelines	2137-AF38	Final Rule	PIPES Act 2020 Sec. 112	Completed	PHMSA Complete/ To OST To OMB FR Pub 06/30/21* 08/31/21* 11/15/21*	08/16/21	07/09/21 07/21/21 09/24/21	07/15/21 07/25/21 10/05/21	9 staff PHMSA 5 staff OST		11/01/21	GPAC meeting held, see 2-26, 2018.	2PRM published in FR on 10/10/2019. Final Rule published on 11/15/2021. PHMSA received a petition for reconsideration on 12/15/2021. PHMSA completed the applicable legislative mandate upon publication of the Final Rule.
OPS: Safety of Gas Transmission Pipelines: Disciplinary Integrity Management Improvements	2137-AF39	Final Rule	Pipeline Safety 2011 Sec. 5	Complete Final Rule	PHMSA Complete/ To OST To OMB FR Pub 09/07/21* 02/23/22* 06/07/22	10/22/21	11/15/21 12/15/21 01/25/22 01/26/22	12/10/21 01/25/22 01/26/22	9 staff PHMSA 5 staff OST	YES	5/24/2022	GPAC meeting held, March 26-28, 2018.	2PRM published in FR on 10/10/2019.
OPS: Amendments to Parts 192 and 193 to require Valve Installation and Minimum Rupture Detection Standards	2137-AF06	Final Rule	Pipeline Safety 2011 Sec. 4 and 8; PIPES Act 2020 Sec. 113	Complete Final Rule	PHMSA Complete/ To OST To OMB FR Pub 09/24/21* 12/15/21* 03/29/22	12/13/21	01/26/21 11/16/21 11/23/21	01/10/21 11/17/21 11/24/21	8 staff PHMSA 5 staff OST	YES	03/15/22	GPAC/LPAC meeting held June 27-31, 2020.	2PRM published in FR on 10/10/2019.
OPS: Coastal Ecological Unusually Sensitive Areas	2137-AF31	Final Rule	PIPES Act 2016 Sec. 19; PIPES Act 2020 Sec. 120	Complete Final Rule	PHMSA Complete/ To OST To OMB FR Pub 09/07/21* 10/22/21* 02/03/22	10/22/21	09/28/21	10/15/21	8 staff PHMSA 5 staff OST	YES	12/10/21	Public workshop held, see 12-13, 2019.	PHMSA received a petition for judicial review and motion to stay the FR pending its review on 03/01/2022. FR published in FR on 12/27/2021. Effective on 02/25/2022, PHMSA completed the applicable legislative mandates upon publication of the FR.
OPS: Gas Pipeline Leak Detection	2137-AF51	NPRM	PIPES Act 2020 Sec. 113	Complete NPRM	PHMSA Complete/ To OST To OMB FR Pub 03/28/22 05/15/22 08/29/22				8 staff PHMSA 5 staff OST	YES		PHMSA held public meeting May 4-6, 2021.	
OPS: Safety of Gas Distribution Pipelines	2137-AF53	NPRM	PIPES Act 2020 Leonel Rondon Act Sec. 202, 203, 204, and 206	Complete NPRM	PHMSA Complete/ To OST To OMB FR Pub 03/15/22 04/28/22 08/12/22				8 staff PHMSA 5 staff OST	YES			
OPS: Amendments to Liquefied Natural Gas Facilities	2137-AF45	NPRM	PIPES Act 2016 Sec. 27; PIPES Act 2020 Sec. 110	Complete NPRM	PHMSA Complete/ To OST To OMB FR Pub 06/30/22 08/18/22 12/07/22				8 staff PHMSA 5 staff OST	YES			
OPS: Class Location	2137-AF29	Final Rule	PIPES Act 2020 Sec. 115	Hold GPAC meeting	PHMSA Complete/ To OST To OMB FR Pub 10/11/22 11/28/22 03/21/23				8 staff PHMSA 5 staff OST	YES			2PRM published in FR on 10/14/2020. Comment period closed 12/14/2020, planning GPAC.
OPS: Pipeline Operational Status	2137-AF52	NPRM	PIPES Act 2020 Sec. 109	Complete NPRM	PHMSA Complete/ To OST To OMB FR Pub 11/03/22 12/22/22 04/14/23				8 staff PHMSA 5 staff OST	YES			

**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.

Updated 03/08/2022

HOT TOPICS

- Cybersecurity
 - Questions added to IA to address
- Underserved areas
- Transmission – MCA and MAOP verification

HOT TOPICS

- Renewable Natural Gas (RNG)
 - Landfill, biogas
- Hydrogen
- Carbon Dioxide (CO₂)
- Drug and Alcohol – States may share inspections

QUESTIONS?

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