



Pipeline and Hazardous Materials Safety Administration Office of Pipeline Safety

Regulatory Perspective and Update

Utility Public Safety Alliance Meeting

May 17 – 18, 2022



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

PHMSA: Your Safety is Our Mission



PHMSA Overview



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

PHMSA: Your Safety is Our Mission

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Who is PHMSA?

U. S. Department of Transportation (DOT)

OST

**Office of the Secretary
of Transportation**



OIG

**Office of the
Inspector General**



Federal Aviation Administration



Federal Highway Administration



**Federal Motor Carrier Safety
Administration**



Federal Railroad Administration



Federal Transit Administration



Maritime Administration



**National Highway Traffic
Safety Administration**



**Saint Lawrence Seaway
Development Corporation**



**Surface Transportation
Board**



**Pipeline and Hazardous
Materials Safety Administration**

- **Office of Pipeline Safety (OPS)**
- **Office of Hazardous Materials Safety**



Who is PHMSA?

Mission: To protect people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives.

- ✓ Develops and implements pipeline safety regulations
- ✓ Performs inspections and accident investigations
- ✓ Monitors and enforces compliance
- ✓ Conducts and support R&D
- ✓ Conducts outreach with stakeholders
- ✓ Awards grants



Regulatory Requirements

Title 49 Code of Federal Regulations

- Part 190: Pipeline Safety Programs/Rulemaking
- Part 191: Reporting Requirements
- Part 192: Natural Gas Pipelines
- Part 193: Liquefied Natural Gas (LNG) Facilities
- Part 194: Oil Spill Response Plans (OPA)
- Part 195: Hazardous Liquid Pipelines
- Part 198: State Grants
- Part 199: Drug and Alcohol

www.ecfr.gov



Regulated Pipeline Data



U.S. Department of Transportation
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PHMSA Regulated Pipeline Facilities

Pipeline Facilities by System Type from CY 2021 Gas Annual Reports			
System Type	Miles	% Miles	# Operators
Hazardous Liquid (CY 2020)	229,308 8,591 Tanks	8%	562
Gas Transmission	301,060	11%	1,054
Gas Gathering	16,555	< 1%	344
Gas Distribution	2,297,133	81%	1,251

Total Miles	2,844,056
--------------------	------------------

Liquefied Natural Gas	164 Plants, 234 Tanks, 84 Operators Plants - 27 Interstate and 137 Intrastate
Underground Natural Gas Storage	397 Facilities, 451 Reservoirs 16,696 Wells, 123 Operators Facilities - 219 Interstate and 178 Intrastate

Data as-of 3-27-2022



Categories of Incident Reports

Serious – fatality or injury requiring in-patient hospitalization, but **Fire First** are excluded.

Fire First are gas distribution incidents with a cause of “Other Outside Force Damage” and sub-cause of “Nearby Industrial, Man-made, or Other Fire/Explosion”

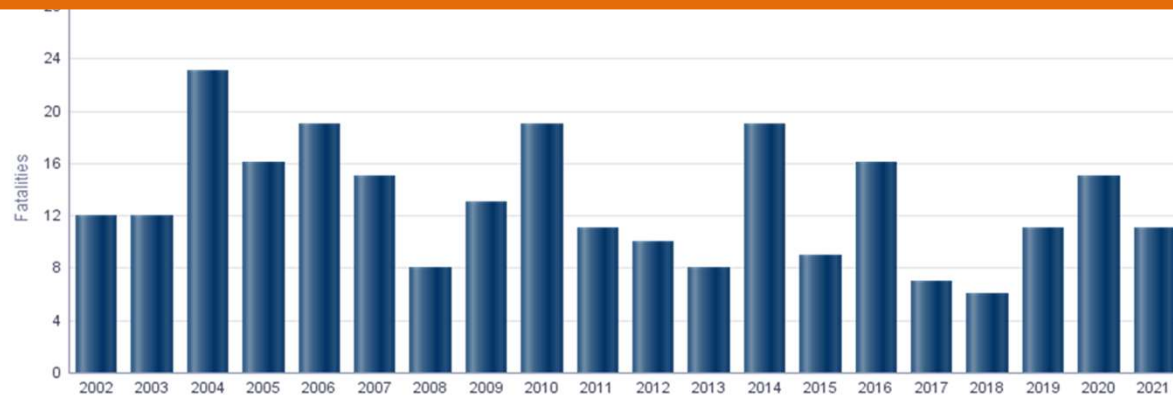
Significant include any of the following, but **Fire First** are excluded:

- Fatality or injury requiring in-patient hospitalization
- \$50,000 or more in total costs, measured in 1984 dollars
- Highly volatile liquid (HVL) releases of 5 barrels or more
- Non-HVL liquid releases of 50 barrels or more
- Liquid releases resulting in an unintentional fire or explosion

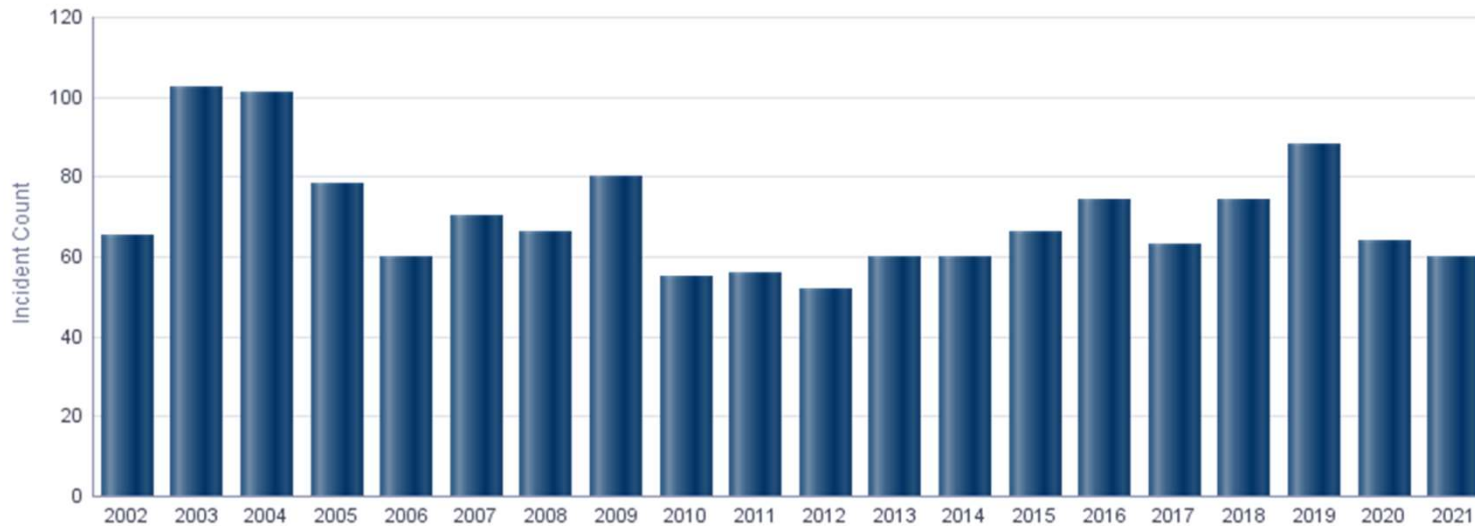


Gas Distribution Significant Incidents CY 2002-2021

All System Types
Decreased in 2021



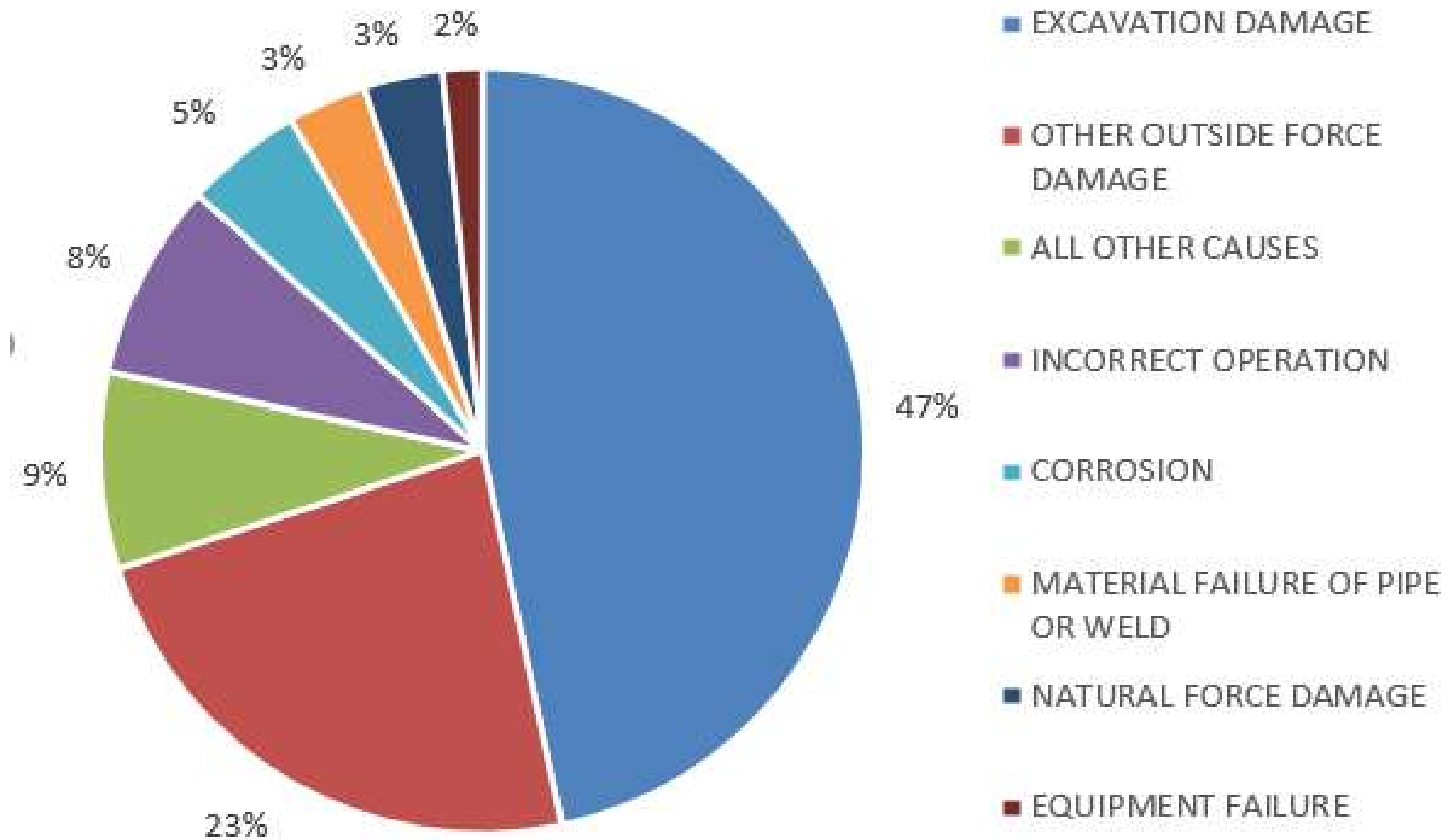
Gas Distribution
Decreased 6% from 2020 to 2021



Data as-of 2-9-2022



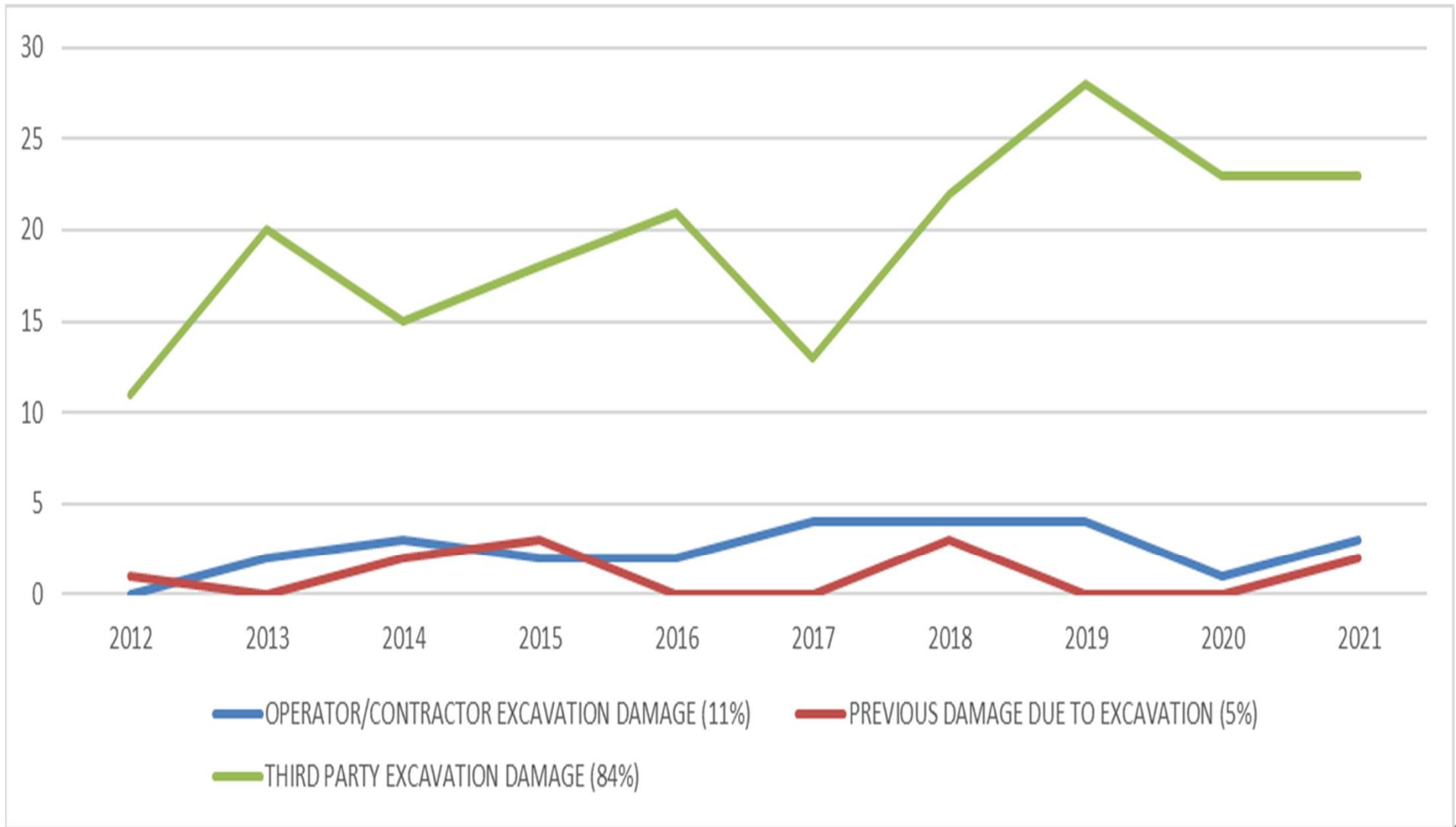
Gas Distribution Significant Incidents Leading Causes CY 2021



Data as-of 3-28-2022



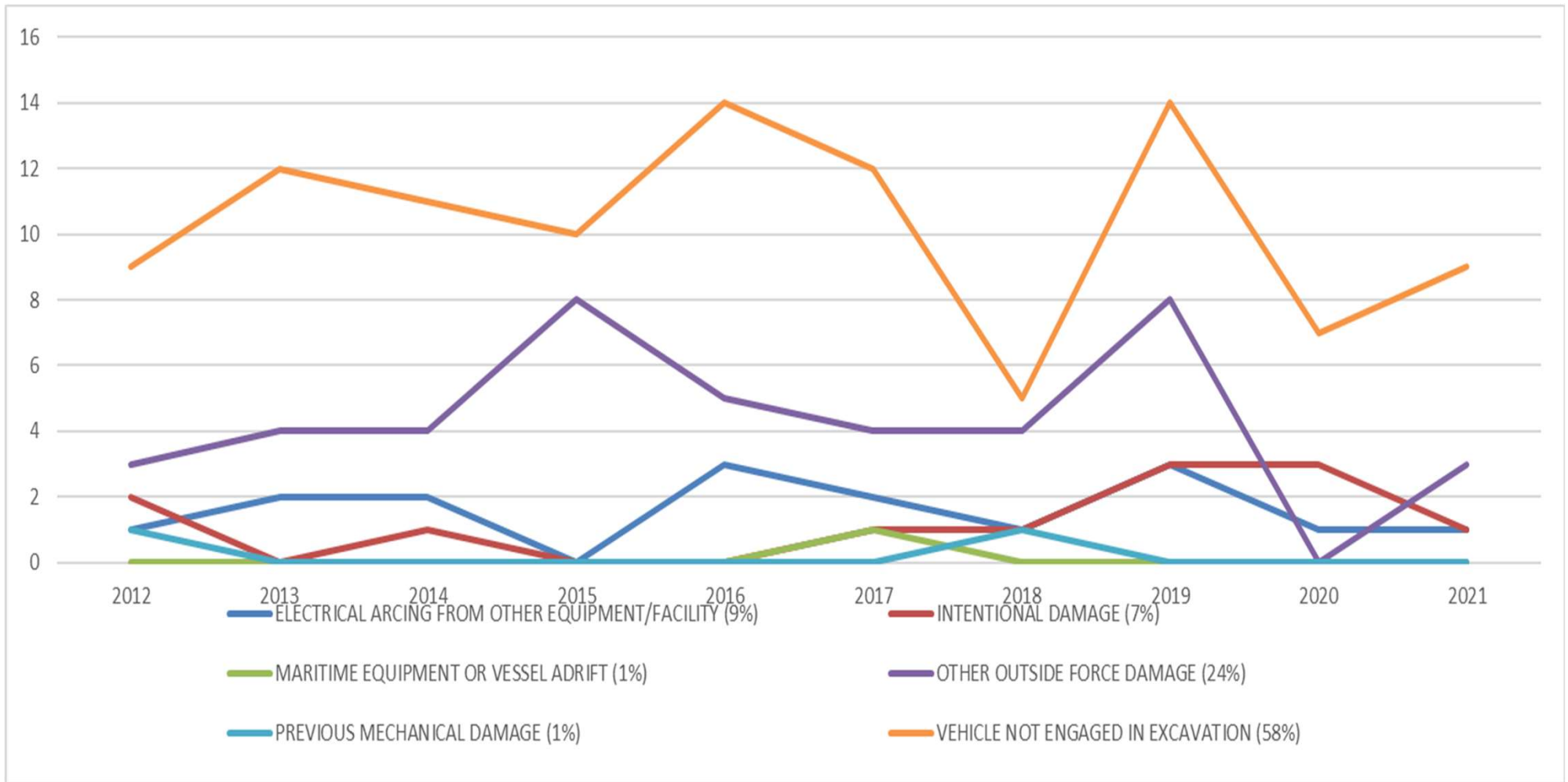
Gas Distribution Significant Incidents Excavation Damage by sub-Cause CY 2012-2021



Data as-of 2-9-2022



Gas Distribution Significant Incidents Other Outside Force Damage by sub-Cause CY 2012-2021



Data as-of 2-9-2022



Damage Prevention Efforts



U.S. Department of Transportation
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PHMSA Promotes Excavation Damage Prevention

Current focus areas:

- Strong state one call laws, especially in the area of enforcement
- Use of data to understand damage prevention landscape in each state
- Promoting use of 811
- Providing resources to damage prevention stakeholders
- Providing pipeline safety education and outreach in historically underserved/disadvantaged geographic areas
- Reducing excavation damages overall



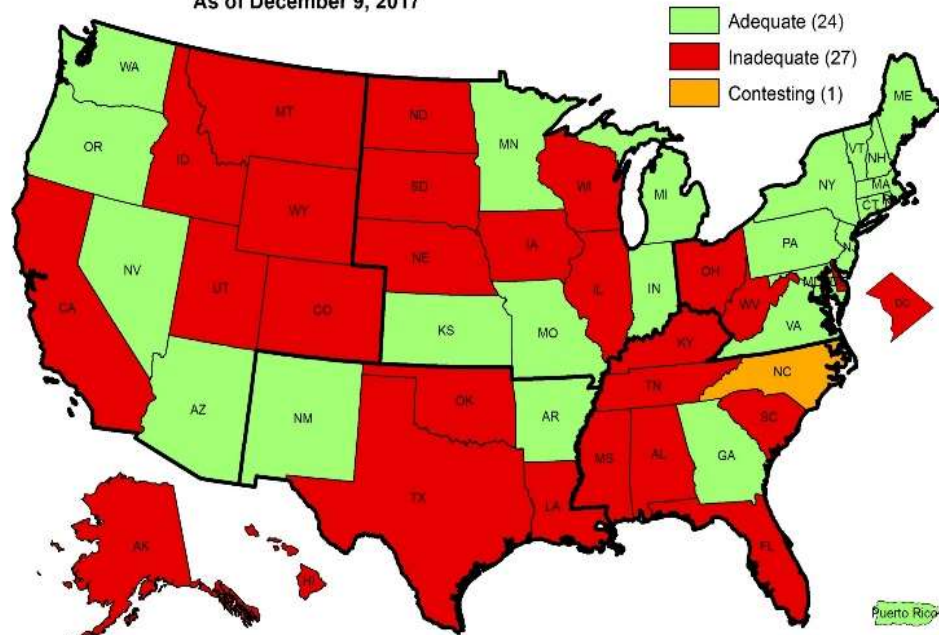
Know what's below.
Call before you dig.



PHMSA Evaluations – Determinations of Adequacy

Adequacy of One-Call Law Enforcement Programs

As of December 9, 2017



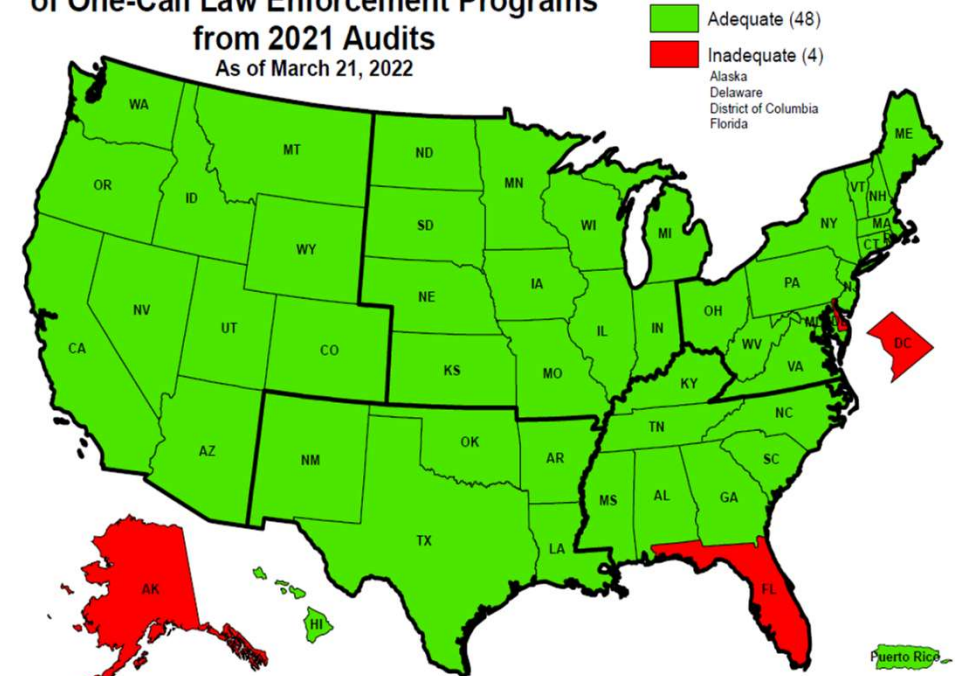
Map produced December 9, 2017 by the U.S. Department of Transportation (U.S. DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA). Map provided as a reference only. PHMSA makes no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability, suitability or availability with respect to this map for any purpose. PHMSA expressly disclaims liability for errors and omissions in the contents of this map.

2017



Determinations of Adequacy of One-Call Law Enforcement Programs

As of March 21, 2022



Map produced March 21, 2022 by the U.S. Department of Transportation (U.S. DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA). Map provided as a reference only. PHMSA makes no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability, suitability or availability with respect to this map for any purpose. PHMSA expressly disclaims liability for errors and omissions in the contents of this map.

2022

Effective Programs Look Beyond “Adequate”



Information Collection Changes

- PHMSA plans to improve the granularity of excavation damage root cause data in **incident reports** by replacing the current form's root cause options with 26 options based on the 2018 edition of CGA DIRT.
- PHMSA plans the same change in the **gas distribution annual report**, as well as adding excavation damage root cause to the **gas gathering/transmission and hazardous liquid annual reports**.



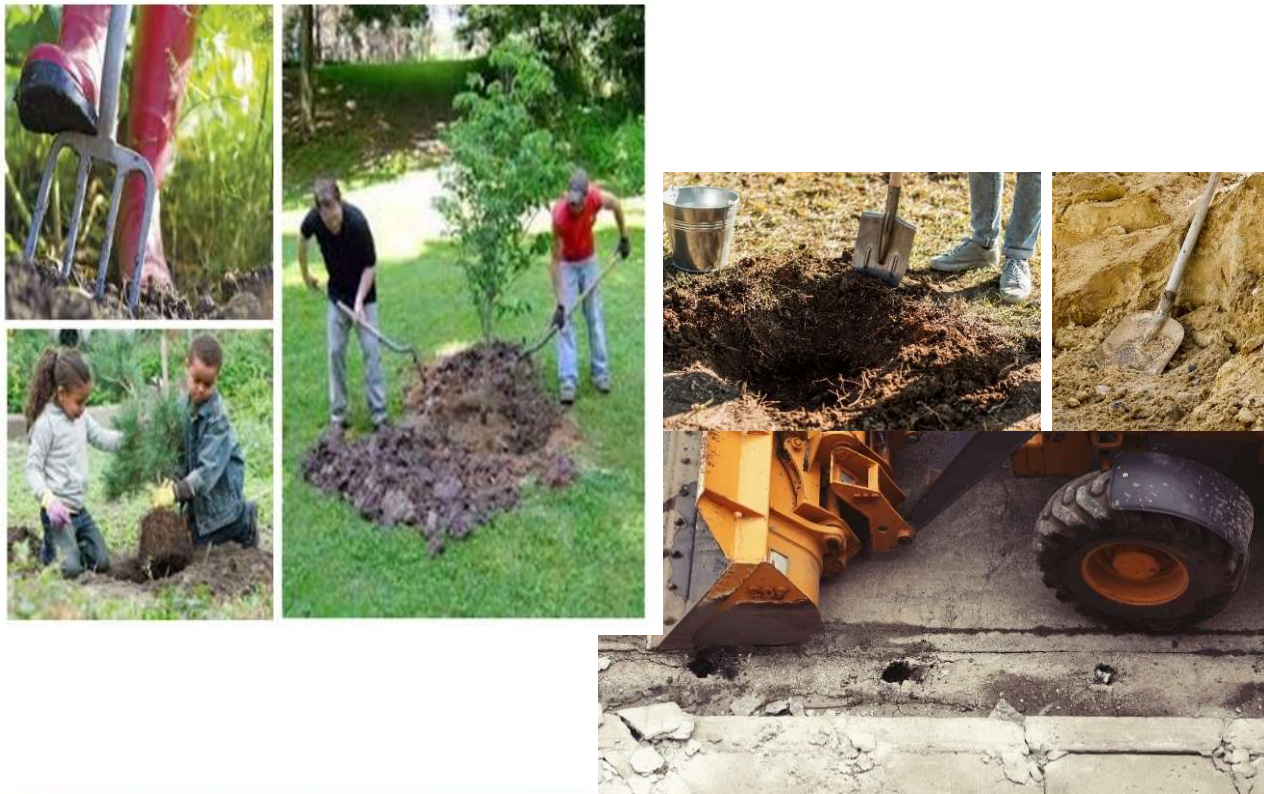
More Granular Root Cause Data



Executive Order 13985

Advancing Racial Equality and Support for Underserved Communities Through the Federal Government

CALL before
you do this.



- Identify underserved communities where pipeline excavation damages have occurred
- Improve public education and outreach on damage prevention to underserved communities
- Coordinate Call 811 outreach events in underserved communities across the Nation
- Prioritize outreach to underserved communities in “inadequate” states
- Track and measure outreach in underserved communities



Program and Campaign Examples



**Know what's below.
Call before you dig.**

**ALWAYS
CALL
BEFORE YOU
DIG**



One free, easy call gets your utility lines marked
AND helps protect you from injury and expense.

Know what's below. Always call 811 before you dig.
Visit call811.com for more information.



Q: WHAT IS 811?

A: 811 is a new federally-mandated N-11 number designated by the FCC to consolidate all local "Call Before You Dig" numbers and help save lives by minimizing damages to underground utilities. One easy phone call to 811 quickly and easily begins the process of getting underground utility lines marked. Local One Call Center personnel will then notify affected utility companies, who will continue to mark underground lines for free.



Q: WHY SHOULD I CALL 811 BEFORE EVERY DIG?

A: Calling 811 will help save lives and protect infrastructure. Knowing where underground utility lines are buried before each digging project begins helps protect you from injury, expense and penalties. The depth of utility lines varies and there may be multiple utility lines in the same area. Even simple digging projects can damage utility lines and can disrupt vital services to an entire neighborhood, harm diggers, and potentially result in expensive fines and repair costs. Marked lines show diggers the approximate location of underground lines and help prevent undesired consequences.

Q: I'M JUST A HOMEOWNER, NOT A CONTRACTOR— IS 811 FOR ME?

A: Calling 811 is for professional excavators and do-it-yourself homeowners. A recent national survey revealed that roughly half of Americans are "active diggers" who have done (or are planning to do) some type of digging project at home. Whether you are a professional excavator or an avid do-it-yourselfer, you need to call 811 before every dig every time.

Q: WHO IS PROMOTING AWARENESS OF 811?

A: The national 811 campaign is a project of The Common Ground Alliance (CGA), working with its 1,400 individual members, member organizations, sponsors and 811 campaign national launch partners. CGA is a member-driven association dedicated to ensuring public safety, environmental protection, and the integrity of services by promoting effective damage prevention practices. In recent years, the association has established itself as the leading organization in an effort to reduce damages to all underground facilities in North America through shared responsibility among all stakeholders.



**ENERGY SAFE KIDS
CALL 811
CHALLENGE**

**CALL 811
STUDENT
POSTER
CONTEST**

811
Know what's below.
Call before you dig.

You'll know what's below by the different flags, stakes, or paint.

- Red - Electric
- Yellow - Gas, oil or petroleum
- Orange - Communication
- Blue - Potable water
- Purple - Irrigation water, irrigation
- Green - Sewer
- White - Proposed excavation
- Pink - Temporary survey

**2016
Planner
Student
Poster Contest**

811

Know what's below.
Call before you dig.

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

**Be a good neighbor.
Call 811.**

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



Other Pipeline Safety Efforts

Our Vision for Zero Incidents!



How We Work Toward Zero

RESEARCH AND DEVELOPMENT

Support research to improve pipeline safety

RISK/DATA ANALYSIS

Analyze safety performance, improve data quality and analytical capabilities to identify, assess and manage safety risks

INSPECTION, ENFORCEMENT & ACCIDENT INVESTIGATION

Federal and State inspectors, trained side-by-side, evaluate pipelines to determine compliance with our regulations & Investigate accidents/incidents and share lessons learned

STAKEHOLDER OUTREACH & ENGAGEMENT

Enhancing safety through special programs, communication and education

SAFETY MANAGEMENT SYSTEMS (SMS)

Supporting Pipeline SMS principles and a robust safety culture both internally and externally



Safety Management Systems (SMS)

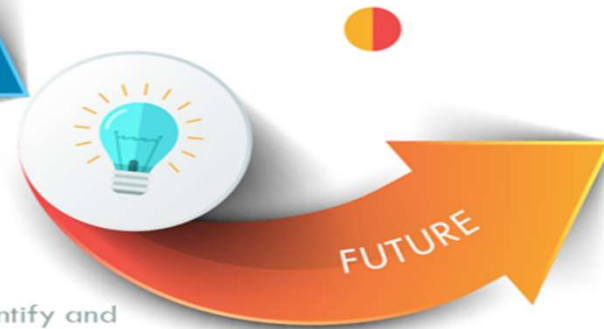
01 REACTIVE

Develops strategies that respond to past incidents and accidents



03 PREDICTIVE

Systematically analyzes safety risk data and performs forward-looking data analytics to identify potential/future problems



02 PROACTIVE

Actively collects data to identify and address current hazardous conditions



- Promote continued implementation throughout the industry
- Improve pipeline safety by building upon lessons learned and being proactive to prevent future events
- PIPES Act requirement to review (*Section 205*)



PHMSA's Focus on Public Engagement

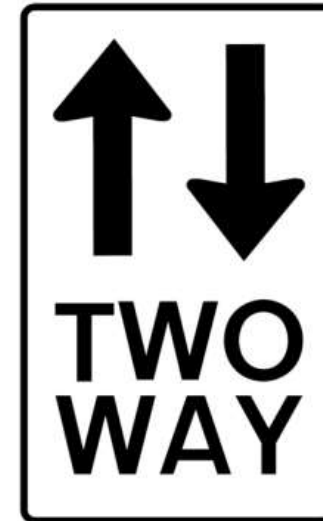
Public Awareness

“Telling”



Public Engagement

“Involving & Asking”

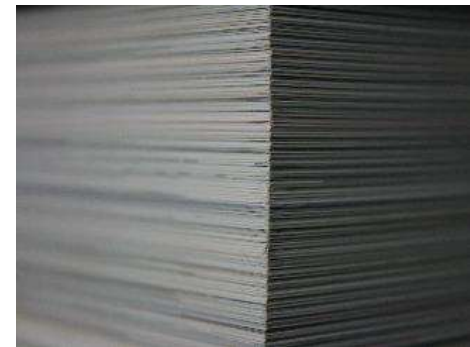


- Alignment with API RP 1173
- Supporting working group for new standard for public engagement (*API RP 1185*)
- Measuring and improving effectiveness



PIPES Act of 2020

- Impact on current regulatory agenda
- New Regulatory Mandates
- Studies and Reports



Protecting our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020

TITLE I—IMPROVING PIPELINE SAFETY AND INFRASTRUCTURE


- [Sec. 101.](#) Authorization of appropriations.
- [Sec. 102.](#) Pipeline workforce development.
- [Sec. 103.](#) Cost recovery and fees for facility reviews.
- [Sec. 104.](#) Advancement of new pipeline safety technologies and approaches.
- [Sec. 105.](#) Pipeline safety testing enhancement study.
- [Sec. 106.](#) Regulatory updates.
- [Sec. 107.](#) Self-disclosure of violations.
- [Sec. 108.](#) Due process protections in enforcement proceedings.
- [Sec. 109.](#) Pipeline operating status.
- [Sec. 110.](#) Updates to standards for liquefied natural gas facilities.
- [Sec. 111.](#) National Center of Excellence for Liquefied Natural Gas Safety.
- [Sec. 112.](#) Prioritization of rulemaking.
- [Sec. 113.](#) Leak detection and repair.
- [Sec. 114.](#) Inspection and maintenance plans.
- [Sec. 115.](#) Consideration of pipeline class location changes.

- [Sec. 116.](#) Protection of employees providing pipeline safety information.
- [Sec. 117.](#) Interstate drug and alcohol oversight.
- [Sec. 118.](#) Purpose and general authority.
- [Sec. 119.](#) National Academy of Sciences study on automatic and remote-controlled shut-off valves on existing pipelines.
- [Sec. 120.](#) Unusually sensitive areas.
- [Sec. 121.](#) Safety-related condition reports.
- [Sec. 122.](#) Risk analysis and integrity management programs.
- [Sec. 123.](#) Rule of construction.

TITLE II—LEONEL RONDON PIPELINE SAFETY ACT

- [Sec. 201.](#) Short title.
- [Sec. 202.](#) Distribution integrity management plans.
- [Sec. 203.](#) Emergency response plans.
- [Sec. 204.](#) Operations and maintenance manuals.
- [Sec. 205.](#) Pipeline safety management systems.
- [Sec. 206.](#) Pipeline safety practices.

 [Rulemaking](#)

 [Study and/or Report](#)

 [Self-executing](#)

 [Miscellaneous](#)

PIPES Act of 2020, Sections 113 and 114

- Section 113 requirements for operators to conduct leak detection and repair programs
- Section 114 mandate to operators to work to minimize releases of natural gas from pipeline facilities



PIPES Act of 2020, Sections 202 – 206



The Leonel Rondon Pipeline Safety Act



PIPES Act Web Chart

For the latest status on mandated rulemaking efforts...

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

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PIPES Act of 2020

PIPES Act of 2016

Hazardous Materials Safety Improvement Act of 2012

Pipeline Safety Act of 2011

The Fixing America's Surface Transportation Act

PIPES Act Web Chart

[4.6.22 PIPES Website Chart.pdf](#)

Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2020 Web Chart

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Last updated: Friday, April 8, 2022

PIPES ACT 2020 WEB CHART													
Rule Title/Subject/Docket No.	RIN	Rule Stage and Significance	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) (reginfo.gov)	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 07/22/21 10/05/21	9 staff PHMSA 5 staff OST		11/01/21	GPAC meeting held June 25-26, 2019.	NPRM published in FR on 10/01/2019. Final Rule published on 11/15/2021. PHMSA received a petition for reconsideration on 12/15/2021. PHMSA denied the petition on 4/1/2022. PHMSA completed the applicable legislative mandate upon publication of the Final Rule.
OPS: Safety of Gas Transmission Pipelines: Discretionary 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 01/26/22	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.	NPRM published in FR on 10/01/2019.
OPS: Amendments to Parts 192	2137-	Final Rule	Pipeline Safety	Complete Final	PHMSA	12/13/21	10/26/21	11/10/21	8 staff	YES	03/15/22	GPAC/LPAC.	Final Rule published in FR on 04/8/2022.

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



Infrastructure Investment and Jobs Act of 2021



- **a.k.a. Bipartisan Infrastructure Law**
- **Signed November 15, 2021**
- **Includes PHMSA Natural Gas Distribution Infrastructure Safety and Modernization Grant Program**



Funding

\$1 Billion
over five years



\$200 Million
per year

- Annual amounts are subject to appropriation
- No single operator can receive more than 12.5 percent of the available funds
- 2 percent of available funds for PHMSA administrative costs
- 1/2 percent of available funds for OIG oversight



Gas Distribution Safety and Modernization Grant

Available to a municipality or community owned utility (not including for-profit entities) to:

- Repair, rehabilitate, or replace gas distribution pipelines
or
- Acquire equipment to reduce incidents and fatalities and avoid economic losses



Evaluation Criteria

Applications will be evaluated on:

- 1) Risk profile of existing pipeline system, including presence of leakage prone pipe
- 2) Job creation potential
- 3) Potential to benefit disadvantaged rural and urban communities
- 4) Economic impact or growth

Distribution Integrity Management Plan (Part 192, Subpart P) will be used to determine system risk profile



PHMSA Administrative Responsibilities

- Issue Notice of Funding Opportunity (NOFO) in mid-May 2022
 - Announced on **Grants.gov**
 - Outlines application procedures
 - Identifies evaluation criteria
 - Awards must be made no later than 270 days after the NOFO
- PHMSA Goal: Streamline application and adjudication processes to ensure timely awards for approved projects.



PHMSA Administrative Responsibilities

- Issue Notice of Funding Opportunity (NOFO) within 180 days of the funding becoming available
 - Announced on **Grants.gov**
 - Outlines application procedures
 - Identifies evaluation criteria
- Awards must be made no later than 270 days after the NOFO



PHMSA Goal: Make Awards ASAP



For Grant Related Questions

PHMSA Grants Team
PHMSAPipelineBILGrant@dot.gov



Additional information available at:

<https://www.phmsa.dot.gov/grants/pipeline/natural-gas-distribution-infrastructure-safety-and-modernization-grants>



Pipeline Safety Questions...

Contact a Community Liaison

HEADQUARTERS

Karen Lynch, Program Manager

EASTERN REGION

Karen Gentile

Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont

Nita Raju

Delaware, Maryland, Ohio, Pennsylvania, Virginia, Washington DC, West Virginia

SOUTHWEST REGION

James 'Jay' Prothro

Arkansas, Oklahoma, Texas (North)

Bill Lowry

Louisiana, New Mexico, Texas (South)

SOUTHERN REGION

Artie Buff

Georgia, North Carolina, South Carolina, Tennessee, Puerto Rico

James Kelly

Alabama, Florida, Kentucky, Mississippi

CENTRAL REGION

Angela Pickett

Kansas, Missouri, Iowa, Illinois, Michigan, Minnesota

Sean Quinlan

North Dakota, South Dakota, Indiana, Nebraska, Wisconsin

WESTERN REGION

Dave Mulligan

Arizona, California, Colorado, Hawaii, Nevada, Utah

Tom Finch

Alaska, Idaho, Montana, Oregon, Washington, Wyoming



Just Search
“Community Liaisons” on
www.phmsa.dot.gov



**Success is Often Times Invisible...
You'll Never Know About the Life You Saved**





QUESTIONS COMMENTS CONCERNS



Thank You!!

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(609) 433-6650
Karen.Gentile@dot.gov

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

