

# Report on DOT Significant Rulemakings

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## Color Codes

Each rulemaking also has a color code. A rule may be green, yellow, red, or black. A "green" designation means the rule is expected to meet the "originally scheduled date" for publication. "Yellow" means the rule is not likely to meet the schedule. "Red" means the rule is behind schedule; if red, an explanation will be provided for the delay. Finally, "black" means the Department does not yet have a schedule for publication.

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

Pipeline and Hazardous Materials Safety Administration

Pipeline Safety: Safety of Hazardous Liquid Pipelines

Red

Popular Title: OPS: Liquid Hazardous Pipelines

RIN 2137-AE66

Stage: Final Rule

Previous Stage: NPRM 10/13/2015

**Abstract:** In recent years, there have been significant hazardous liquid pipeline accidents, most notably the 2010 crude oil spill near Marshall, Michigan, during which almost one million gallons of crude oil were spilled into the Kalamazoo River. In response to accident investigation findings, incident report data and trends, and stakeholder input, PHMSA published a Notice of Proposed Rulemaking (NPRM) in the Federal Register on October 13, 2015. Previously, Congress had enacted the Pipeline Safety, Regulatory Certainty, and Job Creation Act that included several provisions that are relevant to the regulation of hazardous liquid pipelines. Shortly after the Pipeline Safety, Regulatory Certainty, and Job Creation Act was passed, the National Transportation Safety Board (NTSB) issued its accident investigation report on the Marshall, Michigan accident. In this rulemaking action, PHMSA is amending the Pipeline Safety Regulations to improve protection of the public, property, and the environment by closing regulatory gaps where appropriate, and ensuring that operators are increasing the detection and remediation of unsafe conditions, and mitigating the adverse effects of hazardous liquid pipeline failures.

**Effects:**

Regulatory Flexibility Act

Prompting action: None

Legal Deadline: None

Rulemaking Project Initiated: 08/13/2010

Docket Number: PHMSA-2010-0229

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	05/13/2016	08/01/2016	07/29/2016
To OMB	06/21/2016	09/12/2016	
OMB Clearance	09/21/2016	12/12/2016	
Publication Date	10/03/2016	12/20/2016	

Explanation for any delay: N/A

Federal Register Citation for Final Rule: None

Pipeline and Hazardous Materials Safety Administration

**Pipeline Safety: Excess Flow Valves In Applications Other Than Single-Family Residences in Gas Distribution Systems** Red

**Popular Title:** OPS: Excess Flow Valves

**RIN** 2137-AE71

**Stage:** Final Rule

**Previous Stage:** ANPRM 11/25/2011; CP ended 2/18/12; CP extended to 3/19/2012; NPRM 7/15/2015, End of C/P 9/14/2015.

**Abstract:** This rule makes changes to part 192 to expand excess flow valve requirement to include new or replaced branched service lines servicing single-family residences, multi-family residences, and small commercial entities consuming gas volumes not exceeding 1,000 Standard Cubic Feet per Hour (SCFH). PHMSA is also amending the Federal pipeline safety regulations to require the use of either manual service line shut-off valves (e.g., curb valves) or EFVs, if appropriate, for new or replaced service lines with meter capacities exceeding 1,000 SCFH. In addition, this final rule will codify a requirement for operators to notify customers of their right to request installation of an EFV on service lines that are not being newly installed or replaced. PHMSA has delegated the question of who bears the cost of installing EFVs to service lines that are not being newly installed or replaced to the operator's rate-setter.

**Effects:**

None

**Prompting action:** None

**Legal Deadline:** Section 22 2011 PSA : 01/03/2014

**Rulemaking Project Initiated:** 10/01/2010

**Docket Number:** PHMSA-2011-0009

**Dates for Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	09/03/2016	06/30/2016	06/30/2016
To OMB	09/30/2016	09/21/2016	
OMB Clearance	01/03/2017	01/20/2017	
Publication Date	01/17/2017	02/01/2017	

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** None

Pipeline and Hazardous Materials Safety Administration

**Pipeline Safety: Gas Transmission (RRR)**

Red

**Popular Title:** OPS: Gas Transmission (RRR)

**RIN 2137-AE72**

**Stage:** NPRM

**Previous Stage:** ANPRM 8/25/2011; End of C/P 12/2/2011; End of Extended C/P 1/20/2012.

**Abstract:** In this proposed rulemaking, PHMSA would be revisiting the requirements in the Pipeline Safety Regulations addressing integrity management principles for Gas Transmission pipelines. In particular, PHMSA would address: repair criteria for both HCA and non-HCA areas, assessment methods, validating and integrating pipeline data, risk assessments, knowledge gained through the IM program, corrosion control, change management, gathering lines, and safety features on launchers and receivers.

**Effects:**

- Economically Significant
- Major

**Prompting action:** 2011 Retrospective Regulatory Review

**Legal Deadline:** None

**Rulemaking Project Initiated:** 01/04/2011

**Docket Number:** PHMSA-2011-0023

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	03/25/2013	03/28/2014	03/12/2014
Returned to Mode			04/28/2014
Returned To OST		06/26/2014	06/27/2014
To OMB	04/25/2013	04/13/2015	04/27/2015
OMB Clearance	07/25/2013	02/19/2016	02/29/2016
Publication Date	08/05/2013	03/23/2016	04/08/2016
End of Comment Period	10/04/2013	05/23/2016	06/08/2016

**Explanation for any delay:** Additional coordination necessary

**Federal Register Citation for NPRM:** 81 FR 20721

Pipeline and Hazardous Materials Safety Administration

Pipeline Safety: Amendments to Parts 192 and 195 to require Valve installation and Minimum Rupture Detection Standards	Black
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**Popular Title:** OPS: Rupture Detection and Valves

**RIN** 2137-AF06

**Stage:** NPRM

**Previous Stage:** none

**Abstract:** This rule would propose installation of automatic shutoff valves, remote controlled valves, or equivalent technology and establish performance based meaningful metrics for rupture detection for gas and liquid transmission pipelines. The overall intent is that rupture detection metrics will be integrated with ASV and RCV placement with the objective of improving overall incident response. Rupture response metrics would focus on mitigating large, unsafe, uncontrolled release events that have a greater potential consequence. The areas proposed to be covered include High Consequence Areas (HCA) for hazardous liquids and HCA, Class 3 and 4 for natural gas (including could affect areas).

**Effects:**

- Economically Significant
- Major
- Regulatory Flexibility Act

**Prompting action:** Statute

**Legal Deadline:** None

**Rulemaking Project Initiated:** 11/21/2013

**Docket Number:**

**Dates for NPRM:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	08/22/2014	12/31/2015	12/24/2015
Returned to Mode		02/04/2016	02/04/2016
Resubmitted to OST/2		12/14/2016	
To OMB	09/22/2014	01/24/2017	
OMB Clearance	12/22/2014	04/24/2017	
Publication Date	01/06/2015	05/03/2017	
End of Comment Period	02/26/2015	07/03/2017	

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** None

Pipeline and Hazardous Materials Safety Administration

**Pipeline Safety: Underground Storage Facilities for Natural Gas**

**Black**

**Popular Title:** OPS: Underground Storage Facilities Natural Gas

**RIN 2137-AF22**

**Stage:** Interim Final Rule

**Previous Stage:** N/A

**Abstract:** PHMSA has safety authority over the underground storage facilities used in natural gas pipeline transportation, but has no safety regulations in the DOT Code (49 CFR Part 192) that apply to the down-hole underground storage reservoir for natural gas. PHMSA is planning to issue an interim final rule will use this regulation to require operators of underground storage facilities for natural gas to comply with minimum safety standards, including compliance with API RP 1171, Functional Integrity of Natural Gas Storage in Depleted Hydrocarbon Reservoirs and Aquifer Reservoirs, and API RP 1170, Design and Operation of Solution-mined Salt Caverns Used for Natural Gas Storage. PHMSA is considering adopting the non-mandatory provisions of the RPs in a manner that would make them mandatory, except that operators would be permitted to deviate from the RPs if they provide justification.

**Effects:**

Major

**Prompting action:** None

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/17/2016

**Docket Number:**

**Dates for Interim Final Rule:**

Milestone	Originally Scheduled Date	New Projected Date	Actual Date
To OST	06/24/2016	08/31/2016	
To OMB	08/15/2016	10/12/2016	
OMB Clearance	11/15/2016	01/12/2017	
Publication Date	11/25/2016	01/23/2017	

**Explanation for any delay:** N/A

**Federal Register Citation for Interim Final Rule:** None