



DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Part 195

[Docket No. PHMSA-2026-1550]

RIN 2137-AG54

Pipeline Safety: Remote Monitoring of Hazardous Liquid Pipeline Rectifiers

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This NPRM proposes to clarify that required electrical checks of rectifiers and other cathodic protection equipment may be performed remotely on hazardous liquid and carbon dioxide pipelines. This proposal is consistent with standards previously adopted for gas transmission pipelines.

DATES: Comments must be received on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: You may submit comments identified by the Docket Number PHMSA-2026-1550 using any of the following methods:

E-Gov Web: <https://www.regulations.gov>. This site allows the public to enter comments on any *Federal Register* notice issued by any agency. Follow the online instructions for submitting comments.

Mail: Docket Management System: U.S. Department of Transportation, 1200 New Jersey Avenue S.E., West Building Ground Floor, Room W12-140, Washington, D.C. 20590-0001.

Hand Delivery: U.S. DOT Docket Management System: West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue S.E., between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Fax: 1-202-493-2251.

For commenting instructions and additional information about commenting, see

SUPPLEMENTARY INFORMATION.

FOR FURTHER INFORMATION CONTACT: Sayler Palabrica, Transportation Specialist,
1200 New Jersey Avenue S.E., Washington, D.C. 20590, 202-744-0825,
sayler.palabrica@dot.gov.

SUPPLEMENTARY INFORMATION:

I. General Discussion:

Steel pipelines are subject to corrosion, a natural process that causes metal materials to deteriorate through an electrochemical reaction known as oxidation. Cathodic protection systems prevent corrosion by applying a continuous electrical current to the pipeline using a device called a rectifier. Rectifiers and other similar devices must operate continuously to prevent corrosion.

PHMSA has prescribed requirements for the use of these devices in 49 CFR 195.573(c). Section 195.573(c) requires an operator of a hazardous liquid or carbon dioxide pipeline to conduct periodic electrical checks of cathodic protection devices for proper performance. Rectifiers, reverse current switches, diodes, and interference bonds whose failure would jeopardize structural protection must be checked at least six times each year (with intervals between checks not exceeding 2 ½ months), and other interference bonds must be checked at least once a year, but with intervals not exceeding 15 months.

PHMSA proposes to clarify that an operator can perform these checks remotely, provided the device is physically inspected at least once each year. PHMSA proposed a similar amendment in a prior rulemaking proceeding (85 FR 21140 (Apr. 16, 2020); PHMSA-2018-0047) and is renewing that proposal in this proceeding to align with the comparable requirements for gas transmission pipelines (86 FR 2210 (Jan. 11, 2021)). PHMSA notes that its enforcement guidance indicates that these checks may be performed remotely, provided the device is

periodically calibrated or checked for accuracy.¹ PHMSA further notes that stakeholders have recently submitted comments in response to a request for information (90 FR 14593 (Apr. 3, 2025)) urging the agency to authorize explicitly the remote monitoring of rectifiers on hazardous liquid pipelines by aligning the requirements with similar revisions made to the gas transmission pipeline corrosion control monitoring requirements in 49 CFR 192.465(b).² For gas transmission pipelines, § 192.465(b) allows remote monitoring provided the device is physically inspected once each year.

PHMSA agrees with the commenters and proposes to revise the monitoring requirements in § 195.573(c) to align with the gas transmission pipeline requirements in § 192.465(b). The revised monitoring requirements acknowledge that remote monitoring is an acceptable method for performing required electrical checks to verify that adequate amperage and voltage levels needed to provide cathodic protection are maintained, provided the device is physically inspected for continued safe and reliable operation at least once each calendar year with an interval between inspections not exceeding 15 months. However, the proposed amendment to § 195.573 does not include language from § 192.465 specifying remote measurement or onsite inspection as allowable inspection methods, to avoid being overly restrictive. As an alternative to the existing gas transmission language regarding annual physical inspections, PHMSA requests comments on whether the language in the enforcement guidance for hazardous liquid pipeline corrosion indicating that remotely monitored devices be “periodically calibrated or checked for accuracy” provides more clarity. PHMSA could also consider adopting language from relevant consensus standards.

Consistent with current Government Publishing Office policy, the NPRM numbers the revised table in § 195.573(c). Section 195.573(b)(2) also includes a table specifying evaluation

¹ PHMSA, *Part 195 Corrosion Enforcement Guidance*, at 59 (June 22, 2016).
<https://www.phmsa.dot.gov/pipeline/enforcement/corrosion-enforcement-guidance-part-195>.

² American Petroleum Institute and the Liquid Energy Pipeline Association, “Comments on Ensuring Lawful Regulation; Reducing Regulation and Controlling Regulatory Costs” at 8 (May 5, 2025),
<https://www.regulations.gov/comment/DOT-OST-2025-0026-0874>.

frequencies for unprotected pipe before and after December 29, 2003. Since the deadline for that change in operations and maintenance procedures has long passed, PHMSA proposes an editorial amendment to eliminate reference to the pre-2003 requirements rather than renumbering the existing table.

Commenting Instructions: Please include the docket number PHMSA-2026-1550 at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA received your comments, include a self-addressed stamped postcard. Internet users may submit comments at <https://www.regulations.gov>.

Note: Comments are posted without changes or edits to <https://www.regulations.gov>, including any personal information provided. There is a privacy statement published on <https://www.regulations.gov>.

Privacy Act: In accordance with 5 U.S.C. § 553(c), DOT solicits comments from the public to inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.dot.gov/privacy>.

Confidential Business Information: Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA, 5 U.S.C. § 552), CBI is exempt from public disclosure. It is important that you clearly designate the comments submitted as CBI if: your comments responsive to this document contain commercial or financial information that is customarily treated as private; you actually treat such information as private; and your comment is relevant or responsive to this notice. Pursuant to 49 CFR 190.343, you may ask PHMSA to provide confidential treatment to information you give to the agency by taking the following steps: (1) mark each page of the original document submission containing CBI as “Confidential;” (2) send PHMSA, along with the original document, a second copy of the original document with the CBI

deleted; and (3) explain why the information that you are submitting is CBI. Submissions containing CBI should be sent to Sayler Palabrica, Office of Pipeline Safety Standards and Rulemaking Division, Pipeline and Hazardous Materials Safety Administration (PHMSA), 2nd Floor, 1200 New Jersey Avenue S.E., Washington, D.C. 20590-0001, or by e-mail at sayler.palabrica@dot.gov. Any materials PHMSA receives that is not specifically designated as CBI will be placed in the public docket.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Follow the online instructions for accessing the docket.

Alternatively, you may review the documents in person at the street address listed above.

II. Regulatory Analysis and Notices:

A. Legal Authority

This proposed rule is published under the authority of the Secretary of Transportation set forth in the Federal Pipeline Safety Laws (49 U.S.C. § 60101 *et seq.*) and delegated to the PHMSA Administrator pursuant to 49 CFR 1.97.

B. Statutory Requirement and Executive Order 12866

The Federal Pipeline Safety Laws (49 U.S.C. § 60102(b)) require that PHMSA prepare a risk assessment that identifies the costs and benefits associated with a proposed regulatory change. E.O. 12866, *Regulatory Planning and Review*, as implemented by DOT Order 2100.6B (“Policies and Procedures for Rulemaking”) and DOT Order 2100.7 (“Ensuring Reliance upon Sound Economic Analysis in Department of Transportation Policies, Programs, and Activities”), requires agencies to regulate in the “most cost-effective manner,” to make a “reasoned determination that the benefits of the intended regulation justify its costs,” and to develop regulations that “impose the least burden on society.” In arriving at those conclusions, E.O. 12866 requires that agencies should consider “both quantifiable measures . . . and qualitative measures of costs and benefits that are difficult to quantify” and “maximize net benefits . . . unless a statute requires another regulatory approach.” E.O. 12866 also requires that “agencies

should assess all costs and benefits of available regulatory alternatives, including the alternative of not regulating.” DOT Order 2100.6B directs that PHMSA and other Operating Administrations must generally choose the “least costly regulatory alternative that achieves the relevant objectives” unless required by law or compelling safety need. DOT Order 2100.6B also specifies that regulations should generally “not be issued unless their benefits are expected to exceed their costs.” DOT Order 2100.7 requires that “all rulemaking activities shall be based on sound economic principles and analysis supported by rigorous cost-benefit requirement.”

E.O. 12866 and DOT Order 2100.6B also require that PHMSA submit “significant regulatory actions” to the Office of Information and Regulatory Affairs (OIRA) within the Executive Office of the President’s Office of Management and Budget (OMB) for review. This proposed rule is a not significant regulatory action pursuant to E.O. 12866; OMB also has not designated this rule as a “major rule” as defined by the Congressional Review Act (5 U.S.C. § 801 *et seq.*).

PHMSA has complied with the procedural and analytical requirements in E.O. 12866 as implemented by DOT Order 2100.6B and DOT Order 2100.7, as well as the requirements in 49 U.S.C. § 60102(b) and preliminarily determined that this proposed rule will not impose costs since it codifies existing enforcement guidance that remote monitoring of rectifiers on hazardous liquid and carbon dioxide pipelines is allowed. The proposed rule would result in greater regulatory certainty, and to the extent that it encourages operators to use cost-effective remote monitoring methods, it may result in modest cost savings. The cost savings of this rulemaking could not be quantified because PHMSA does not have information on how operators currently monitor rectifiers. PHMSA also preliminarily determined that the proposed rule will not have any adverse safety impacts since the annual physical inspection ensures remote monitoring devices are functioning properly.

C. Executive Orders 14192 and 14219

This proposed rule, if finalized as proposed, is expected to be a deregulatory action pursuant to E.O. 14192, *Unleashing Prosperity Through Deregulation*. PHMSA estimates that the total costs of the NPRM on the regulated community will be less than zero. Nor does this rulemaking implicate any of the factors identified in section 2(a) of E.O. 14219, *Ensuring Lawful Governance and Implementing the President’s “Department of Government Efficiency” Deregulatory Initiative*, indicative that a regulation is “unlawful . . . [or] that undermine[s] the national interest.”

D. Energy-Related Executive Orders 13211, 14154, and 14156

The President has declared in E.O. 14156, *Declaring a National Energy Emergency*, a national emergency to address America’s inadequate energy development production, transportation, refining, and generation capacity. Similarly, E.O. 14154, *Unleashing American Energy*, asserts a Federal policy to unleash American energy by ensuring access to abundant supplies of reliable, affordable energy from (inter alia) the removal of “undue burden[s]” on the identification, development, or use of domestic energy resources such as PHMSA-jurisdictional gases and hazardous liquids. PHMSA preliminarily finds this proposed rule is consistent with each of E.O. 14156 and E.O. 14154. The proposed rule will give affected pipeline operators regulatory certainty when using remote monitoring technologies. This encourages the adoption of remote monitoring, which can result in lower costs for inspection and maintenance activities. PHMSA therefore expects the regulatory amendments in this proposed rule will in turn improve pipeline operators’ ability to provide abundant, reliable, affordable petroleum, petroleum products, and other hazardous liquids in response to residential, commercial, and industrial demand.

However, this proposed rule is not a “significant energy action” under E.O. 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*, which requires Federal agencies to prepare a Statement of Energy Effects for any “significant energy action.” Because this proposed rule is not a significant action under E.O. 12866, it will

not have a significant adverse effect on supply, distribution, or energy use; OIRA has therefore not designated this proposed rule as a significant energy action.

E. Executive Order 13132: Federalism

PHMSA analyzed this proposed rule in accordance with the principles and criteria contained in E.O. 13132, *Federalism*, and the Presidential Memorandum (“Preemption”) published in the *Federal Register* on May 22, 2009. E.O. 13132 requires agencies to assure meaningful and timely input by State and local officials in the development of regulatory policies that may have “substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government.”

While the proposed rule may (when finalized) operate to preempt some State requirements, it would not impose any regulation that has substantial direct effects on the States, the relationship between the National Government and the States, or the distribution of power and responsibilities among the various levels of government. Section 60104(c) of the Federal Pipeline Safety Laws prohibits certain State safety regulation of interstate pipelines. Under the Federal Pipeline Safety Laws, States that have submitted a current certification under section 60105(a) can augment Federal pipeline safety requirements for intrastate pipelines regulated by PHMSA but may not approve safety requirements less stringent than those required by Federal law. A State may also regulate an intrastate pipeline facility that PHMSA does not regulate. The preemptive effect of the regulatory amendments in this proposed rule is limited to the minimum level necessary to achieve the objectives of the Federal Pipeline Safety Laws. Therefore, the consultation and funding requirements of E.O. 13132 do not apply.

F. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA, 5 U.S.C. § 601 *et seq.*) requires Federal agencies to conduct an Initial Regulatory Flexibility Analysis (IRFA) for a proposed rule subject to notice-and-comment rulemaking unless the agency head certifies that the proposed rule in the

rulemaking will not have a significant economic impact on a substantial number of small entities. E.O. 13272, *Proper Consideration of Small Entities in Agency Rulemaking*, obliges agencies to establish procedures promoting compliance with the RFA. DOT posts its implementing guidance on a dedicated webpage.³ This proposed rule was developed in accordance with E.O. 13272 and DOT implementing guidance to ensure compliance with the RFA. The proposed rule is expected to reduce regulatory burdens by clarifying that operators are allowed to monitor rectifiers on hazardous liquid pipelines remotely. Further, the changes proposed here are not expected to impose additional burdens on any operator. Therefore, PHMSA certifies the proposed rule (if finalized) will not have a significant impact on a substantial number of small entities.

G. Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act (UMRA, 2 U.S.C. § 1501 *et seq.*) requires agencies to assess the effects of Federal regulatory actions on State, local, and Tribal governments, and the private sector. For any proposed or final rule that includes a Federal mandate that may result in the expenditure by State, local, and Tribal governments, in the aggregate of \$100 million or more in 1996 dollars (\$203 million in 2024 dollars) in any given year, the agency must prepare, amongst other things, a written statement that qualitatively and quantitatively assesses the costs and benefits of the Federal mandate.

This proposed rule does not impose unfunded mandates under UMRA. PHMSA does not expect the proposed rule will result in costs of \$100 million or more (in 1996 dollars) per year for either State, local, or Tribal governments, or to the private sector.

H. National Environmental Policy Act

The National Environmental Policy Act (NEPA, 42 U.S.C. § 4321 *et seq.*) requires that Federal agencies assess and consider the impact of major Federal actions on the human and natural environment.

³ DOT, *Rulemaking Requirements Concerning Small Entities*, <https://www.transportation.gov/regulations/rulemaking-requirements-concerning-small-entities>.

PHMSA analyzed this proposed rule in accordance with NEPA and issues this draft Finding of No Significant Impact (FONSI) because it has preliminarily determined that the rulemaking will not adversely affect safety and will not significantly affect the quality of the human and natural environment. The public is invited to comment on the impact of the proposed action.

I. Executive Order 13175

PHMSA analyzed this proposed rule according to the principles and criteria in E.O. 13175, *Consultation and Coordination with Indian Tribal Governments*, and DOT Order 5301.1A (“Department of Transportation Tribal Consultation Policies and Procedures”). E.O. 13175 requires agencies to assure meaningful and timely input from Tribal government representatives in the development of rules that significantly or uniquely affect Tribal communities by imposing “substantial direct compliance costs” or “substantial direct effects” on such communities or the relationship or distribution of power between the Federal Government and Tribes.

PHMSA assessed the impact of the proposed rule and determined that it will not significantly or uniquely affect Tribal communities or Indian Tribal governments. The rulemaking’s regulatory amendments have a broad, national scope; therefore, this proposed rule will not significantly or uniquely affect Tribal communities, much less impose substantial compliance costs on Native American Tribal governments or mandate Tribal action. For these reasons, PHMSA has concluded that the funding and consultation requirements of E.O. 13175 and DOT Order 5301.1A do not apply.

J. Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. § 3501 *et seq.*) and its implementing regulations at 5 CFR 1320.8(d) requires that PHMSA provide interested members of the public and affected agencies with an opportunity to comment on information collection and

recordkeeping requests. This rulemaking will not create, amend, or rescind any existing information collections.

K. Executive Order 13609 and International Trade Analysis

E.O. 13609, *Promoting International Regulatory Cooperation*, requires agencies to consider whether the impacts associated with significant variations between domestic and international regulatory approaches are unnecessary or may impair the ability of American business to export and compete internationally. In meeting shared challenges involving health, safety, labor, security, environmental, and other issues, international regulatory cooperation can identify approaches that are at least as protective as those that are or would be adopted in the absence of such cooperation. International regulatory cooperation can also reduce, eliminate, or prevent unnecessary differences in regulatory requirements.

Similarly, the Trade Agreements Act of 1979 (Pub. L. No. 96-39), as amended by the Uruguay Round Agreements Act (Pub. L. No. 103-465), prohibits Federal agencies from establishing any standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. For purposes of these requirements, Federal agencies may participate in the establishment of international standards, so long as the standards have a legitimate domestic objective, such as providing for safety, and do not operate to exclude imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

PHMSA engages with international standards setting bodies to protect the safety of the American public. PHMSA has assessed the effects of the proposed rule and has determined that its proposed regulatory amendments will not cause unnecessary obstacles to foreign trade.

L. Cybersecurity and Executive Order 14028

E.O. 14028, *Improving the Nation's Cybersecurity*, directs the Federal Government to improve its efforts to identify, to deter, and to respond to “persistent and increasingly sophisticated malicious cyber campaigns.” PHMSA has considered the effects of the proposed

rule and has determined that its proposed regulatory amendments would not materially affect the cybersecurity risk profile for pipeline facilities.

List of Subjects in 49 CFR Part 195

Pipeline safety.

For the reasons set forth in the preamble, PHMSA proposes to amend 49 CFR Part 195 as follows:

PART 195—TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE

1. The authority citation for 49 CFR Part 195 continues to read as follows:

Authority: 30 U.S.C. 185(w)(3), 49 U.S.C. 5103, 60101 *et seq.*, and 49 CFR 1.97.

2. In § 195.573, revise paragraphs (b)(2) and (c) to read as follows:

§ 195.573 What must I do to monitor external corrosion control?

* * * * *

(b) * * *

(2) Reevaluate at least once every 3 calendar years, but with intervals not exceeding 39 months.

(c) *Rectifiers and other devices.* Electrically check rectifiers and other devices to ensure adequate amperage and voltage levels needed to provide cathodic protection are maintained in accordance with the frequency specified in Table 1 to § 195.573. For devices electrically checked remotely, also physically inspect the device for continued safe and reliable operation at least once each calendar year, but with intervals not exceeding 15 months.

Table 1 to § 195.573

Device	Check Frequency
(1) Rectifier, reverse current switch, diode, or interference bond whose failure would jeopardize structural protection	At least six times each calendar year, but with intervals not exceeding 2½ months.
(2) Other interference bonds	At least once each calendar year, but with intervals not exceeding 15 months.

* * * * *

Issued in Washington, D.C., on April 22, 2026, under the authority delegated in
49 CFR 1.97.

Paul J. Roberti,

Administrator.

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