



## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Part 195

[Docket No. PHMSA-2026-1554]

RIN 2137-AG58

#### Pipeline Safety: Hazardous Liquid Valve Maintenance Schedule

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This NPRM proposes to allow operators of hazardous liquid and carbon dioxide pipelines to determine a valve inspection schedule with a maximum valve inspection interval of 1 year, not to exceed 15 months.

**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-2026-1554 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:** Robert Jagger, Senior Transportation

Specialist, by telephone at 202-557-6765 or by e-mail at robert.jagger@dot.gov.

**SUPPLEMENTARY INFORMATION:**

**I. General Discussion:**

This NPRM proposes to harmonize the valve inspection intervals for pipeline facilities. Hazardous liquid and carbon dioxide pipeline operators are required to, “at least twice each calendar year, but at intervals not exceeding 7 ½ months, inspect each mainline valve to determine that it is functioning properly” in accordance with 49 CFR 195.420(b). Section 192.745(a), however, only requires gas transmission pipeline operators to inspect and partially operate “[e]ach transmission line valve that might be required during any emergency . . . at intervals not exceeding 15 months, but at least once each calendar year.”

PHMSA received comment from the American Petroleum Institute (API), the Liquid Energy Pipeline Association (LEPA), and GPA Midstream (GPA) on both the “Mandatory Regulatory Reviews to Unleash American Energy and Improve Government Efficiency” advance notice of proposed rulemaking<sup>1</sup> and the DOT request for information,<sup>2</sup> requesting that PHMSA align the Part 195 valve maintenance requirements with current Part 192 regulations.

Specifically, API, LEPA, and GPA stated that “PHMSA should delete unnecessary detail and

---

<sup>1</sup> PHMSA, *Advance Notice of Proposed Rulemaking: Pipeline Safety: Mandatory Regulatory Reviews to Unleash American Energy and Improve Government Efficiency*, 90 FR 2660 (Jun. 4, 2025).

<sup>2</sup> Office of the Secretary, DOT, *Request for Information: Ensuring Lawful Regulation; Reducing Regulation and Controlling Regulatory Costs*, 90 FR 14593 (Apr. 3, 2025).

allow the inspection schedule to run off of maintenance records, age, risk, and other relevant factors.”<sup>3, 4</sup>

PHMSA agrees with API, LEPA, and GPA and is proposing to amend § 195.420(b) to require hazardous liquid and carbon dioxide pipeline operators to inspect each mainline valve to determine it is functioning properly at least once each calendar year, but at intervals not exceeding 15 months. Harmonizing requirements between pipeline operators who operate both types of systems will simplify compliance, reduce regulatory burdens, and provide cost savings without compromising safety. Of the 554 hazardous liquid and carbon dioxide pipeline operators and 1,040 gas transmission pipeline operators, a total of 124 operate both system types. PHMSA expects this change will reduce confusion for these operators in addition to reducing burdens for all operators of hazardous liquid and carbon dioxide pipelines.

*Commenting Instructions:* Please include the docket number PHMSA-2026-1554 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>.

---

<sup>3</sup> API and LEPA, “Re: Comments on Ensuring Lawful Regulation; Reducing Regulation and Controlling Regulatory Costs” at 7, 18 (May 5, 2025), <https://www.regulations.gov/comment/DOT-OST-2025-0026-0874>.

<sup>4</sup> API *et al.*, “Comments in Response to ‘Mandatory Regulatory Reviews to Unleash American Energy and Improve Government Efficiency’ Advance Notice of Proposed Rulemaking” at 54 (Aug. 4, 2025), <https://www.regulations.gov/comment/PHMSA-2025-0050-0058>.

*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 Robert Jagger, 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 robert.jagger@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” unless required by law or compelling safety need. 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 NPRM is a not significant regulatory action pursuant to E.O. 12866; OMB also has not designated this NPRM 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 result in cost savings by reducing regulatory burdens for hazardous liquid facility operators by harmonizing the hazardous liquid valve maintenance requirements with the gas transmission valve maintenance requirements and ultimately relaxing them from the current standard. The accompanying Preliminary Regulatory Impact Analysis provides detailed estimates of the potential cost savings from the updated valve inspection frequency. PHMSA estimates that the changes in the proposed rule would result in cost savings of \$377,147 annually. PHMSA expects these cost savings may also result in reduced costs for the public to whom pipeline operators generally transfer a portion of their compliance costs. PHMSA also preliminarily determined that the proposed rule will not have adverse effects on safety based on analysis of incident data for hazardous liquid and gas transmission pipelines.

*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 relief from valve maintenance requirements. PHMSA therefore expects the regulatory amendments in this proposed rule will in turn increase national pipeline transportation capacity and improve pipeline operators’ ability to provide abundant, reliable, affordable hazardous liquid 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.

*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.<sup>5</sup> 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 harmonizing the valve inspection frequency for hazardous liquid and carbon dioxide pipelines with the valve inspection frequency for gas transmission pipelines. 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

---

<sup>5</sup> DOT, *Rulemaking Requirements Concerning Small Entities*, <https://www.transportation.gov/regulations/rulemaking-requirements-concerning-small-entities>.

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.

PHMSA analyzed this proposed rule in accordance with NEPA and issues this draft Finding of No Significant Impact (FONSI). Changing the frequency of the minimum inspection interval does not absolve hazardous liquid pipeline operators of the requirement to maintain each valve necessary for the safe operation of their pipeline systems so it complies with pertinent design (including §§ 195.116 and 195.258) and operational requirements (including §§ 195.401 and 195.419) at all times. Therefore, PHMSA 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 above, 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 § 195.420, revise paragraph (b) to read as follows:

**§ 195.420 Valve maintenance.**

\* \* \* \* \*

(b) Each operator must, at least once each calendar year, but at intervals not exceeding 15 months, inspect each mainline valve to determine that it is functioning properly. Each rupture-mitigation valve (RMV), as defined in § 195.2 and not contained in a gathering line, or alternative equivalent technology that is installed in accordance with §§ 195.258(c) or 195.418, must also be partially operated. Operators are not required to close the valve fully during the inspection; a minimum 25 percent valve closure is sufficient to demonstrate compliance, unless the operator has operational information that requires an additional closure percentage for maintaining reliability.

\* \* \* \* \*

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

**Paul J. Roberti,**

*Administrator.*

[FR Doc. 2026-08077 Filed: 4/23/2026 8:45 am; Publication Date: 4/24/2026]