



DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Part 195

[Docket No. PHMSA-2026-2477]

Pipeline Safety: Crimson Pipeline LP's Petition for Declaratory Order Regarding the Requirements for Baseline Integrity Assessments.

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA);

U.S. Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: The Pipeline and Hazardous Materials Safety Administration is seeking comment on a Petition for Declaratory Order (Petition) requesting PHMSA issue an order regarding requirements for baseline integrity assessments.

DATES: Comments are due on or before **[INSERT DATE 30 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Comments should reference the docket number for the petition request and may be submitted by any of the following methods:

- *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.
- *Fax:* 202-493-2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue S.E., West Building: Room W12-140, Washington, D.C. 20590-0001.
- *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue S.E., West Building: Room W12-140, Washington, D.C. 20590-0001, between

9:00 a.m. and 5:00 p.m. EST, Monday through Friday, except Federal holidays.

- *Instructions:* Identify Docket No. PHMSA-2026-2477 at the beginning of your comments. If you submit your comments by mail, submit two copies. Internet users may submit comments at <https://www.regulations.gov>. If you would like confirmation that PHMSA received your comments, please include a self-addressed stamped postcard labeled “Comments on PHMSA-2026-2477.” The docket clerk will date stamp the postcard prior to returning it to you via U.S. mail.
- *Note:* All comments received will be posted without edits to <https://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading for more information. Anyone can use the site to search all comments by the name of the submitting individual or, if the comment was submitted on behalf of an association, business, labor union, etc., the name of the signing individual. Therefore, please review the complete DOT Privacy Act Statement in the *Federal Register* at 65 FR 19477 or the Privacy Notice at <https://www.regulations.gov> before submitting comments.
- *Privacy Act Statement:* DOT may solicit comments from the public regarding certain general notices. DOT posts these comments without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL- 14 FDMS), which can be reviewed at 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 (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments in response to this notice contain commercial or financial information that is customarily treated as private,

that you actually treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. 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 a copy of the original document with the CBI deleted along with the original, unaltered document; and (3) explain why the information you are submitting is CBI. Submissions containing CBI should be sent to Joseph Berry, U.S. Department of Transportation, 1200 New Jersey Avenue S.E., Washington, D.C. 20590-0001. Submission containing CBI can also be e-mailed to Timothy O’Shea by encrypted e-mail at timothy.o’shea@dot.gov. Any commentary PHMSA receives that is not specifically designated as CBI will be placed in the public docket.

- *Docket:* For access to the docket or to read background documents or comments, go to <https://www.regulations.gov>. Follow the online instructions for accessing the dockets. Alternatively, this information is available by visiting DOT at 1200 New Jersey Avenue S.E., West Building: Room W12-140, Washington, D.C. 20590-0001, between 9:00 a.m. and 5:00 p.m. EST, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Timothy O’Shea, Office of Chief Counsel, by phone at 771-216-4015 or by e-mail at timothy.o’shea@dot.gov.

SUPPLEMENTARY INFORMATION:

PHMSA is evaluating a Petition for Declaratory Order from Crimson Pipeline LP (Crimson or Petitioner), pursuant to 49 U.S.C. 60117(b)(1)(J) and 49 CFR 190.13.

Crimson owns and operates certain pipelines (the “Pipelines”) designated as intrastate pipelines which are regulated by the California Office of the State Fire Marshal

(OSFM). Each of the Pipelines is in a high consequence area and was constructed before July 1, 2020. Following construction, a pressure test was performed on each of the Pipelines. The pressure tests were all performed between 1996 and 2011. Thereafter, the Pipelines were pressure tested at five-year intervals. Each of the Pipelines cannot currently accommodate the passage of an in-line inspection device.

On May 14, 2026, acting under its certification pursuant to 49 U.S.C. § 60105(a), OSFM issued to Crimson a final order finding Crimson violated 49 CFR § 195.452(c)(1)(i) by failing to perform a baseline assessment by in-line inspection (ILI) on the Pipelines. The Petition contends that OSFM is attempting to enforce an incorrect interpretation of section 195.452(c)(1)(i) by requiring it to perform baseline assessments by ILI on the Pipelines. On June 22, 2026, Crimson filed the Petition requesting PHMSA issue an order declaring that: (1) for baseline assessments performed before July 1, 2020, Part 195 does not require an operator to utilize an ILI device as the assessment method for a pipeline constructed after May 12, 1994, in all cases; (2) 49 CFR § 195.452(c)(1)(i) allows a pipeline constructed after May 12, 1994, and assessed before July 1, 2020 to be assessed by pressure test; (3) 49 CFR § 195.452(n) allows an operator with a pipeline constructed after May 12, 1994, until July 2, 2040, to modify its pipelines to accommodate the passage of an ILI device; and (4) 49 CFR § 195.452(c)(1)(i) may not be applied retroactively to invalidate baseline assessments conducted prior to July 1, 2020. The Petition is available for review in the docket for this proceeding.

Before issuing a final decision on the Petition, PHMSA will evaluate all comments received on or before the comment closing date. Comments received after the closing date will be evaluated if it is possible to do so without incurring additional expense or delay. PHMSA will consider each relevant comment received in issuing a decision on the Petition, which will be posted to the docket.

Keith Coyle
Chief Counsel

[FR Doc. 2026-14193 Filed: 7/13/2026 8:45 am; Publication Date: 7/14/2026]