Pipeline Safety TRUST

Credible.
Independent.
In the public interest.

June 23, 2026

The Honorable Paul Roberti
Administrator
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Comment of the Pipeline Safety Trust regarding PHMSA's Notice of Proposed Rulemaking, Pipeline Safety: Hazardous Liquid Valve Maintenance Schedule (Docket No. PHMSA-2026-1554)

Dear Administrator Roberti:

Pipeline Safety Trust,[1] a nonprofit watchdog organization of the pipeline industry and its regulators, has prepared the comments below in response to the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) Notice of Proposed Rulemaking (NPRM), Pipeline Safety: Hazardous Liquid Valve Maintenance Schedule (Docket No. PHMSA-2026-1554). PST believes that PHMSA mischaracterized the effect of the rulemaking in its summary statements. Further, PST observes that PHMSA has misinterpreted the available data in its analysis and justification for this rulemaking.

1. PHMSA Mischaracterizes the Effect of the Proposed Rule

PHMSA summarizes its proposal in the NPRM and Preliminary Regulatory Impact Analysis (PRIA) as "allow[ing] 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."[2, 3] (emphasis added). The effect of the rulemaking is not an allowance to "determine" a longer interval between valve inspections, but rather an unchecked reduction of the minimum federal standard for valve inspections on hazardous liquid and carbon dioxide pipelines. A determination justifying a longer inspection interval should be based on operator data, analysis, and a reasoned decisionmaking process. However, PHMSA's proposed regulatory text requires no such determination process. If this proposal were adopted as proposed, an operator would be required to do no more than simply change its valve maintenance schedule from twice each calendar year) to once each calendar year.

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[1] Pipeline Safety Trust (PST) is a nonprofit watchdog organization dedicated to pipeline safety. We do this through education and advocacy, increasing access to information, and building partnerships with residents, safety advocates, government, and industry to promote safe communities and a healthy environment.
[2] PHMSA, Pipeline Safety: Hazardous Liquid Valve Maintenance Schedule, 91 Fed. Reg. 22,119 (Apr. 24, 2026).
[3] PHMSA, Pipeline Safety: Hazardous Liquid Valve Maintenance Schedule, Preliminary Regulatory Impact Analysis, Docket No. PHMSA-2026-1554 (Apr. 2026).

2. PHMSA Improperly Concludes that Safety Will Not Be Compromised

Elsewhere in the NPRM, PHMSA states "[h]armonizing requirements between pipeline operators who operate both types of systems will simplify compliance, reduce regulatory burdens, and provide cost savings without compromising safety."[4] PHMSA's claim that safety will not be compromised is not supported by the data the agency presents in the NPRM and the PRIA. To the contrary, PHMSA's analysis of reported incidents indicates that hazardous liquid and carbon dioxide pipelines experience significant incidents involving valves more frequently and at higher rates per 100,000 miles than their gas transmission pipeline counterparts.[5] The data undercut PHMSA's claim that safety will not be compromised, and PHMSA bears the burden under 49 U.S.C. § 60102(b) to demonstrate, through its risk assessment, that the proposal will not compromise safety.

According to drafting comments left in the PRIA document posted to the docket,[6] PHMSA's analysis of hazardous liquid (HL)[7] and gas transmission pipeline incident data drew a comment during review that identified that the data indicated a compromise to safety.[8] An apparent response to that comment indicates that the final paragraph of section 6 was added after the drafter agreed the safety case was lacking.[9] The final sentence in the penultimate paragraph of section 6 states "[s]ince the required valve inspection frequency on gas transmission pipelines is once per calendar year, this suggests that a reduced inspection frequency need not translate into worse safety consequences."[10] PHMSA reasons that because gas transmission pipelines have less frequent valve inspections than HL pipelines but lower incident rates involving valves per 100,000 miles per year, that relaxing the HL requirement as proposed (i.e., from twice per year to once per year) "need not translate into worse safety consequences." PHMSA does not consider the possibility that operating conditions for HL pipeline valves are more severe for a variety of factors and that the current interval of twice each calendar year is not adequately frequent to prevent these failures. PHMSA also fails to analyze incident data for the effects of poorly maintained valves that worsen the consequence of failures where the valve was not directly involved, such as when a mainline block valve required to respond to an

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[4] 91 Fed. Reg. 22,119.
[5] PRIA at 0 [sic, page 10 of 14].
[6] Excerpt included as Attachment A.
[7] PHMSA's analysis in the PRIA refers simply to HL pipelines. PST presumes this shorthand of "HL" to also refer to other products regulated under part 195, such as carbon dioxide, to the extent such commodities are represented in the data.
[8] PRIA at 0 [sic, page 10 of 14], "This concluding sentence does not follow from the evidence presented before it. I understand the harmonization argument. But these figures show the HL valves have many more incidents than gas transmission valves. So if HL valves are inspected less frequently, isn't there a safety compromise?"
[9] PRIA at 0 [sic, page 10 of 14], "Thanks, agreed that the safety case was lacking. Edited that sentence and added another paragraph."
[10] PRIA at 0 [sic, page 10 of 14].

emergency cannot be operated.[11] These situations can drastically increase released volumes which prevent emergency responders from beginning firefighting and rescue, and extend cleanup operations.[12]

In the final paragraph of section 6, PHMSA states that "[u]nder the proposed rule, HL pipeline operators would still be required to identify high-risk valves and appropriately determine inspection frequencies as part of their integrity management plans."[13] PST is unaware of any prescriptive or performance requirement in part 195 that requires what PHMSA is alleging. PHMSA reasons that it "would not be mandating longer intervals between inspections,"[14] but that is the effect the proposed regulatory text allows. If PHMSA's intent were to "only reduce inspections in cases where risk assessments found them to be unnecessary[,]"[15] the regulatory text should directly and specifically reflect that.

PHMSA further argues that valves are subject to multiple independent safety requirements throughout the regulations, but PST observes that they do not provide an equivalent measure of physical verification of the valve itself as would be achieved by an inspection of the valve by properly trained and qualified personnel.[16] Further, all of the independent safety requirements PHMSA touts are the same regulatory requirements in force throughout the period that produced the incident record PHMSA presents.

In summary, PHMSA apparently grappled with the safety case of its proposal during drafting and internal review and misjudged the safety implications of data showing that significant incidents involving valves occur more frequently on HL than gas transmission pipelines, despite the current, shorter maintenance intervals for HL pipelines. PHMSA's safety argument is invalid, leaving PHMSA with justification of its proposal based on harmonization and reducing confusion for 124 operators who operate both gas and hazardous liquid systems. PHMSA's asserted confusion among 124 operators cannot outweigh the safety effects. This weak justification is made without a safety analysis that supports its conclusion and is not adequate for a rulemaking. PHMSA should withdraw the proposal and retain the current twice each calendar year valve inspection requirement. If PHMSA intends to permit risk-based intervals, it must investigate operator-submitted incident and accident reports and then propose regulatory text which requires an actual operator determination supported by data and analysis, not a broad reduction of the federal minimum standard.

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[11] Representative sample of PHMSA Accident Report Nos. 20200300, 20260029, and 20100238; Representative sample of PHMSA Incident Report Nos. 20110379, 20140023, 20190086, 20190089, 20210009, 20220111, and 20260017.

[12] Oak Ridge National Laboratory, Studies for the Requirements of Automatic and Remotely Controlled Shutoff Valves on Hazardous Liquids and Natural Gas Pipelines with Respect to Public and Environmental Safety, ORNL/TM-2012/411 (Oct. 31, 2012).

[13] PRIA at 0 [sic, page 10 of 14].

[14] PRIA at 0 [sic, page 10 of 14].

[15] PRIA at 0 [sic, page 10 of 14].

[16] PRIA at 0 [sic, page 10 of 14].

Thank you for the opportunity to provide feedback on this NPRM. Please contact me if you have any questions at clayton@pstrust.org or (360) 543-5686 x111.

Sincerely,



Clayton Bodell
Technical Director

Attachment A

Excerpt from PHMSA's
Pipeline Safety: Hazardous Liquid Valve Maintenance Schedule
Preliminary Regulatory Impact Analysis
Docket No. PHMSA-2026-1554

April 2026

6. Benefits Analysis

In their public comment, API and LEPA noted that the current valve inspection frequency of twice per calendar year "may be appropriate for some valves" but is "not useful or necessary for the majority of valves." By allowing pipeline operators to determine a valve inspection schedule with a maximum valve inspection interval of 1 year, not to exceed 15 months, PHMSA anticipates that the NPRM will simplify compliance, reduce regulatory burdens, and provide cost savings, without negatively impacting safety.

PHMSA reviewed reported incidents on HL and gas transmission pipelines for the 10-year period of 2015-2024 and compared the rates of significant incidents on each system that involved valves. PHMSA found that on HL pipelines, there were 1.9 incidents involving mainline valves per 100,000 miles per year. In contrast, on gas transmission pipelines, there were 0.66 such incidents per 100,000 miles per year. Further, on HL pipelines, incidents involving mainline valves represented 6.2% of total significant incidents, whereas on gas transmission pipelines, they represented 3.8% of total significant incidents. PHMSA also compared the rates of significant incidents on each system that involve mainline valves, which are explicitly subject to § 195.420 requirements, and auxiliary valves that may fall under the scope of the same requirements. PHMSA found that on HL pipelines, there were 2.7 combined incidents per 100,000 miles per year. In contrast, on gas transmission pipelines, there were 1.07 such incidents per 100,000 miles per year. Further, on HL pipelines, incidents involving these valves represented 8.9% of total significant incidents, whereas on gas transmission pipelines, they represented 6.2% of total significant incidents. Since the required valve inspection frequency on gas transmission pipelines is once per calendar year, this suggests that a reduced inspection frequency need not translate into worse safety consequences.

Under the proposed rule, HL pipeline operators would still be required to identify high-risk valves and appropriately determine inspection frequencies as part of their integrity management plans. By providing operators flexibility in their inspection timelines, PHMSA would not be mandating longer intervals between inspections, or removing those existing integrity management requirements to assess safety risks and conduct inspections appropriately. Rather, it would only reduce inspections in cases where risk assessments found them to be unnecessary. By reducing the number of unnecessary or excessive inspections, the proposed rule would reduce wear and tear on equipment and lower the risk of incidents caused by improperly performed maintenance. In addition, HL pipeline operators are subject to multiple independent safety requirements, including requirements related to valve placement, installation and accessibility, mechanical functionality, remote or automatic actuation, control room procedures, leak detection, and the use of remote-controlled or automatic shutoff valves. These measures reduce reliance on routine inspection intervals alone and support PHMSA's preliminary determination that the revised inspection frequency will not adversely affect safety. PHMSA seeks comments on these assumptions and current industry practices relevant to potential safety consequences of the proposed rule.

7. Sensitivity and Uncertainty Analyses

PHMSA notes several uncertainties inherent in this analysis and seeks information from the public to address them.

Highlights and Notes

Page 10 [redacted] (PHMSA)

Thanks, agreed that the safety case was lacking. Edited that sentence and added another paragraph.

Page 10 [redacted] (OST)

This concluding sentence does not follow from the evidence presented before it. I understand the harmonization argument. But these figures show the HL valves have many more incidents than gas transmission valves. So if HL valves are inspected less frequently, isn't there a safety compromise?

Page 10 [redacted] (PHMSA)

Added a line at the end of this section and at the end of the cost savings section asking for comments, happy to revise or add more as needed as well

Page 10 [redacted] (OST)

Hi [redacted] This improves it a lot. One more comment: we should really find 1-2 places throughout the PRIA to ask for comment on assumptions made here. Otherwise, I'm all set.

significant incidents on each system that involve mainline valves, which are explicitly subject to § 195.420 requirements, and auxiliary valves that may fall under the scope of the same requirements. PHMSA found that on HL pipelines, there were 2.7 combined incidents per 100,000 miles per year. In contrast, on gas transmission pipelines, there were 1.07 such incidents per 100,000 miles per year. Further, on HL pipelines, incidents involving these valves represented 8.9% of total significant incidents, whereas on gas transmission pipelines, they represented 6.2% of total significant incidents. Since the required valve inspection frequency on gas transmission pipelines is once per calendar year, this suggests that a reduced inspection frequency need not translate into worse safety consequences.

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7. Sensitivity and Uncertainty Analyses

PHMSA notes several uncertainties inherent in this analysis and seeks information from the public to address them.

One area of uncertainty is the number of valves that will be installed on future HL pipelines. For the purposes of this analysis, PHMSA assumed HVL pipelines located in areas that could affect HCAs will have one valve for every 7.5 miles, that non-HVL HL pipelines located in areas that could affect HCAs will have one valve for every 15 miles, and that HL pipelines (including HVLs) located in areas that could not affect HCAs will have one valve for every 20 miles. Section 195.260 requires that additional valves be installed on each pipeline entering or leaving a breakout storage tank area, on each side of one or more adjacent water crossings, and on each side of a reservoir holding water for human consumption. However, due to uncertainty regarding the mileage of future pipeline that would meet these criteria, we are unable to estimate the specific number of additional valves. PHMSA seeks substantive data and industry benchmark to confirm or replace this assumption.