Pipeline Safety TRUST

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June 18, 2026

The Honorable Cottie Petrie-Norris, Chair
Assembly Utilities and Energy Committee
California State Assembly
1020 N Street, Suite 121
Sacramento, CA 95814

RE: SB 804 (Archuleta) Hydrogen Pipeline Safety Act – OPPOSE

Dear Assemblymember Petrie-Norris:

The Pipeline Safety Trust is writing to express strong opposition to SB 804, a bill that would incorrectly delegate critical pipeline safety oversight authority of hydrogen pipelines to the Office of the State Fire Marshal (OSFM) instead of the California Public Utilities Commission (CPUC). Pipeline Safety Trust (the Trust) does not take a position on the future of hydrogen. We do have concerns with how SB 804 is drafted. It is the Trust's position that this legislation has the potential to create unnecessary conflict and confusion among the two pipeline safety regulators in the state of California. The bill also fails to ensure or increase comprehensive safety oversight of hydrogen pipelines and has an extremely concerning exemption from the public participation requirements under the California Administrative Procedure Act (APA).

The Pipeline Safety Trust is the only national non-profit organization that focuses on pipeline safety. Our efforts focus on 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. As part of this work, the Trust monitors state legislation and provides our perspective and technical expertise where it may be beneficial.

Because hydrogen is transported in pipelines in a gaseous state, hydrogen should be regulated as a gas. At the federal level, hydrogen pipelines fall within the Pipeline and Hazardous Materials Safety Administration (PHMSA) regulations for gas pipelines (parts 191 and 192 of title 49 of the Code of Federal Regulations). SB 804 departs from the federal model by giving oversight to a hazardous liquids pipeline regulator, the OSFM, which has no existing authority or regulations for gas pipelines. The CPUC currently holds a Section 60105(a) certification from PHMSA and regulates, inspects, and enforces under 49 C.F.R. parts 191 and 192, the exact federal code sections that govern hydrogen pipelines. The

OSFM, by contrast, regulates, inspects, and enforces under 49 C.F.R. part 195, which covers hazardous liquid pipelines. Assigning hydrogen pipeline oversight to OSFM would require it to undertake the significant task of building entirely new expertise in Parts 191 and 192. The CPUC already operates within the gas regulatory framework and would need only to develop hydrogen-specific rules. It is unclear whether OSFM could gather gas-specific expertise in a timely manner. While it is true that the CPUC currently only regulates gas "utilities," this is a problem the California legislature could address statutorily, and CPUC would merely need to update its agreement with PHMSA to regulate dedicated hydrogen pipelines. This is how most other states regulate hydrogen pipelines. Given California's high mileage and different types of pipelines, it makes sense to have one agency (the CPUC) regulate gaseous pipelines and another (the OSFM) regulate hazardous liquid pipelines.

Hydrogen pipelines have unique safety concerns compared to methane pipelines and thus require specific regulations and tailored expertise to ensure safe operation. Further, because PHMSA's regulations are inadequate to address the concerns of transporting hydrogen in pipelines at an increased scale or in new applications, such as blending in gas distribution pipelines, it is important that California pursue additional rules to ensure the protection of its citizens. Hydrogen is much more likely to explode than methane, and those explosions burn hotter than methane. In addition, many pipeline materials are not suitable for transporting hydrogen, which can lead to embrittlement and cracking issues. Hydrogen is also a much smaller molecule than methane, which allows it to leak much easier and faster.[1] Unfortunately, this bill does not enhance hydrogen pipeline safety as there is no specific language directing the state to adopt more protective standards than the insufficient federal minimum regulations.

Any future bill related to hydrogen pipeline safety should require operators to prevent any leakage of hydrogen from their systems and employ continuous measurement and monitoring systems that are capable of detecting leaks. In addition, safety regulations should also include stronger protections for communities living and working near these pipelines. There should be setback requirements established for hydrogen pipelines that take into consideration the likelihood of ignition in the event of a rupture, the potential blast radius, and the intensity of hydrogen explosions.

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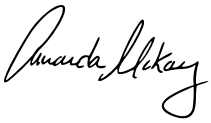
[1] Accufacts Inc., *Report: Safety of Hydrogen Transportation by Gas Pipelines* (Nov. 28, 2022) https://pstrust.org/wp-content/uploads/2022/11/11-28-22-Final-Accufacts-Hydrogen-Pipeline-Report.pdf; U.S. Energy Information Administration, *Hydrogen Explained* (Jun. 18, 2026) https://www.eia.gov/energyexplained/hydrogen/; California Public Utilities Commission, *Final Report: Hydrogen Blending Impacts Study* (Jul. 18, 2022) https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M493/K760/493760600.PDF.

Finally, related to public protection and transparency, section 51020.04(a) of this bill includes an extremely concerning exemption from the public participation requirements of the California APA. Rules governing explosive pipelines near homes and businesses would be written with no public notice or comment. Rulemaking processes, including those related to hydrogen pipeline safety regulations, must allow for public notice and comment.

PST respectfully requests that you reconsider the intent and impact of this legislation. As drafted, it is so fundamentally flawed that revisions alone cannot redeem it. If you have any questions regarding our position, please contact Amanda McKay, PST State Policy Advisor at amanda@pstrust.org.

Sincerely,



Amanda McKay
State Policy Advisor