

PHMSA Announces Rulemaking to Seek Input on Pipeline Repair Requirements and Risk-Based Tank Inspections

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On May 21, the Pipeline and Hazardous Materials Safety Administration (PHMSA) published an [Advance Notice of Proposed Rulemaking](#) (ANPRM) in the *Federal Register* to “solicit stakeholder feedback on potential opportunities to improve the cost-effectiveness of its repair requirements for gas transmission, hazardous liquid or carbon dioxide pipelines[,]” and also “feedback on authorizing a risk-based approach for determining the inspection interval for in-service breakout tanks.” Stakeholders are strongly encouraged to comment and help shape future compliance programs through the rulemaking process.

Key Takeaways for Pipeline Operators:

- **Repair Criteria and Integrity Management:** PHMSA is soliciting feedback on ways to improve the cost-effectiveness of repair criteria and remediation timelines for gas transmission, hazardous liquid, and CO₂ pipelines. Topics include clarifying the definition of “discovery” of anomalies; accommodation of new technologies for anomaly detection, evaluation, and remediation; risk-based IM elements, codifying agency interpretations; and providing information on the burden of existing repair and remediation regulations on small operators. PHMSA is also seeking comments on applying IM criteria to non-HCA segments, the feasibility of using predicted failure pressure-based criteria, and the suitability of engineering critical assessments for anomalies such as dents or metal loss.
- **Breakout Tank Inspections:** The agency is exploring a shift from prescriptive annual inspections to risk-based intervals for in-service breakout tanks ([49 CFR 195.432](#)), referencing alignment with industry standards such as API Std 653.
- **Broader Regulatory Streamlining:** The ANPRM responds to industry input, NTSB recommendations, and recent Executive Orders ([EOs 14192](#), [14154](#), and [14156](#)), with an emphasis on modernizing regulation to reflect technological advances while maintaining safety and supporting infrastructure development.

Action Item:

Stakeholder comments are strongly encouraged. This is a good opportunity to shape future compliance programs through rulemaking. Comments should address the feasibility, safety impacts, and cost implications of proposed reforms, including technological adaptability and burdens on small entities.

Comment Deadline: Comments must be submitted by July 21, 2025.

For information on this rulemaking and other midstream regulatory matters, please contact Tim Sowecke. GableGotwals' [Administrative & Regulatory](#) and [Energy, Oil & Gas](#) teams advise clients on rulemaking, compliance, and enforcement.



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