

**Hazardous Liquid Gathering Lines**  
**Advisory Committee Action – Information**  
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**Summary:**

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has determined that additional information should be collected from the operators of hazardous liquid gathering lines.

**Background:**

In the Hazardous Liquid Pipeline Safety Act (HLPSA) of 1979, Congress established the current framework for the U.S. Department of Transportation's (DOT) regulation of hazardous liquid pipelines.<sup>1</sup> Modeled on its predecessor, the Natural Gas Pipeline Safety Act of 1968, the HLPSA included an exemption for "gathering lines in rural locations."<sup>2</sup> According to the legislative history, Congress excluded those facilities "because such lines present[ed] insufficient risk to life and property to require regulation."<sup>3</sup>

In the Pipeline Safety Act of 1992, Congress directed DOT to define the term "gathering line" for purposes of the hazardous liquid pipeline safety regulations.<sup>4</sup> It also gave DOT the discretion to prescribe safety standards for a subset of "regulated gathering lines," not including certain small-diameter, low-pressure lines in rural areas which were not unusually sensitive to environmental damage. In the Accountable Pipeline Safety and Partnership Act of 1996, Congress made clear that DOT had the authority to require that information be provided by the owners and operators of any gathering line in fulfilling the former obligations.<sup>5</sup>

In June 2008, PHMSA issued a final rule that established new safety requirements for regulated rural gathering lines. The final rule defined a gathering line as any pipeline in a rural area that has a nominal diameter of between 6<sup>5/8</sup> and 8<sup>5/8</sup> inches; operates at a stress level greater than 20 percent of the specified minimum yield strength or, in certain cases, a pressure of more than 125 psig; and is within ¼-mile of an unusually sensitive area. It also prescribed certain safety requirements for those lines, including the filing of accident, safety-related condition, and annual reports; establishing the maximum operating pressure

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<sup>1</sup> Pub. L. No. 96-129, 93 Stat. 989 (Nov. 30, 1979).

<sup>2</sup> *Id.* at § 201(3) (currently codified at 49 U.S.C. § 60101(a)(22)).

<sup>3</sup> S. REP. NO. 96-182 (May 15, 1979), *reprinted in* 1979 U.S.C.C.A.N. 1971, 1972.

<sup>4</sup> Pub. L. No. 102-508, 106 Stat. 3289 (Oct. 24, 1992) (currently codified at 49 U.S.C. § 60101(b)).

<sup>5</sup> Pub. L. No. 104-304, § 12, 110 Stat. 3793 (Jan. 3, 1996) (currently codified at 49 U.S.C. 60117(b)).

according to 49 C.F.R. § 195.406; installing line markers; and establishing programs for public awareness, damage prevention, corrosion control, and operator qualification of personnel.

**Analysis:**

Recent data indicates that there are approximately 30,000 – 40,000 miles of hazardous liquid gathering lines in the U.S., and that PHMSA only regulates 3,644 miles of those lines. The U.S. Congress and National Transportation Safety Board have also raised concerns about the safety of hazardous liquid gathering lines in the Gulf of Mexico and its inlets, which are only subject to certain inspection and reburial requirements.<sup>6</sup> PHMSA believes that additional data must be collected to determine if further regulatory action is needed to address these concerns.

**Recommendations:**

- Amend 49 CFR Part 195 to require the submission of annual, incident, and safety-related-condition reports by all operators of hazardous liquid gathering lines.

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<sup>6</sup> 49 C.F.R. § 195.413.