



**NOTICE TO GAS AND HAZARDOUS LIQUID PIPELINES, UNDERGROUND  
NATURAL GAS STORAGE, AND LIQUEFIED NATURAL GAS FACILITY  
OPERATORS AND PHMSA STATE PARTNERS REGARDING THE MARCH 20, 2020  
STAY OF ENFORCEMENT AND NOTICE OF ENFORCEMENT DISCRETION**

**RE: Notice of Termination of the March 20, 2020 Stay of Enforcement and Notice of Enforcement Discretion to Operators Affected by the Coronavirus (COVID-19) Outbreak**

On March 20, 2020, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety, issued a notice to operators of gas and hazardous liquid pipelines, underground natural gas storage, and liquefied natural gas facilities affected by the National Emergency (National Emergency) Relating to the Novel Coronavirus Disease (COVID-19) Outbreak.<sup>1</sup> The March 20, 2020 Notice advised those operators affected by the National Emergency that PHMSA does not intend to take any enforcement action with regard to certain operator qualification and control room management requirements in Parts 192, 193, and 195, and that the agency would consider exercising its enforcement discretion with regard to Part 199 drug testing requirements. The March 20, 2020 Notice also advised operators of intrastate pipeline facilities regulated by State authorities that PHMSA would not object to waivers, special permits, stays of enforcement or similar measures granted by State authorities to pipeline operators for noncompliance due to COVID-19 with State regulations equivalent to those Federal regulations.

Since the issuance of the March 20, 2020 Notice, the Nation has seen the development and distribution of COVID-19 vaccines, the issuance of Federal guidelines and directives supporting the public health response and economic recovery efforts, and the lifting of certain COVID-19 related restrictions. PHMSA has also witnessed a steady decrease in notifications by pipeline operators of their need to avail themselves of the flexibility announced in the March 20, 2020 Notice. Considering these factors, PHMSA concludes that the stay of enforcement can safely be terminated.

Accordingly, PHMSA issues this Notice of Termination to advise operators that beginning on May 26, 2021, the March 20, 2020 Notice is no longer in effect. This means that PHMSA will not base any exercise of enforcement discretion on the March 20, 2020 Notice for any noncompliance or notification of noncompliance that occurs on or after May 26, 2021.

Please be advised that PHMSA’s April 22, 2020 Notice of Enforcement Discretion to Gas Pipeline Operators Affected by the Coronavirus (COVID-19) Outbreak regarding the *Pipeline Safety: Safety of Gas Transmission Pipelines: MAOP Reconfirmation, Expansion of Assessment Requirements, and Other Related Amendments* expired on December 31, 2020.

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<sup>1</sup> March 20, 2020 Notice, available at <https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2020-03/PHMSA%20Notice%20on%20Enforcement.pdf>.



Nothing in this Notice of Termination limits PHMSA's ability to exercise enforcement discretion on a case-by-case basis regarding any noncompliance, including non-compliance due to COVID-19, after the termination of the March 20, 2020 Notice.

ISSUED THIS 19<sup>th</sup> DAY OF MAY, 2021, IN WASHINGTON, D.C.

A handwritten signature in blue ink, reading "Alan K. Mayberry". The signature is written in a cursive, flowing style. It is positioned above a horizontal line that serves as a separator between the signature and the printed name.

Alan K. Mayberry  
Associate Administrator for Pipeline Safety