Title: Frequently Asked Questions (FAQs) for Types C and R Gas Gathering Pipelines from the Final Rule titled "Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments," Published November 15, 2021

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Summary:

The Pipeline and Hazardous Materials Safety Administration (PHMSA) is issuing supplementary regulatory guidance in the form of frequently asked questions (FAQs) on Types C and R onshore gas gathering pipelines (gathering lines). FAQs for Types A and B gathering lines can be found on the PHMSA website. PHMSA provides FAQs to help the public understand how to comply with regulations. Like all PHMSA guidance, FAQs are not substantive rules, do not have the force or effect of law, and do not create new legal obligations. An operator who demonstrates compliance with the FAQs, however, is likely to be able to demonstrate compliance with the relevant regulations. If a pipeline operator chooses not to comply with the FAQs, the operator must be able to demonstrate that the operator's conduct complies with the regulations.

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General

1. What is a gathering line?

Gathering lines transport gases and hazardous liquids from a production facility to a processing facility, refinery, or a transmission line. In the past, most gathering lines were built in minimally populated areas, used smaller-diameter pipelines that operated at lower pressures, and appeared to pose a much lower risk than for other types of pipelines. As our nation continues to grow, our populations are spreading to these once-rural locations, and an increased demand for natural resources means exploring alternate methods of producing raw materials that may come with greater risk. PHMSA issued the "Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments" final rule in November 2021 (final rule; 86 FR 63266). This rule extended pipeline safety regulations to a subset of gas gathering lines of increased diameter and pressure—often located in rural areas—with safety and environmental risks commensurate with the risks posed by gas transmission pipelines long subject to PHMSA safety regulations.

2. Who regulates gathering lines?

Both the Federal Government and states have jurisdiction over gathering lines. PHMSA regulates gas gathering lines and hazardous liquid gathering lines. PHMSA establishes the minimum safety and reporting requirements for regulated gas and hazardous liquid gathering lines.

These FAQs are focused on safety and reporting requirements for Types C and R onshore gas gathering lines. In November 2021, PHMSA published a final rule (86 FR 63266), which expanded the scope of federally-regulated gas gathering lines; PHMSA subsequently published technical corrections to the final rule (87 FR 26296; 87 FR 35675). Operators of gathering lines regulated by a state authority should consider the applicable state's safety and reporting requirements that may apply to their gathering lines, as states may, in some circumstances, adopt additional or more stringent safety standards. In the federal pipeline safety regulations, a gas "pipeline" includes all parts of those physical facilities through which gas moves in transportation, including pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies.

3. Are all gas gathering lines regulated by PHMSA?

Yes, however not all gas gathering lines are subject to part 192. PHMSA introduced new definitions in 49 CFR 191.3 and 192.8(c) that are relevant to the regulatory status of onshore gas gathering lines: "regulated onshore gathering" and "reporting-regulated gathering." Types A, B, and C gas gathering lines are onshore gas gathering lines subject to requirements under parts 191 (reporting) and 192 (safety), so the gathering lines in these categories are defined as "regulated onshore gathering;" while Type R are subject to limited reporting requirements under part 191 only and are called "reporting-regulated gathering." Note that the classification (Type A, B, C, or R) for an onshore gas gathering line is determined in accordance with § 192.8. Offshore gathering lines are also subject to parts 191 and 192 requirements as specified in § 192.9.

4. What is a regulated onshore gathering line within the inlets of the Gulf of Mexico?

A regulated onshore gathering line in § 192.8(c) includes a qualifying gathering line located within the inlets of the Gulf of Mexico in waters up to 15 feet deep. *See* 49 CFR 192.1(b)(4), 192.3. If the pipeline is in the Gulf of Mexico in waters greater than 15 feet, it is an offshore gathering line.

Section 192.3 defines the "Gulf of Mexico and its inlets" as "the waters from the mean high water mark of the coast of the Gulf of Mexico and its inlets open to the sea (excluding rivers, tidal marshes, lakes, and canals) seaward to include the territorial sea and Outer Continental Shelf to a depth of 15 feet (4.6 meters), as measured from the mean low water."

5. How do you calculate PIR if you are not obligated to establish an MAOP pursuant to § 192.9(e)(ii)?

The maximum allowable operating pressure (MAOP) of a pipeline is an input to the threshold determination pursuant to § 192.8 that a facility is a Type C gathering line. When no MAOP has previously been calculated for a given gas gathering line and the operator is not obliged to establish an MAOP pursuant to § 192.9(e)(2)(ii), an operator may make that threshold determination using one of two methods. First, the operator may calculate an MAOP consistent with the methods at § 192.619(a) or (c)(1). Alternatively, as a substitute for MAOP, an operator may use the highest operating pressure to which the segment was subjected during the preceding five years. *See* 49 CFR 192.8(c)(4). PHMSA clarified this method for operators without an available MAOP in a technical correction to the final rule, which issued May 4, 2022 (87 FR 26296).

The pressure value, identified using one of the two methods above, may also be used to inform whether a Type C gathering line of 16 inches in diameter or less is exempt from certain regulatory requirements under § 192.9(f)(1), because MAOP is an input in determining the potential impact radius (PIR) and potential impact circle pursuant to § 192.903. (Note that the PIR calculation for gathering lines requires the use of a 0.73 gas factor). *See* 49 CFR 192.9(f)(1). For this determination under § 192.9(f)(1), an operator calculates the potential impact circle using their MAOP, or "[i]f the gathering line segment does not have an established MAOP or other records necessary to perform the PIR calculation, the operator may perform the same determination on a class location unit (see § 192.5) basis rather than a potential impact circle basis." 86 FR at 63283; 49 CFR 192.9(f)(1)(ii). The class location unit method for applying these exceptions is also used in API RP 1182 (First Ed., 2020) and provides a simpler, more conservative method for determining the applicability of the § 192.9(f) exception for operators that choose not to perform a PIR analysis or lack records of the parameters necessary to calculate the PIR.

A class location unit is one mile in length and extends 220 yards on either side of the centerline of a pipeline, using a "sliding mile" approach. *See* 49 CFR 192.5. The class location unit moves along the pipeline, and if the sliding mile contains a building intended for human occupancy or other impacted site at any point during the mile's movement, then the exception in paragraph (f) does not apply for the entire mile of pipeline contained within the sliding mile.

6. What constitutes a "building intended for human occupancy or other impacted site" in § 192.9(f)?

In § 192.9(f)(3), PHMSA defines the term "building intended for human occupancy or other impacted site" to include any of the following:

- Any building that may be occupied by humans, including homes, office buildings, factories, outside recreation areas, plant facilities, etc.;
- A small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period (the days and weeks need not be consecutive). This has the same meaning and interpretation as the Class 3 criterion in § 192.5(b)(3)(ii); or
- Any portion of the paved surface, including shoulders, of a designated interstate, other freeway, or expressway, as well as any other principal arterial roadway with 4 or more lanes, as defined in the Federal Highway Administration's *Highway Functional Classification Concepts, Criteria, and Procedures*, section 3.1 (2013 Ed.), https://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/fcauab.pdf. *See* 86 FR at 63288; 49 CFR 192.3.

7. When using method 2 in § 192.9(f)(1)(ii), can an operator of a Type C gas gathering line "cluster" buildings intended for human occupancy as allowed in § 192.5?

No. Section 192.9(f)(1)(ii) provides exception from certain requirements for gathering lines that are 16 inches or less and not within a class location unit containing a building intended for human occupancy or other impacted site. Section 192.5 defines the class location unit and paragraph (c)(2) allows an operator to adjust the length of a class 2 or class 3 location based on the position of the last building intended for human occupancy within a group of structures. This is commonly referred to as "clustering." PHMSA did not, in either the final rule text or its preamble, explicitly provide for "clustering" to adjust the boundaries of Class 1 locations, as it did in other contexts (see §§ 192.5(c) and 192.8(c)(2)). As Type C gathering lines occur only in Class 1 locations, the concept of "clustering" is not applicable for Type C gathering lines to determine whether they fit within the exception in § 192.9(f)(1)(ii) either.

8. Am I required to maintain records for my Type B and Type C gathering lines?

Yes, where specified or necessary to evidence compliance with a regulation. In general, a person owning or operating a gas pipeline facility is required to maintain records, make reports, and provide information to PHMSA upon request in accordance with 49 U.S.C. 60117(c). Owners and operators must make and maintain records in accordance with the requirements prescribed in 49 CFR parts 191 and 192 to enable PHMSA to verify that the owner or operator is complying with those requirements. Certain records are maintained for a specific length of time while others are required to be maintained for the life of the pipeline. PHMSA uses these records to verify compliance with regulated safety standards and to inform the Agency on possible safety risks.

For example, the final rule adds a new requirement in § 192.8(b) to specify that all onshore gas gathering line operators must maintain records documenting the methodology used to determine the beginning and endpoints of segments determined to be gas gathering lines. In addition, § 192.9(e)(2)(ii) requires operators of Type C gathering lines greater than 12.75 inches in outside diameter to maintain records used to establish the MAOP for the life of the pipeline. Furthermore, operators of Type B and certain Type C gathering lines are required to comply with the corrosion control requirements of subpart I, including § 192.491, which provides specific corrosion control record keeping requirements that operators must comply with. *See* 49 CFR 192.452(b)-(c).

Finally, where a regulatory requirement does not have an explicit records retention requirement, records nonetheless may be necessary to show compliance with the pipeline safety regulations during an inspection.

Reporting Requirements

9. What are my reporting requirements for Type R lines?

Incident reports under § 191.15 and annual reports under § 191.17 are required for all onshore gas gathering lines, including Type R gathering lines. Safety-related condition reports under § 191.23, however, are not required for any Type R gathering lines as well as certain Type C gathering lines that are not required to determine a maximum allowable operating pressure (MAOP) under § 192.619. Additionally, all onshore gathering lines, including Type R gathering lines, are required by § 191.5 to submit immediate notification of incidents and, under § 191.22, to meet the applicable requirements to acquire an operator identification number (OPID). Operators should consider any applicable state reporting requirements that may apply.

10. Are gathering lines operating at less than 0 psig considered Type R?

Yes, incident reports and annual reports will now be required for all onshore gas gathering lines, including Type R gathering lines operated at less than 0 pounds per square inch gauge (psig). As stated in its preamble, the final rule revised § 191.1(b) to remove the exception to part 191 in § 191.1(b)(4) for unregulated, onshore gas gathering lines, including gathering lines that operate at less than 0 psig or are located within the inlets of the Gulf of Mexico.

11. Am I required to obtain an operator identification number (OPID) for reporting-regulated gas gathering lines (i.e., Type R)?

Yes, operators of all gas gathering lines, including Type R lines, must obtain an OPID under § 191.22(a). The final rule, in § 191.1(c)(2), excepts Type R gas gathering lines from OPID validation and notification requirements in § 191.22(b) and (c). However, the accident and incident form instructions require operators of all gas gathering lines, including Type R lines, to ensure the accuracy of any OPID information (e.g., primary entity, name) submitted to PHMSA in connection with an incident or annual report.

12. Are Type R gas gathering lines required to notify PHMSA of flow reversals lasting more than 30 days under § 191.22(c)(1)(v)?

No. Section 191.1(c)(2) exempts onshore Type R gathering lines from § 191.22(c). However, PHMSA guidance on flow reversals and conversions of service is available at https://www.phmsa.dot.gov/regulatory-compliance/phmsa-guidance/guidance-pipeline-flow-reversals-product-changes-and-conversion-to-service.

13. Can I file my type R annual report along with my other gathering lines?

Annual reports for Types A, B, C, and offshore gathering lines (along with appropriate transmission lines) can be filed with a single annual report on DOT Form PHMSA F7100.2-1. Type R annual reports are required to be filed using DOT Form PHMSA F7100.2-3, available on PHMSA's website at https://www.phmsa.dot.gov/forms/operator-reports-submitted-phmsa-forms-and-instructions.

14. Are individual service lines (i.e., farm taps) directly connected to Type R gathering or production pipelines required to be reported on a distribution annual report?

Although a service line is regulated by parts 191 (reporting) and 192 (safety), an individual service line directly connected to Type R gathering and production lines is exempted from being reported on a gas distribution annual report, per § 191.11(b).

Construction requirements

15. Must all existing pipelines that have been newly identified as Type C gathering lines pursuant to the final rule issued in November 2021 be retrofitted to meet its design and construction requirements?

No. Only Type C gathering lines that are installed, replaced, relocated, or otherwise changed after May 16, 2022, must meet the design and construction requirements adopted in the November 2021 final rule. *See* 49 CFR 192.9(e)(1)(i) and (g)(4).

16. When has a pipeline been "otherwise changed" for the purpose of the applicability of certain design, construction, initial inspection, and testing requirements that PHMSA has adopted since initial construction of the pipeline?

Certain regulations apply to pipelines that are new, replaced, or otherwise changed. For example, see §§ 192.8(a)(5) and 192.9(d)(1), (e)(1)(i) and (g). PHMSA has explained that "otherwise changed" refers to a substantial physical alteration of a pipeline facility as opposed to a repair or restoration." (71 FR 13289, 13298 (Mar. 15, 2006)). A similar definition is contained in the ANSI/GPTC Z380.1, GPTC Guide for Gas Transmission, Distribution, and Gathering Piping Systems.[1]

Whether a gas pipeline has been "otherwise changed" depends upon the specific nature of the alteration, including when the original alignment or functionality of the pipeline facility is modified by the alteration. Examples of a substantial physical alteration that should be considered to satisfy "otherwise

[1] Gas Piping Technology Committee Z380, "The Guide for Gas Transmission, Distribution and Gathering Piping Systems," ANSI GPTC Z380.1-2022, at 25 (Mar. 2022).

changed" may include the following: (a) addition of a pig launcher or receiver to a pipeline; (b) relocation of a pipeline; or (c) connection of a lateral.

17. Is overpressure protection required on my Type C gathering line?

Yes, new, relocated, replaced, or otherwise changed Type C gathering lines, which are required to have overpressure protection as encompassed in the design, installation, construction, initial inspection, and initial testing provisions, must comply with subparts B though G and J of part 192. Overpressure protection regulations that apply to the pipeline may vary, and may include §§ 192.143, 192.169, 192.195, among other regulatory requirements. These overpressure protection requirements would not apply, however, to pipeline segments 40 feet or shorter in length that are replaced, relocated, or changed on a pipeline existing on or before May 16, 2022. 49 CFR 192.9(f)(2).

In addition, certain Type C gathering lines are required to establish an MAOP in accordance with § 192.9(e)(2)(ii). For those lines that are required to establish their MAOP, exceeding that established MAOP (plus the margin or build-up) must be reported as a safety-related condition under § 191.23(a)(6) and (b)(1).

Operators of existing gathering lines that became regulated as Type C gathering lines as a result of the 2021 final rule are not required to retroactively comply with the design, installation, construction, initial inspection, or initial testing requirements of part 192—including overpressure protection requirements at §§ 192.143, 192.169, 192.195. They are, however, required to prevent and to report MAOP exceedances if required to establish an MAOP pursuant to § 192.9(e)(2).

18. Are Type C plastic pipe gathering lines subject to the design, installation, construction, and initial inspection requirements in subparts B though G and J of part 192 applicable to transmission lines?

Yes, § 192.9(e)(1)(i) requires operators of all Type C gathering lines installed after May 16, 2022, to follow the design, installation, construction, initial inspection, and initial testing requirements in subparts B though G and J of part 192 applicable to transmission lines (although compliance with §§ 192.67, 192.127, 192.179(e), 192.179(f), 192.205, 192.227(c), 192.285(e), 192.506, 192.634, and 192.636 is not required). This includes all Type C plastic pipe that is new, replaced, or otherwise changed after May 16, 2022.

Type C plastic pipes with an outside diameter greater than 12.75 inches have additional requirements. Section 192.9(e)(2) specifies that those larger diameter plastic pipes must comply with all the requirements of § 192.9(e)(1) and establish an MAOP, among other requirements.

19. For pipe made with composite materials, is notification under §§ 192.9(h) and 192.18 required for replacement, relocation, or changes of 40 feet or less of composite pipe?

It depends on the installation date of the pipeline and the material used in the replacement. For all Type C gathering lines (including composite pipelines) installed prior to May 16, 2022, notification to PHMSA is not required for "pipeline segments 40 feet or shorter in length that are replaced, relocated, or changed," per § 192.9(f)(2). *See* 86 FR at 63289.

In addition, the final rule also allows the future use of composite pipe material on Type C gathering lines in certain circumstances, subject to PHMSA notification pursuant to § 192.18 of the replacement, relocation, or other significant change to the pipe. *See* 86 FR at 63289. That notification is required regardless of pipe segment length. In other words, replacement or other significant change of a pipe segment on a Type C gathering line that was installed after May 16, 2022, using composite material requires a notification to PHMSA under §§ 192.9(h) and 192.18 regardless of the segment length. An operator may consider including in its initial §§ 192.9(h) and 192.18 notification its proposed procedures for future replacement or other significant change on all segments.

If an operator discovers a condition that requires immediate replacement, operators should describe all urgent conditions in their § 192.18 notification or conduct the repair using materials authorized under part 192, such as steel. Alternatively, they may describe those urgent conditions in their request for a state waiver per 49 U.S.C. 60118(e) or request an emergency special permit under § 190.341.

20. What are the requirements for composite Type C pipelines installed prior to the effective date of the rule?

Composite pipelines that were installed and in operation prior to the effective date of the final rule, May 16, 2022, are not subject to the design, installation, construction, initial inspection, or initial testing the requirements in subparts B though G and J of part 192 applicable to transmission lines. As stated in the preamble to the final rule, "operators may continue to use composite pipe [or materials] installed on or before the effective date of the rule; no notification under §§ 192.9(h) and 192.18 would be required in those circumstances." 87 FR at 63285. However, operators of all Type C gathering lines—including composite Type C lines installed and in operation prior to May 16, 2022—must comply with all other applicable Type C requirements by the relevant compliance deadlines. Section 192.9(h) governs use of composite materials for Type C gathering lines installed after May 16, 2022.

Design Requirements

21. Does an operator need to establish an MAOP for determining Type C gathering lines?

No, an operator is not required to establish an MAOP prior to determining the endpoints of their Type C gathering lines. Section 192.8(c)(4) provides that gas gathering line operators may use either of two methods to identify whether a gathering line qualifies as a Type C gathering line. First, an operator may use an MAOP calculated consistent with the methods at § 192.619(a) or (c)(1). Alternatively, as a substitute for MAOP, an operator may use the highest operating pressure to which the segment was subjected during the preceding five years.

Once an operator of a pipeline subject to § 192.619 establishes an MAOP, the pipeline must be operated at or below that limit. *See* 49 CFR 192.619(a). PHMSA encourages operators to determine and maintain a safe operating pressure with reasonable safety factors based on known design, material, testing records, and the operating and maintenance history of the pipeline regardless of whether establishing an MAOP is required for that segment.

22. Can existing records be used to establish the MAOP of Type C gathering lines with an outside diameter greater than 12.75 inches instead of using the highest actual operating pressure to which the segment was subjected during the five years (60 months) preceding May 16, 2023, or five years (60 months) before first becoming subject to the rule, whichever is later?

Yes, for Type C gathering lines existing on or before May 16, 2022. Type C gathering lines with an outside diameter greater than 12.75 inches are required to establish the MAOP of the pipeline and maintain records used to establish the MAOP for the life of the pipeline. *See* 49 CFR 192.9(e)(2)(ii). Those Type C gathering lines required to establish an MAOP must, per § 192.619(a)(3)(ii), operate at a pressure not to exceed the highest actual operating pressure to which the pipe segment was subjected during the previous five years, measured from a) May 16, 2023, or b) a later date when the line becomes a regulated onshore gathering line. For those Type C gathering lines existing before May 16, 2022, § 192.619(c)(2) provides that if an operator cannot determine the actual operating pressure of the pipeline for the five years preceding May 16, 2023, the operator may establish MAOP using other criteria, with PHMSA notification in accordance with § 192.18. Under this process, the operator would propose an MAOP based on the information available about the pipeline, such as actual highest operating pressure, operational and maintenance history, pressure test records, and information about the design and material properties of the pipeline. The operator must notify PHMSA to avail itself of this provision. Section 192.619(c)(2) specifies the minimum information required to be submitted to PHMSA in the notification.

23. What is the length of time required to hold a "highest actual operating pressure" to claim that pressure as the MAOP for a gathering line under § 192.619(a)(3) or (c)?

Several methods for making the threshold determination identifying a Type C gathering line involve determining the highest operating pressure over a five-year period. 49 CFR 192.8(c)(4). That operating pressure may also be relevant for Type C gathering lines required to establish an MAOP. 49 CFR 192.9(e)(2)(ii).

Neither § 192.619(a)(3) (c), nor § 192.8(c)(4)(ii) specify a minimum hold time for identification of the highest operating pressure over a five-year period, but the operating pressure must be documented. Documentation methods include electronic (e.g., supervisory control and data acquisition system) or hardcopy records of pressure readings on the segment of pipe. MAOP records must be retained for the life of the pipeline until it is properly abandoned or removed in accordance with § 192.619(f). For additional provisions applicable for Type C gathering lines, reference § 192.619(c)(2).

24. How do I calculate % SMYS if I don't know material? How long can an operator report "unknown" for material?

Section 192.107(b)(2) allows an operator to use a default specified minimum yield strength (SMYS) of 24,000 psi if the yield strength of a pipe is not known. Operators may report unknown material in their required reporting for an indefinite timeframe.

Operation and Maintenance (O&M) Manual

25. Am I required to have an O&M manual under § 192.605 for my Types B and C gathering lines?

There is no explicit requirement in the Federal pipeline safety regulations for operators of Type B or C gathering lines to have § 192.605-compliant O&M manuals. *See* 49 CFR 192.9(d) and (e). Nevertheless, operators of all gas gathering lines subject to part 192 safety requirements, including Types B and C gathering lines, are required to follow the statutory requirement of 49 U.S.C. 60108(a), which requires that "[e]ach person owning or operating a gas pipeline facility. . . shall carry out a current written plan (including any changes) for inspection and maintenance of each facility used in the transportation and owned or operated by the person. A copy of the plan shall be kept at any office of the person the Secretary of Transportation considers appropriate. The Secretary also may require a person owning or operating a pipeline facility subject to this chapter to file a plan for inspection and maintenance for approval."

In addition, operators of Types B and Type C gathering lines are required to comply with other regulatory provisions that require specific written plans, programs, and procedures. For example, Types B and C gathering lines are required to comply with public education program requirements in § 192.616(a), which states that "each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162."[2] Therefore, an operator of a Type B or C gathering line must have a written public education program even though they do not fall under the more general requirement in § 192.605 to have an O&M manual.

26. Do the requirements under § 192.9 require a class location study or survey for Type C gathering lines?

No, operators of Type C gathering lines are not required to comply with the requirements of § 192.609. However, operators of Type C gathering lines are required to understand the area in which their pipelines are located. Section 192.9 at subparagraphs (g)(3) and (g)(5) require operators of Type C (as well as Type R) gathering lines to be aware of information that may lead to a class location change, such as dwelling density and MAOP increases. Section 192.452(c) similarly contains requirements for operators of Type C gathering lines to be aware of information that may lead to a class location change. Additionally, certain regulatory requirements, such as leakage surveys and other inspections, require operators to periodically access the pipeline right-of-way where changes in class location would be apparent.

27. Are all gas gathering lines (including Types B and C) required to comply with 49 U.S.C. 60108, including the self-executing provision from Section 114 of the PIPES Act of 2020?

Section 114 of the Protecting our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020 amended the pipeline safety statues at 49 U.S.C 60108. Section 60108(a)(1) requires each person owning or operating a gas or hazardous liquid pipeline facility to carry out a written inspection and maintenance plan.

[2] API, Recommended Practice 1162, "Public Awareness Programs for Pipeline Operators," (1st Ed. Dec. 2003) ("API RP 1162").

49 U.S.C. 60108(a)(2)(D) requires that pipeline facility operators' inspection and maintenance plans address the elimination of hazardous leaks and minimization of releases of natural gas (including, and not limited to, intentional venting during normal operations) from their systems. As detailed in PHMSA Advisory Bulletin ADB-2021-01, this requirement is self-executing, meaning it applies even absent a codifying regulation.[3]

Owners and operators of offshore and regulated onshore gathering lines (Types A, B, and C gathering lines) are subject to the requirements in 49 U.S.C. 60108. *See* 49 U.S.C. 60101(a)(3) and 60101(a)(21); 49 CFR 192.8(c) and 192.9(b). Because § 192.8(c)(3) specifies that Type R gathering lines are not subject to part 192 safety requirements, they are not "regulated gathering lines" subject to 49 U.S.C. 60108. Operators of offshore and onshore regulated gathering lines are required to have written inspection and maintenance plans in accordance with 49 U.S.C. 60108 and update those plans in accordance with the requirements of 49 U.S.C. 60108(a)(2)(D)).

28. Do Type C gathering line operators have to comply with § 192.617 (Failure Investigation) requirements described in § 192.615 (Emergency Plans)?

No. While Type C gathering line operators must have an emergency plan that complies with § 192.615, as it existed on October 4, 2022,[4] they are not required to comply with § 192.617. Section 192.9(e) lists the regulations applicable to Type C gathering lines and does not include § 192.617. Since § 192.9(e) does not require a Type C regulated onshore gathering line to comply with § 192.617, that regulation is therefore not applicable under § 192.615(a)(10).

However, having failure investigation procedures and conducting failure investigations are best practices to determine the causes of failures in order to take action and prevent reoccurrence of the same type of failures i. Additionally, Type C gathering line operators are required to complete incident reports (form PHMSA F 7100.2) under § 191.15, and an operator may need to conduct a failure investigation in order to determine apparent cause and gather other information required by the incident report form.

29. Do I have to comply with all aspects of the "Public Awareness Programs for Pipeline Operators" from the first edition of API RP 1162 for my Type B and C gathering lines?

Yes, operators of Types A, B, and C gathering lines must comply with all requirements of API RP 1162 applicable to gathering lines. *See* 49 CFR 192.616. For Type B gathering lines, § 192.9(d)(5) requires operators to "establish a public education program under § 192.616." For Type C gathering lines, § 192.9(e)(1)(v) requires operators to "develop and implement a written public awareness program under § 192.616." And Type A gathering lines must comply with all part 192 requirements applicable to transmission lines, including § 192.616. As of the date of this FAQ, § 192.616 follows the recommendations of the first edition of API RP 1162, which is incorporated by reference in § 192.616.

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[3] Pipeline Safety: Statutory Mandate to Update Inspection and Maintenance Plans to Address Eliminating Hazardous Leaks and Minimizing Releases of Natural Gas from Pipeline Facilities, 86 FR 31002 (June 10, 2021) (Advisory Bulletin ADB-2021-01).

[4] PHMSA in August 2023 codified a judicial decision vacating certain amendments to § 192.605 introduced by a final rule issued after the Gas Gathering Final Rule. *See* PHMSA, "Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards: Technical Corrections," 88 FR 50056 (Aug. 1, 2023). These affected lines continue to apply § 192.615 as it existed on October 4, 2022.

30. Does § 192.615(a)(11) require a Type C gathering line operator to have procedures for control room management in accordance with § 192.631?

No. Although Type C gathering line operators are required to comply with § 192.615 for emergency response (as it existed on October 4, 2022), and § 192.615(a)(11) directs operators to have procedures to comply with § 192.631, § 192.615(a)(11) is not applicable to Type C gathering line operators. Section 192.9(e) lists the regulations applicable to Type C gathering lines and does not include the control room management requirements in § 192.631.

31. Are individual service lines (i.e., farm taps) that are connected to a Type C gathering line subject to the requirements of § 192.740?

Yes. Although the term "farm tap" is not defined in part 192, the term is commonly used to describe the "individual service lines" referred to in § 192.740. Individual service lines connected to a Type A, B, or C gathering line are subject to part 192 requirements, including § 192.740; they are not gathering lines subject to the requirements of § 192.9. Because a farm tap providing gas to a single customer does not "transport gas from a current production facility to a transmission line or main" as described in the definition of a "gathering line" in § 192.3 and is not classified as a gathering line in the American Petroleum Institute (API) Recommended Practice (RP) 80 nor § 192.8(a), PHMSA does not consider a farm tap providing gas to a single customer to be a gathering line. Section 192.740 is a requirement for service lines, therefore the requirements for gathering lines in § 192.9 are not relevant.

Note that § 192.740(c) exempts from the scope of § 192.740 service lines that only serve engines that power irrigation pumps, service lines included in a distribution integrity management plan (DIMP), and service lines directly connected to production or gathering lines other than offshore and regulated onshore gathering lines as determined in § 192.8. Type R gathering lines are not "regulated onshore gathering lines" under part 192, thus exempting individual service lines connected to Type R gathering lines from § 192.740.

Compressor Stations

32. Do the new Type C regulations apply to compressor stations or other facilities?

Yes. A gathering line is defined by § 192.3 as "a pipeline that transports gas from a current production facility to a transmission line or main." A pipeline is further defined as "all parts of those physical facilities through which gas moves in transportation, including pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies." Thus, a qualifying station or compressor unit would be included and subject to the same regulatory requirements as a gathering line under § 192.9.

33. If the pipes entering and leaving a compressor station are regulated as Type C gathering lines, how do I determine what requirements apply to the compressor station?

The classification of the compressor station must be determined in accordance with § 192.8 and API RP 80.[5] Compressor stations classified as being Type C must follow the requirements as outlined in § 192.9(e). For new, replaced, relocated, or otherwise changed Type C compressor stations, this includes design requirements specific to compressor stations found in §§ 192.163 through 192.173.

Operator Qualification

34. Am I required to have qualified staff per subpart N perform covered operations and maintenance tasks on my Type B or C gas gathering line?

No. While PHMSA believes a prudent operator of a facility that transports hazardous commodities will ensure that operations and maintenance personnel are adequately trained and capable of safely performing their assigned tasks, compliance with the requirements in subpart N of part 192 is not required for Types B or C gathering lines.

[5] API, Recommended Practice 80, "Guidelines for the Definition of Onshore Gas Gathering Lines," (1st Ed. Apr. 2000) ("API RP 80").