



U.S. Department of Transportation  
**Pipeline and Hazardous Materials Safety  
Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**DATE 04/21/2026**

**MEMO TO FILE**

**From: Carolyn Nelson, P.E.  
Director of Environmental Analysis & Compliance Division  
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**Subject: Categorical Exclusion Determination  
Pipeline Safety: Electronic Submission of Requests for Written  
Interpretations and Special Permits**

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### **FINAL ACTION**

In this final rule, PHMSA is making editorial corrections and non-substantive changes to 49 CFR part 190 to facilitate the electronic submission of requests for written interpretations and special permits. Specifically, § 190.11(b) specifies the procedures for obtaining a written regulatory interpretation, a response to a question, or an opinion concerning pipeline safety. PHMSA is revising § 190.11(b) to include an email address as an additional option for submitting the requests to PHMSA. Similarly, § 190.341(b) specifies the procedures for applying for a special permit. PHMSA is revising § 190.341(b) to add the option for applicants to submit requests for special permits electronically.

### **APPLICABLE CATEGORICAL EXCLUSION**

Categorical exclusions (CE) are categories of actions that the agency has determined normally do not significantly affect the quality of the human environment and therefore do not require either an environmental assessment (EA) or an environmental impact statement (EIS). [DOT Order 5610.1D](#), DOT's current National Environmental Policy Act (NEPA) procedures, notes in paragraph 9(f) that "[a]n OA may apply a CE established in another OA's procedures." PHMSA coordinated with the Federal Highway Administration (FHWA) to determine that the following FHWA CE is applicable to the action described above and can be used by PHMSA per Section 9(f) of DOT Order 5610.1D:

*Promulgation of rules, regulations, and directives.*<sup>1</sup>

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<sup>1</sup> 23 CFR 771.117(c)(20)

**UNUSUAL CIRCUMSTANCES**

Based on the scope of the action, PHMSA has determined that this rulemaking action does not meet the criteria for unusual circumstances listed in 23 CFR 771.117(b), which would require PHMSA to conduct appropriate environmental studies to determine if the CE classification is proper.

**DETERMINATION**

PHMSA analyzed the final rule and determined that the rulemaking will not adversely affect safety and will not significantly affect the quality of the human and natural environment. Based on the information provided in the final rule, including a review of unusual circumstances, PHMSA finds the final action qualifies as a Categorical Exclusion in accordance with Section 102 of the National Environmental Policy Act, 42 U.S.C. § 4332, DOT Order 5610.1D, Departmentwide National Environmental Policy Act Implementing Procedures, and 23 CFR 771.

**Approved by the Environmental Analysis and Compliance Division:**

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