



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.
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Subject: **Categorical Exclusion Determination**
Pipeline Safety: Clarification of Accident Reporting Requirements for
Hazardous Liquid and Carbon Dioxide Pipeline Facilities

FINAL ACTION

In this final rule, PHMSA is making editorial corrections and non-substantive changes to the accident reporting requirements for hazardous liquid and carbon dioxide pipeline facilities in the federal Pipeline Safety Regulations (49 CFR parts 190–199). Specifically, § 195.52 requires operators of hazardous liquid and carbon dioxide pipeline facilities to provide immediate notice of certain accidents to the National Response Center (NRC) either by telephone or electronically. The NRC no longer allows operators to provide electronic incident notifications. PHMSA is therefore revising § 195.52(b) to remove all references to electronic NRC submissions. Operators must provide notices of accidents to the NRC by telephone to 800-424-8802 or, in Washington, D.C., 202-267-2675. This correction will remove unnecessary delays in the process of operators reporting accidents to the NRC.

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.*¹

¹ 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:
