

Public Service Commission
West Virginia



Regulatory Update

MARY FRIEND

PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

Gas Pipeline Safety Staff

| | |
|---------------|-----------|
| Mary Friend | Director |
| Bob Weiford | Manager |
| David Hancock | Inspector |
| Keith Knowles | Inspector |
| Greg Lago | Inspector |
| Doug Riney | Inspector |
| Jim Searls | Inspector |

2 vacancies

Contact Information

24 Hour Emergency Reporting 304-340-0486

General E-mail GPS_INFO@psc.state.wv.us

Web Portal [Gas Pipeline Safety Launch Page - Public Service Commission of West Virginia \(state.wv.us\)](#) (password required)

Web Site [Gas Pipeline Safety - West Virginia Public Service Commission \(state.wv.us\)](#)

TYPE OF PIPELINE MILES

| Year | Hazardous Liquid ⁽¹⁾ | Gas Transmission (Intrastate) | Regulated Gas Gathering | Gas Distribution | | Total | Reporting Regulated Gas Gathering |
|------|---------------------------------|-------------------------------|-------------------------|------------------|----------|--------|-----------------------------------|
| | | | | Mains | Services | | |
| 2025 | 89 | 234 | 2,360 | 11,329 | 4,470 | 18,482 | 5,071 |
| 2024 | 89 | 195 | 2,495 | 11,300 | 4,475 | 18,554 | 5,112 |
| 2023 | 220 | 197 | 2,456 | 11,146 | 3,297 | 17,236 | 3,364 |
| 2022 | 163 | 221 | 2,507 | 11,052 | 2,302 | 16,245 | 3,335 ⁽²⁾ |
| 2021 | 142 | 212 | 317 | 11,054 | 2,289 | 14,014 | |

(1)Includes both transmission and gathering
 (2)2022 was first year of reporting Type R mileage

Special License Fee

Chapter 24B allow special license fee

- No additional data submission
- For Gas – using 2025 Annual Report
- For Hazardous Liquid – using 2024 Annual Report

Notify GPS as soon as possible if invoice needs to be sent to email or some other address other than listed on annual report

Damage and Excavation Report

Information now included on annual reports, so no need to file the separate report

| Inspection Performance | | | | | |
|-------------------------------|------------|-----------------|--------|-----------------------|----------------------------|
| Year | Inspectors | Inspection Days | | Number of Inspections | Regulated Pipeline Mileage |
| | | Required | Actual | | |
| 2025 | 5 FT, 1 PT | 416 | 680 | 323 | 18,482 |
| 2024 | 3 FT, 3 PT | 421 | 630 | 289 | 18,680 |
| 2023 | 6 FT, 1 PT | 421 | 682 | 271 | 17,236 |
| 2022 | 4 FT, 3 PT | 413 | 619 | 224 | 16,245 |
| 2021 | 3 FT, 3PT | 396 | 708 | 251 | 14,014 |

Other 2025 Numbers

Gas Pipeline Safety inspected:

- 100% of distribution operator
- 100% of gas transmission operators
- 92% of gas gathering operators
- 100% of hazardous liquid operators

- 50% of master meters

Other 2025 Numbers

Inspected 96% 134 gas units

Inspected 7 of 7 hazardous liquid units

Shared facilities or programs, one visit for multiple operators

Working with other states and PHMSA to reduce inspections

Other 2025 Numbers

318 major construction reports

- Visited 102 separate jobs
- Approximately 28% of inspection days on construction

- Two reportable incidents
 - House explosion
 - Relief valve

- One safety related condition

Incident Costs

§191.3 – Incident definition

- Estimated property damage
 - Loss to operators and others, or both, but excludes gas loss
- Cost may be adjusted annually
 - July 1, 2025 – increased to **\$149,700**
 - Check PHMSA website at <https://www.phmsa.dot.gov/incident-reporting>

Incident Costs

§150 CSR4, Section 9.6

- Remember West Virginia limit is still \$50,000, including gas lost
- Telephonic report to GPSD emergency number
 - 30 day written report

Drug and Alcohol

December 9, 2025, Federal Register Volume 90, No 234,
pg 57129-57130

- Rate of testing for covered employees to remain at 50% for calendar year 2026
- Positive rate below 1.0% for 2 consecutive calendar years – can lower rate
- Information submitted through PHMSA portal – DAMIS Reports

Drug and Alcohol

- NPRM on September 2, 2025
 - Changes to Part 40
 - Adding fentanyl to drug panel
 - Use of biomarkers and proposed oral testing as alternative method
- October 2, 2025
 - Updated Employer Handbook
- December 22, 2025
 - Marijuana still Schedule I

Drug and Alcohol

- March 4, 2026 – Notification: The Do's and Don'ts for the Substance Abuse Professional and the Return-to-Duty Process for USDOT D&A Testing Program
 - Substance Abuse Profession “gatekeeper” with recommending level of treatment needed to return to duty
 - Reminder to SAPs to follow procedures and their SAP responsibilities and return to duty process

Part 190 – Civil Penalties

- No change for 2026
- Federal Register Volume 89, Number 249
 - pages 89551-89568
- Increases civil penalties
 - Pipeline Safety Violation - \$272,926
 - Series maximum of \$2,729,245
 - Only on Federal side, states may have different rates

Advisory Bulletins

Notice Of Rescission

Rescission of ADB 2021-01 published June 18, 2025

PIPES Act of 2020 Section 114

- Terms such as fugitive or vented emissions not in statutes
- Included all pipeline facilities, instead of just gas.
- Gathering lines
- Significant costs and undue burdens

ADB 26-01

DIMP Considerations for Plastic Piping and Components

- Result of 2023 explosion West Reading, PA
- Degradation of abandoned plastic fittings related to elevated ground temperatures and ground movement
- Review
 - ADBs 99-02, 02-07, 07-01, 12-03, 20-02
 - DIMP FAQs, DIMP Enforcement Guidance, GPTC
- Provide additional actions

ADB 26-02

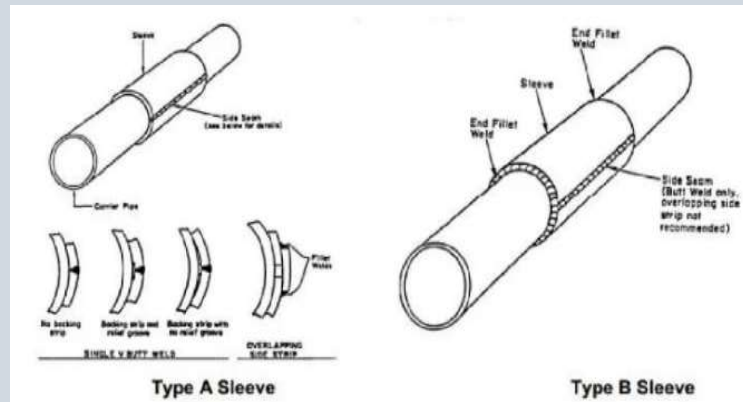
Integrity Risks of Type A Repair Sleeves

- Applicable to hazardous liquid operators, but apply to all operators who use Type A Sleeves
- Failures of sleeves due to improper installation, moisture intrusion, and ineffective assessment methods

ADB 26-02

Type A – Reinforcing only

Type B – Pressure containing



ADB 26-02

Integrity Risks of Type A Repair Sleeves

- 6 steps to manage integrity
 - Record maintenance and confirmation
 - Review of ILI data
 - Interactive Threat Assessments
 - Fatigue evaluation
 - Enhanced leak detection and monitoring
 - Mechanical and installation standards

ADB 26-03

Protecting Pipeline Integrity during Extreme Winter Weather, Rapid Thaw, and Geohazard Event

- Highlights safety risks associated with extreme weather including heavy snowfall, ice expansion, flooding, frost heave and ground movement, and unusually cold temperatures
- Provides measures such as accelerated field patrols, monitoring cold, inspecting above ground facilities and winterizing such facilities, communication with emergency responders, and reviewing geohazard plans
- P&M measures, document as such

ADB 26-04

Incident Notifications to the National Response Center

- Operators obligation to report incidents (and accidents) in accordance with reporting requirements
- Within one hour of confirmed discovery
- Confirmed discovery- when reasonably determined based on information available to the operator at the time a reportable event has occurred
- Events significant in the judgement of the operator
- Applicable to hazardous liquid operators as well

Rulemaking

Rulemaking Process

ANPRM – Advance Notice of Proposed Rulemaking

- Used to gather information (non-mandatory)

NPRM – Notice of Proposed Rulemaking

- Almost always required – Defines intent and scope

SNPRM – Supplemental Notice of Proposed Rulemaking

Rulemaking Process

FR – Final Rule

- Implementation date, 30 – 90 days depending on significance of regulation

DFR – Direct Final Rule

- Used for non-controversial issues such as technical updates, IBR document, date extensions, or minor changes
- Offers a chance to object or provide comments
- Confirmed or withdrawn

May 20, 2025

DFR - Editorial change to Gulf of America

- Changes to Part 191, 192 and 195

July 1, 2025

PHMSA issued

- 21 Directed final rules covering Part 190, 191, 192, 195
 - Regulatory process to implement non-controversial rules
- 17 affected Part 192, 7 affected Part 195, 2 affected Part 191, and 1 affected part 190
- 16 for standards updates, mostly material
- Others affected reports, changed incident costs calculations, clarified recordkeeping requirements, use of other technologies for ROW patrols

| Active DFR | Amendment | Topic |
|-------------------|------------------|----------------------------------------------------------|
| | 192-140 | API Spec 6D |
| | 195-109 | |
| | 141 | API RP1170, 1171 |
| | 192-142 | ASTM A53/A53A |
| | 195-112 | |
| | 192-143 | ASTM A381/A381M |
| | 195-113 | |
| | 144 | ASTM F2145 |
| | 145 | ASTM F2600 |
| | 146 | ASTM F2767 |
| | 147 | ASTM A578/A578M |
| | 148 | ASTM F2817 |
| | 149 | ASTM F2945 |
| | 150 | ASTM F1973 |
| | 151 | NFPA 70 |
| | 152 | PPI TR-3 |
| | 153 | PPI TR-4 |
| | 155c | MAOP record keeping Clarification (technical correction) |
| | 195-110 | API Std 620 |
| 195-112 | API RP 2026 | |

DFR later withdrawn on October 2, 2025

| Amendment | Topic |
|--------------------|---------------------------------------------|
| 191-35 | Reporting timelines |
| 191-36 195-115 | Incident definition |
| 192-154 195-116 | Remote sensing technologies for ROW patrols |

July 1, 2025

PHMSA issued

- 6 Notices of proposed rule making for Parts 190 and 192
 - Atmospheric coating assessment
 - Coating assessment duplication
 - In plant piping
 - Class location vs Subpart J pressure tests

July 1, 2025

| NPRM | Topic |
|--------------|--------------------------------------|
| 192.481 | Distribution Atmospheric Inspections |
| 192.8 | Incidental Gathering |
| 192.319, 461 | Coating assessments/repairs |
| 192.3 | In-plant piping definition |
| 192.611 | Test requirements for Class Changes |
| 190 | Special Permit Conditions |

August 20, 2025

Amdts 191-37, 192-156, and 195-117

- Effective January 10, 2026
- Updated 20 IBR documents
- Other editorial corrections
- Added new Appendix G for Guidance on moderate consequence areas (MCA's)

October 2, 2025

PHMSA accepted 21 directed final rules covering Part 190, 191, 192, 195 issued on July 1, 2026

- Withdrew 3 of the directed final rules regarding annual report filing dates, changes to incident and accident reports, and integration of innovative remote sensing technologies for patrols

January 14, 2026

Class Location Change Requirements

- Amendment 192-155
- Codifies an integrity management alternative for managing class location changes
- Alternative to special permits
- Eligible Class 3 locations (§192.3)
- Effective March 16, 2026

January 14, 2026

Class Location Change Requirements

- Changes to §§192.3, 192.7, 192.611, and 192.903
- Makes segment an HCA
- Comply with initial requirements to use IM alternative, including IM assessments and remediation, pressure testing, material record verification, rupture mitigation valves, CP and coating, and depth of cover
- Within 24 months of change
- Notification to PHMSA

January 14, 2026

Class Location Change Requirements

- 9 programmatic or recurring requirements to use IM alternative, including gas quality, CIS, patrolling, leak survey, class location studies, shorted casing, exposed pipe, and reassessments and remediation
- May use IM alternative to restore a previously established MAOP after complying with certain Subpart K and initial requirements

April 1, 2026

PHMSA denied INGAA petition for reconsideration of Amendment 192-155

“Sprints”

PHMSA issuing more

- Groups of rules called “sprints”
- Directed final rules
- Address comments, editorial corrections
- Become effective if no comments

Very large number DFR imminently

OTHER STUFF

Interpretations

PHMSA posting interpretation requests on line

- Posted for 1 month for public comment
- <https://www.phmsa.dot.gov/standards-rulemaking/pipeline/interpretations/pending-pipeline-interpretations>

Changes to Incident Form

Updated instruction to clarify gas releases

- Gas released by a relief valve or ESD system operating as intended by the manufacturer, the release is considered intentional
- Do not want incident reports on events that are not associated with equipment failures or malfunctions as those events do not represent safety risks.
- Look at abnormal operations (§192.605(c))

Input to Enforcement Procedures

March 24, 2026

Public copy of Administrative Enforcement Processes

Looking for input from stakeholders to improve these processes

Submit to phmsaenforcement@dot.gov

LOOKING FORWARD

Administration Change

Social cost of carbon and climate change have to be readdressed

Changes in priorities – many of recent proposed rules will need to re-evaluated to address change in priority

National NAPSR Meeting

- Paul Roberti and Linda Dougherty
- Return to safety issues and other priorities as outlined in July 2025 memo

PHMSA Inspection and Enforcement Priorities

- Issued July 17, 2025
- Identified priorities through analysis of
 - incident/accident data,
 - inspection/investigation findings, and
 - input from stakeholders

Certificated state authorities encouraged to follow these priorities

PHMSA Inspection and Enforcement Priorities

1. Incidents and Accidents
2. High and Moderate Consequence Areas
 - Includes Types A&C gathering lines
3. Control Room Management and Leak Detection
4. Damage Prevention
5. Transactions and Due Diligence

NTSB Recommendation

Letters to all Governors in April 2025 and again March 2026

Require the installation of natural gas alarms that meet the specifications of National Fire Protection Association 715 in businesses, residences, and other buildings where people congregate that could be affected by a natural gas leak. (P-25-5)

NPRM – Leak Detection

- Publication set for 1/20/25
 - Advance copies were over 900 pages long
 - Will need to be re-evaluated and retooled.

- Don't buy any leak detection equipment without looking at the change in detection requirements
- Start reviewing requirements for O&M manuals
 - Section 114 still mandate from PIPE 2020
- OQ for tasks

NPRM: Safety of Gas Distribution Pipelines



Published 9/7/23

- Addresses Leonel Rondon Act in the PIPES Act of 2020
- Concerns because of overpressure
- **Major Topics Under Consideration**
 - Distribution integrity management plans
 - Emergency response plans
 - Operations and maintenance – particularly overpressure protection and regulators
 - Low pressure distribution systems

Safety of Gas Distribution Pipelines

On hold pending re-evaluation

Cost benefit evaluation over \$100 million

Look at DIMP threats for overpressurization, record keeping for pressure controls, qualified personnel to monitor construction

Carbon Dioxide



Under Development

- Satartia, Mississippi incident, 2020
- In response to carbon capture initiatives, and the growth of CO₂ pipelines – both liquid and gaseous
 - Gaseous vs liquid pipelines
 - Vapor dispersion modeling for CO₂ pipelines
 - Crack arresters
 - Odorization

Next Action:

- Publish NPRM

Coastal Ecological Unusually Sensitive Areas (USAs)



- **Interim Final Rule (IFR) Published 12/27/2021**
 - Effective date 2/25/2022
 - API GPA petition/lawsuit
 - PHMSA response; stay of enforcement (low stress/gathering)
- **LPAC Meeting** on 8/17/2022
- **Major Topics**
 - Expand definition of USA to include Great Lakes, coastal beaches, and coastal waters
 - Subject pipelines in such areas to IM in 49 CFR 195
 - Updated USAs in the NPMS
 - **Next Action:** Publish final rule

Hazardous Liquid Repair Criteria



- **Under Development**
- Split from original HL NPRM/Final Rule
- Possible Part 192 implications
- **Major Topics Under Consideration**
 - Repairs in HCA and non-HCAs

Next Action:

- Publish NPRM

Hydrogen

Examining the use of hydrogen and blended hydrogen

- Approximately 1500 miles of existing hydrogen lines
- Some distribution lines blending up to 5% hydrogen in natural gas
- Covered by current Part 192
- Additional work on the effect of hydrogen on pipelines

Pipeline Operational Status



- **Under Development**
- **PIPES Act of 2020 defines an “idled pipeline”**
 - Will not resume service in 180 days
 - Has been isolated from all sources of hazardous liquid/natural gas, has been purged
- **API RP 1181** addresses idled pipelines
- **ADB 16-05 – Clarification of Terms Relating to Pipeline Operational Status**
- **Next Action:** Publish NPRM

Reconductoring

Replacing electrical transmission wires/conductors with advanced materials

Utilizes existing infrastructure with minimal impact to landowners along ROW and performed without excavation

Reconductoring

May create

- Severe alternating current (AC) interferences on co-located pipelines
- Disrupt cathodic protection systems
- Accelerate corrosion

Discovered months later during routine monitoring

ODDS & ENDS

New Associate Administrator soon

- From industry
- Final security checks

PHMSA Reauthorization

Agency must be reauthorized every four years

PIPES Act of 2020

Drafts in 2024, but change in administration will change priorities

Governor Order 6-25

Gas Pipeline Safety Division reviewed Chapter §150 CSR 4

- Over 100 items such as major construction, gathering, hazardous liquid, definitions
- According to USC §60105 certification, must follow minimum guidelines, but can write stricter rules

Chapter §150 CSR4

Utility Gas rules and pipeline safety into two separate sections

- Utility rules completed
- Working on Pipeline Safety Rules
 - Delete duplications where possible
 - Address gathering lines
- Public Review before approval

