

Federal pipeline safety rules face legal challenge

By Mike Soraghan

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A pipeline trade group has gone to court to challenge new federal safety requirements for "gathering pipelines" that took effect last week.

Gathering lines are often small pipelines, but some can be as big as long-haul transmission lines. They often carry natural gas from wellheads to processing sites. Pipeline companies, safety advocates and government regulators have been debating for years about the safety of the lines and the cost of regulating them.

Until now, gathering lines in rural areas haven't been required to be marked, built to standards or regularly inspected. Operators didn't need to have emergency response plans for when they leak or explode.

Under the rules the Pipeline and Hazardous Materials Safety Administration finalized in November, all lines greater than 8 inches in diameter must be built to standards and inspected before they begin operating. Operators must have emergency response plans and include the lines in "call before you dig programs." That is expected to cover about 100,000 miles of currently unregulated pipe.

In the legal [challenge](#) filed in the U.S. Court of Appeals for the District of Columbia Circuit before the rules went into effect, GPA Midstream Association did not lay out specific objections to the court, but in the past, group leaders have complained most pointedly about what they say are unreasonable deadlines in the PHMSA standards ([Energywire](#), Dec. 23, 2021).

"Asking our members to comply with the deadlines in the final rule is unreasonable, particularly given the ongoing challenges associated with the Covid-19 pandemic and related supply chain and workforce issues," Matthew Hite, vice president of government affairs at GPA Midstream, which represents companies operating gathering lines, said late last year.

GPA Midstream had previously joined with the American Petroleum Institute (API) to appeal provisions of the PHMSA regulations ([Energywire](#), May 5). GPA Midstream and API also asked PHMSA previously to extend compliance deadlines under the federal standards to 2025 for lines larger than 12 inches and 2028 for smaller pipelines. But API has not joined in the legal challenge before the appeals court.

The Pipeline Safety Trust, a Bellingham, Wash.-based safety advocacy group, yesterday called the legal challenge an "extreme action" that seeks to block long-overdue rules needed to protect the environment and people.

"This rule is one that states have been calling for, that the public has been calling for and that industry representatives largely agreed to at an advisory committee meeting," said Bill Caram, executive director of the group. "It's time for some basic, commonsense regulations on the largest of these pipelines and reporting on all of these pipelines."

Safety advocates say they're pressing for more regulation because explosions and leaks on the lines have killed people living or working nearby, including a 3-year-old girl killed in an explosion in 2018 ([Energywire](#), March 4, 2019).

Environmental groups say even small lines could be leaking large amounts of methane, a greenhouse gas 84 times more potent than carbon dioxide on a 20-year time scale.