

the absence of such cooperation. International regulatory cooperation can also reduce, eliminate, or prevent unnecessary differences in regulatory requirements.

Similarly, the Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing any standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. For purposes of these requirements, Federal agencies may participate in the establishment of international standards, so long as the standards have a legitimate domestic objective, such as providing for safety, and do not operate to exclude imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

PHMSA engages with international standards setting bodies to protect the safety of the American public. PHMSA has assessed the effects of the proposed rule and has determined that its proposed regulatory amendments will not cause unnecessary obstacles to foreign trade.

L. Cybersecurity and Executive Order 14028

E.O. 14028, *Improving the Nation's Cybersecurity*, directs the Federal Government to improve its efforts to identify, deter, and respond to “persistent and increasingly sophisticated malicious cyber campaigns.” PHMSA has considered the effects of the proposed rule and has determined that its proposed regulatory amendments would not materially affect the cybersecurity risk profile for pipeline facilities.

List of Subjects in 49 CFR Part 191

Pipeline safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, PHMSA proposes to amend 49 CFR part 191 as follows:

PART 191—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE; ANNUAL, INCIDENT, AND OTHER REPORTING

■ 1. The authority citation for part 191 continues to read as follows:

Authority: 30 U.S.C. 185(w)(3), 49 U.S.C. 5121, 60101 *et seq.*, and 49 CFR 1.97.

§ 191.11 [AMENDED]

■ 2. In § 191.11, remove the word “March” and add in its place the word “June”.

§ 191.17 [AMENDED]

■ 3. In § 191.17(a)(1), (a)(2), (b), and (c) remove the phrase “March 15” and add in its place the phrase “June 15”.

§ 191.29 [AMENDED]

■ 4. In § 191.29(b), remove the phrase “March 15” and add in its place the phrase “June 15”.

Issued in Washington, DC, on April 22, 2026, under the authority delegated in 49 CFR 1.97.

Paul J. Roberti,
Administrator.

[FR Doc. 2026–08081 Filed 4–23–26; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Parts 191 and 195

[Docket No. PHMSA–2026–1551]

RIN 2137–AG55

Pipeline Safety: Adjustment to OPID Notifications for Construction

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This NPRM proposes to increase the monetary threshold for Operator Identification Number notifications for certain construction and maintenance tasks on gas and hazardous liquid and carbon dioxide pipeline facilities. PHMSA is also proposing to adjust inflation adjustment procedures to provide a mechanism for updating these thresholds on an annual basis.

DATES: Comments must be received on or before June 23, 2026.

ADDRESSES: You may submit comments identified by the Docket Number PHMSA–2026–1551 using any of the following methods:

E-Gov Web: <https://www.regulations.gov>. This site allows the public to enter comments on any Federal Register notice issued by any agency. Follow the online instructions for submitting comments.

Mail: Docket Management System: U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

Hand Delivery: U.S. DOT Docket Management System: West Building Ground Floor, Room W12–140, 1200

New Jersey Avenue SE, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Fax: 1–202–493–2251.

For commenting instructions and additional information about commenting, see **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT:

Sayler Palabrica, Transportation Specialist, 1200 New Jersey Avenue SE, Washington, DC 20590, 202–281–5413, sayler.palabrica@dot.gov.

SUPPLEMENTARY INFORMATION:

I. General Discussion

Through this NPRM, PHMSA is proposing to revise §§ 191.22(c) and 195.64(c) to update to \$20 million the monetary threshold triggering an operator notification to PHMSA when the operator performs certain construction activities on natural gas and hazardous liquid pipeline facilities, and update to \$300,000 or more the monetary threshold triggering an operator notification to PHMSA when the operator performs certain maintenance tasks on underground natural gas storage facilities (UNGSF). PHMSA is also proposing in this NPRM to revise the property damage threshold inflation-indexing formula in Appendix A to Part 191 to broaden it and include inflation adjustments for these construction and maintenance activity notification thresholds.

Sections 191.22(c) and 195.64(c) currently require operators to notify PHMSA for “[c]onstruction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs \$10 million or more.” Section 191.22(c) also requires operators to notify PHMSA for “[m]aintenance of a UNGSF that involves the plugging or abandonment of a well, or that requires a workover rig and costs \$200,000 or more for an individual well, including its wellhead.”

In response to DOT’s request for information (90 FR 14593 (April 3, 2025)), the American Gas Association (AGA) and American Public Gas Association (APGA) requested that PHMSA update § 191.22(c) to account for inflation, stating that “construction costs have increased to the point that a minor regulating station upgrade in a high cost area such as [New York City] could easily result in costs that exceed the \$10 million threshold.”¹

¹ American Gas Association and American Public Gas Association, “Comments on Ensuring Lawful Regulation; Reducing Regulation and Controlling Regulatory Costs” (May 5, 2025), <https://www.aga.org/~/media/AGA/Files/2025/05/05/AGA-Comments-Ensuring-Lawful-Regulation-Reducing-Regulation-and-Controlling-Regulatory-Costs-050525.pdf>.

PHMSA agrees with AGA and APGA and is proposing to increase the base threshold amount for both notifications. Since construction notification requirements were put into place for pipelines in 2010 and for UNGSFs in 2020, inflation indexes associated with construction have increased sharply. The Producer Price Index (PPI) for construction materials has risen by 74 percent since 2010 and by 37 percent since 2020; the PPI for new nonresidential build construction has risen by 83 percent since 2010 and by 40 percent since 2020; the National Highway Construction Cost Index (NHCCI) has risen by 124 percent since 2010 and by 65 percent since 2020; and the Mortensen Construction Cost Index has increased by 105 percent since 2010 and by 43 percent since 2020.²

In response, PHMSA is proposing to increase the threshold for construction notifications to \$20 million for pipeline construction notifications and \$300,000 for UNGS construction notifications. In addition, PHMSA proposes to update the inflation adjustment methodology in Appendix A to Part 191 for updating these monetary thresholds on an annual basis based on published changes in the average annual PPI for construction materials for the most recent complete calendar year. Each year after calendar year 2026, the Administrator will publish a notice on PHMSA's website announcing the updates to the incident reporting and OPID construction notification property damage threshold criteria that will take effect on July 1 of that year and will remain in effect until the June 30 of the next year. This process is identical to the existing procedure for determining the incident reporting definition, albeit it references the PPI for construction materials rather than the CPI for all urban consumers. PHMSA, in a parallel action titled "Pipeline Safety: Property Damage Definition for Incident Reporting on Gas Pipelines and Accidents on Hazardous Liquid Pipelines," is proposing to adopt

a new Appendix D to Part 195 that mirrors the inflation adjustment procedures of Appendix A in Part 191. PHMSA repeats the proposed Appendix D language in both NPRMs. See Docket No. PHMSA–2025–0109, RIN 2137–AF78 for more information and analysis on the proposal to adopt an inflation adjustment to the property damage threshold criteria for accident reporting and National Response Center notification in subpart B to Part 195.

PHMSA does not expect that the proposed revisions would have any adverse effect on pipeline safety. In addition, the methodology for calculating the property damage criterion for incident reporting would remain unchanged.

Commenting Instructions: Please include the docket number PHMSA–2026–1551 at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA received your comments, include a self-addressed stamped postcard. Internet users may submit comments at <https://www.regulations.gov>.

Note: Comments are posted without changes or edits to <https://www.regulations.gov>, including any personal information provided. There is a privacy statement published on <https://www.regulations.gov>.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <https://www.dot.gov/privacy>.

Confidential Business Information: Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA, 5 U.S.C. 552), CBI is exempt from public disclosure. It is important that you clearly designate the comments submitted as CBI if: your comments responsive to this document contain commercial or financial information that is customarily treated as private; you actually treat such information as private; and your comment is relevant or responsive to this notice. Pursuant to 49 CFR 190.343, you may ask PHMSA to provide confidential treatment to information you give to the agency by taking the following steps: (1) mark each page of the original document

submission containing CBI as "Confidential;" (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information that you are submitting is CBI. Submissions containing CBI should be sent to Sayler Palabrica, Office of Pipeline Safety Standards and Rulemaking Division, Pipeline and Hazardous Materials Safety Administration (PHMSA), 2nd Floor, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, or by email at sayler.palabrica@dot.gov. Any materials PHMSA receives that is not specifically designated as CBI will be placed in the public docket.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Follow the online instructions for accessing the docket. Alternatively, you may review the documents in person at the street address listed above.

II. Regulatory Analysis and Notices

A. Legal Authority

This proposed rule is published under the authority of the Secretary of Transportation set forth in the Federal Pipeline Safety Laws (49 U.S.C. 60101 *et seq.*) and delegated to the PHMSA Administrator pursuant to 49 CFR 1.97.

B. Statutory Requirement and Executive Order 12866

The Federal Pipeline Safety Laws (49 U.S.C. 60102(b)) require that PHMSA prepare a risk assessment that identifies the costs and benefits associated with a proposed regulatory change. E.O. 12866, *Regulatory Planning and Review*, as implemented by DOT Order 2100.6B ("Policies and Procedures for Rulemaking") and DOT Order 2100.7 ("Ensuring Reliance upon Sound Economic Analysis in Department of Transportation Policies, Programs, and Activities"), requires agencies to regulate in the "most cost-effective manner," to make a "reasoned determination that the benefits of the intended regulation justify its costs," and to develop regulations that "impose the least burden on society." In arriving at those conclusions, E.O. 12866 requires that agencies should consider "both quantifiable measures . . . and qualitative measures of costs and benefits that are difficult to quantify" and "maximize net benefits . . . unless a statute requires another regulatory approach." E.O. 12866 also requires that "agencies should assess all costs and benefits of available regulatory alternatives, including the alternative of

www.regulations.gov/comment/DOT-OST-2025-0026-0897.

² Federal Reserve Bank of St. Louis, *Producer Price Index by Commodity: Special Indexes: Construction Materials* (last accessed Jan. 23, 2026), <https://fred.stlouisfed.org/series/WPUSI012011>; Federal Reserve Bank of St. Louis, *Producer Price Index by Commodity: Construction (Partial): New Nonresidential Building Construction* (last accessed Jan. 23, 2026), <https://fred.stlouisfed.org/series/WPU801>; DOT, *National Highway Construction Cost Index* (last accessed Jan. 23, 2026), https://explore.dot.gov/views/NHInflationDashboard/NHCCI_1?%3Aiid=1&%3Aembed=y&%3AisGuestRedirectFromVizportal=y&%3Adisplay_count=n&%3AshowVizHome=n&%3Aorigin=viz_share_link; Mortenson, *Construction Cost Index* (last accessed Jan. 23, 2026), <https://www.mortenson.com/cost-index>.

not regulating.” DOT Order 2100.6B directs that PHMSA and other Operating Administrations must generally choose the “least costly regulatory alternative that achieves the relevant objectives” unless required by law or compelling safety need. DOT Order 2100.6B also specifies that regulations should generally “not be issued unless their benefits are expected to exceed their costs” unless required by law or compelling safety need. DOT Order 2100.7 requires that “all rulemaking activities shall be based on sound economic principles and analysis supported by rigorous cost-benefit requirement.”

E.O. 12866 and DOT Order 2100.6B also require that PHMSA submit “significant regulatory actions” to the Office of Information and Regulatory Affairs (OIRA) within the Executive Office of the President’s Office of Management and Budget (OMB) for review. This proposed rule is a not significant regulatory action pursuant to E.O. 12866; OMB also has not designated this rule as a “major rule” as defined by the Congressional Review Act (5 U.S.C. 801 *et seq.*).

PHMSA has complied with the procedural and analytical requirements in E.O. 12866 as implemented by DOT Order 2100.6B and DOT Order 2100.7, as well as the requirements in 49 U.S.C. 60102(b), and preliminarily determined that this proposed rule will result in cost savings by reducing regulatory burdens for gas and hazardous liquid pipeline facility operators by reducing the number of notifications operators are required to submit. The accompanying Preliminary Regulatory Impact Analysis will provide detailed estimates of the potential costs savings to operators from reduced notification requirements. PHMSA estimates that the proposed rule would result in approximately \$21,005 in cost savings annually. PHMSA expects these cost savings may also result in reduced costs for the public to whom pipeline operators generally transfer a portion of their compliance costs. PHMSA also preliminarily determined that the proposed rule would not have any adverse effects on safety, as it only adjusts reporting requirements to keep up with inflation.

C. Executive Orders 14192 and 14219

This proposed rule, if finalized as proposed, is expected to be a deregulatory action pursuant to E.O. 14192, *Unleashing Prosperity Through Deregulation*. PHMSA estimates that the total costs of the NPRM on the regulated community will be less than zero. Nor does this rulemaking implicate any of

the factors identified in section 2(a) of E.O. 14219, *Ensuring Lawful Governance and Implementing the President’s “Department of Government Efficiency” Deregulatory Initiative*, indicative that a regulation is “unlawful . . . [or] that undermine[s] the national interest.”

D. Energy-Related Executive Orders 13211, 14154, and 14156

The President has declared in E.O. 14156, *Declaring a National Energy Emergency*, a national emergency to address America’s inadequate energy development production, transportation, refining, and generation capacity. Similarly, E.O. 14154, *Unleashing American Energy*, asserts a Federal policy to unleash American energy by ensuring access to abundant supplies of reliable, affordable energy from (inter alia) the removal of “undue burden[s]” on the identification, development, or use of domestic energy resources such as PHMSA-jurisdictional gases and hazardous liquids. PHMSA preliminarily finds this proposed rule is consistent with each of E.O. 14156 and E.O. 14154. The proposed rule will give affected pipeline operators relief from unnecessary notifications that are not safety related. PHMSA therefore expects the regulatory amendments in this proposed rule will in turn improve pipeline operators’ ability to provide abundant, reliable, affordable natural gas and hazardous liquid in response to residential, commercial, and industrial demand.

However, this proposed rule is not a “significant energy action” under E.O. 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*, which requires Federal agencies to prepare a Statement of Energy Effects for any “significant energy action.” Because this proposed rule is not a significant action under E.O. 12866, it will not have a significant adverse effect on supply, distribution, or energy use.

E. Executive Order 13132: Federalism

PHMSA analyzed this proposed rule in accordance with the principles and criteria contained in E.O. 13132, *Federalism*, and the Presidential Memorandum (“Preemption”) published in the **Federal Register** on May 22, 2009. E.O. 13132 requires agencies to assure meaningful and timely input by State and local officials in the development of regulatory policies that may have “substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and

responsibilities among the various levels of government.”

While the proposed rule may (when finalized) operate to preempt some State requirements, it would not impose any regulation that has substantial direct effects on the States, the relationship between the National Government and the States, or the distribution of power and responsibilities among the various levels of government. Section 60104(c) of the Federal Pipeline Safety Laws prohibits certain State safety regulation of interstate pipelines. Under the Federal Pipeline Safety Laws, States that have submitted a current certification under section 60105(a) can augment Federal pipeline safety requirements for intrastate pipelines regulated by PHMSA but may not approve safety requirements less stringent than those required by Federal law. A State may also regulate an intrastate pipeline facility that PHMSA does not regulate. The preemptive effect of the regulatory amendments in this proposed rule is limited to the minimum level necessary to achieve the objectives of the Federal Pipeline Safety Laws. Therefore, the consultation and funding requirements of E.O. 13132 do not apply.

F. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.* requires Federal agencies to conduct an Initial Regulatory Flexibility Analysis (IRFA) for a proposed rule subject to notice-and-comment rulemaking unless the agency head certifies that the proposed rule in the rulemaking will not have a significant economic impact on a substantial number of small entities. E.O. 13272, *Proper Consideration of Small Entities in Agency Rulemaking*, obliges agencies to establish procedures promoting compliance with the RFA. DOT posts its implementing guidance on a dedicated web page.³ This proposed rule was developed in accordance with E.O. 13272 and DOT implementing guidance to ensure compliance with the RFA. The proposed rule is expected to reduce regulatory burdens by raising the threshold for construction activities to require PHMSA notification. Further, the changes proposed here are not expected to impose additional burdens on any operator. Therefore, PHMSA certifies the proposed rule (if finalized) will not have a significant impact on a substantial number of small entities.

³ DOT, *Rulemaking Requirements Concerning Small Entities*, <https://www.transportation.gov/regulations/rulemaking-requirements-concerning-small-entities>.

G. *Unfunded Mandates Reform Act of 1995*

The Unfunded Mandates Reform Act (UMRA, 2 U.S.C. 1501 *et seq.*) requires agencies to assess the effects of Federal regulatory actions on State, local, and Tribal governments, and the private sector. For any proposed or final rule that includes a Federal mandate that may result in the expenditure by State, local, and Tribal governments, in the aggregate of \$100 million or more in 1996 dollars (\$203 million in 2024 dollars) in any given year, the agency must prepare, amongst other things, a written statement that qualitatively and quantitatively assesses the costs and benefits of the Federal mandate.

This proposed rule does not impose unfunded mandates under UMRA. PHMSA does not expect the proposed rule will result in costs of \$100 million or more (in 1996 dollars) per year for either State, local, or Tribal governments, or to the private sector.

H. *National Environmental Policy Act*

The National Environmental Policy Act (NEPA, 42 U.S.C. 4321 *et seq.*) requires that Federal agencies assess and consider the impact of major Federal actions on the human and natural environment.

PHMSA analyzed this proposed rule in accordance with NEPA and issues this draft Finding of No Significant Impact (FONSI). Increasing the notification threshold on certain construction and maintenance activities to account for inflation is procedural and does not change any substantive safety standards, construction methods, or environmental mitigation requirements; whether and how an operator performs those activities does not depend on the notification obligation. The notification to PHMSA is not to seek approval, but rather to maintain an accurate assessment of the Nation's pipeline infrastructure. Therefore, PHMSA has preliminarily determined that the rulemaking will not adversely affect safety and will not significantly affect the quality of the human and natural environment. The public is invited to comment on the impact of the proposed action.

I. *Executive Order 13175*

PHMSA analyzed this proposed rule according to the principles and criteria in E.O. 13175, *Consultation and Coordination with Indian Tribal Governments*, and DOT Order 5301.1A ("Department of Transportation Tribal Consultation Policies and Procedures"). E.O. 13175 requires agencies to assure meaningful and timely input from

Tribal government representatives in the development of rules that significantly or uniquely affect Tribal communities by imposing "substantial direct compliance costs" or "substantial direct effects" on such communities or the relationship or distribution of power between the Federal Government and Tribes.

PHMSA assessed the impact of the proposed rule and determined that it will not significantly or uniquely affect Tribal communities or Indian Tribal governments. The rulemaking's regulatory amendments have a broad, national scope; therefore, this proposed rule will not significantly or uniquely affect Tribal communities, much less impose substantial compliance costs on Native American Tribal governments or mandate Tribal action. For these reasons, PHMSA has concluded that the funding and consultation requirements of E.O. 13175 and DOT Order 5301.1A do not apply.

J. *Paperwork Reduction Act*

The Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR 1320.8(d) requires that PHMSA provide interested members of the public and affected agencies with an opportunity to comment on information collection and recordkeeping requests. PHMSA is proposing to revise § 191.22(c) to update to \$15 million the monetary threshold triggering an operator notification to PHMSA when the operator performs certain construction activities, and update to \$250,000 or more the monetary threshold triggering an operator notification to PHMSA when the operator performs certain maintenance tasks on underground natural gas storage facilities (UNGSF). PHMSA currently receives, on average, 469 Type F notifications, annually, via the Operator Registry Notification Form (PHMSA F 1000.2). As a result of this change, PHMSA expects to receive 117 fewer Type F notifications.

PHMSA will submit the following information collection request to OMB for approval based on the adjustments in this proposed rule. This information collection is contained in the Federal Pipeline Safety Regulations, 49 CFR part 191. The following information is provided for this information collection: (1) Title of the information collection; (2) OMB control number; (3) Current expiration date; (4) Type of request; (5) Abstract of the information collection activity; (6) Description of affected public; (7) Estimate of total annual reporting and recordkeeping burden; and (8) Frequency of collection. The information collection burden for the

following information collections is estimated to be revised as follows:

Title: OPID Assignment Request and Registry Notifications.

OMB Control Number: 2137–0627.

Current Expiration Date: 6/30/2028.

Type of Request: Revision.

Abstract: The National Registry of Pipeline and LNG Operators is the storehouse for the reporting requirements for an operator regulated or subject to reporting requirements under 49 CFR parts 192, 193, or 195. This mandatory information collection requires jurisdictional pipeline operators to submit the required data to register with the National Registry of Pipeline and LNG Operators and notify PHMSA when they experience significant asset changes, including new construction, that affect PHMSA's ability to monitor and assess pipeline safety performance with accuracy. Certain types of changes to, or within, an operator's facilities or pipeline network represent potential safety-altering activities for which PHMSA may need to inspect, investigate, or otherwise oversee to ensure that any public safety concerns are adequately and proactively addressed. The forms for assigning and maintaining OPID information are the Operator Assignment Request Form (PHMSA F 1000.1) and Operator Registry Notification Form (PHMSA F 1000.2). The purpose of this information collection is to maintain an accurate assessment of the Nation's pipeline infrastructure and to be kept abreast of conditions that could potentially compromise the safety and economic viability of the U.S. pipeline system. Due to the provisions contained within the Pipeline Safety: Adjustment to OPID Notifications for Construction NPRM, PHMSA expects to receive fewer notifications pertaining construction activities and maintenance tasks.

Affected Public: Operators of natural gas and hazardous liquid pipeline systems and operators of liquefied natural gas facilities.

Annual Reporting and Recordkeeping Burden:

Estimated number of responses: 627

Estimated annual burden hours: 627.

Frequency of collection: On occasion.

Requests for copies of this information collection should be directed to Angela Hill at angela.hill@dot.gov. Comments are invited on:

(a) The need for the proposed collection of information for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) The accuracy of the agency's estimate of the burden of the revised

collection of information, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques.

Send comments directly to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attn: Desk Officer for the Department of Transportation, 725 17th Street NW, Washington, DC 20503. Comments should be submitted on or prior to June 23, 2026.

K. Executive Order 13609 and International Trade Analysis

E.O. 13609, *Promoting International Regulatory Cooperation*, requires agencies to consider whether the impacts associated with significant variations between domestic and international regulatory approaches are unnecessary or may impair the ability of American business to export and compete internationally. In meeting shared challenges involving health, safety, labor, security, environmental, and other issues, international regulatory cooperation can identify approaches that are at least as protective as those that are or would be adopted in the absence of such cooperation. International regulatory cooperation can also reduce, eliminate, or prevent unnecessary differences in regulatory requirements.

Similarly, the Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing any standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. For purposes of these requirements, Federal agencies may participate in the establishment of international standards, so long as the standards have a legitimate domestic objective, such as providing for safety, and do not operate to exclude imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

PHMSA engages with international standards setting bodies to protect the safety of the American public. PHMSA has assessed the effects of the proposed rule and has determined that its proposed regulatory amendments will

not cause unnecessary obstacles to foreign trade.

L. Cybersecurity and Executive Order 14028

E.O. 14028, *Improving the Nation's Cybersecurity*, directs the Federal Government to improve its efforts to identify, to deter, and to respond to “persistent and increasingly sophisticated malicious cyber campaigns.” PHMSA has considered the effects of the proposed rule and has determined that its proposed regulatory amendments would not materially affect the cybersecurity risk profile for pipeline facilities.

List of Subjects

49 CFR Part 191

Natural gas, Notification requirements, Pipeline safety.

49 CFR Part 195

Carbon oxides, Notification requirements, Petroleum, Pipeline safety.

For the reasons set forth above, PHMSA proposes to amend 49 CFR parts 191 and 195 as follows:

PART 191—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE; ANNUAL, INCIDENT, AND OTHER REPORTING

■ 1. The authority citation for Part 191 continues to read as follows:

Authority: 30 U.S.C. 185(w)(3), 49 U.S.C. 5121, 60101 *et seq.*, and 49 CFR 1.97.

■ 2. In § 191.22 revise the introductory text of (c)(1) and revise paragraphs (c)(1)(i) and (c)(1)(iv) to read as follows:

§ 191.22 National Registry of Operators

* * * * *

(c) * * *

(1) An operator must notify PHMSA of any of the following events at least 60 days before the event occurs. For inflation adjustments observed in calendar year 2026 onwards, changes to the monetary reporting thresholds below will be posted on PHMSA’s website. These changes will be determined in accordance with the procedures in Appendix A to Part 191:

(i) Construction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs \$15 million or more. If 60-day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable;

* * * * *

(iv) Maintenance of a UNGSF that involves the plugging or abandonment

of a well, or that requires a workover rig and costs \$250,000 or more for an individual well, including its wellhead. If 60-day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable;

* * * * *

■ 3. Revise Appendix A to Part 191 to read as follows:

Appendix A to Part 191—Procedure for Determining Reporting Thresholds

I. Reporting Threshold Formula

Each year after calendar year 2026, the Administrator will publish a notice on PHMSA’s website announcing the updates to the incident reporting property damage threshold and OPID construction notification criteria that will take effect on July 1 of that year and will remain in effect until the June 30 of the next year. The reporting threshold used in this part shall be determined in accordance with the following formula:

$$T_r = T_p \times \frac{PI_r}{PI_p}$$

Where:

T_r is the revised reporting threshold,
 T_p is the previous reporting threshold,
 PI_r is the average price index published by the Bureau of Labor Statistics each month during the most recent complete calendar year. PHMSA will use the Consumer Price Indices for all Urban Consumers for incident reporting and the Producer Price Index for construction materials for OPID construction notifications.

PI_p is the average price index for the calendar year used to establish the previous incident reporting property damage criteria or OPID construction notification criteria, as appropriate.

PART 195—TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE

■ 4. The authority citation for Part 195 continues to read as follows:

Authority: 30 U.S.C. 185(w)(3), 49 U.S.C. 5103, 60101 *et seq.*, and 49 CFR 1.97.

■ 5. In § 195.64, revise paragraph (c)(1)(i) to read as follows:

§ 195.64 National Registry of Operators

* * * * *

(c) * * *

(1) * * *

(i) Construction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs \$20 million or more. If 60-day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable. For inflation adjustments observed in calendar year 2026 onwards, changes to the monetary reporting thresholds

below will be posted on PHMSA's website. These changes will be determined in accordance with the procedures in Appendix D to Part 195;

* * * * *

■ 6. Add appendix D to Part 195 to read as follows

Appendix D to Part 195—Procedure for Determining Reporting Thresholds

I. Reporting Threshold Formula

Each year after calendar year 2026, the Administrator will publish a notice on PHMSA's website announcing the updates to property damage threshold criteria for accident reporting, National Response Center (NRC) notification, and construction notifications that will take effect on July 1 of that year and will remain in effect until the June 30 of the next year. The reporting threshold used in this part shall be determined in accordance with the following formula:

$$T_r = T_p \times \frac{PI_r}{PI_p}$$

Where:

T_r is the revised reporting threshold,
 T_p is the previous reporting threshold,
 PI_r is the average price index published by the Bureau of Labor Statistics each month during the most recent complete calendar year. PHMSA will use the Consumer Price Indices for all Urban Consumers for accident reporting and NRC notifications and the Producer Price Index for construction materials for OPID construction notifications.

PI_p is the average price index for the calendar year used to establish the previous property damage criteria for accident reporting, NRC notification, or construction notification, as appropriate.

Issued in Washington, DC, on April 22, 2026, under the authority delegated in 49 CFR 1.97.

Paul J. Roberti,
 Administrator.

[FR Doc. 2026-08082 Filed 4-23-26; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Parts 191 and 195

[Docket No. PHMSA-2025-0109]

RIN 2137-AF78

Pipeline Safety: Property Damage Definition for Reporting Incidents on Gas Pipelines and Accidents on Hazardous Liquid and Carbon Dioxide Pipelines

AGENCY: Pipeline and Hazardous Materials Safety Administration

(PHMSA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: PHMSA proposes to revise the definition of property damage for determining when a release from a gas, hazardous liquid, or carbon dioxide pipeline facility meets the definition of a reportable incident or accident, including for immediate notifications to the National Response Center. This NPRM addresses comments received in response to a now-withdrawn direct final rule covering the same topic.

DATES: Comments must be received on or before June 23, 2026.

ADDRESSES: You may submit comments identified by the Docket Number PHMSA-2025-0109 using any of the following methods:

E-Gov Web: <https://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the online instructions for submitting comments.

Mail: Docket Management System: U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

Hand Delivery: U.S. DOT Docket Management System: West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Fax: 1-202-493-2251.

For commenting instructions and additional information about commenting, see **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT:

Sayler Palabrica, Transportation Specialist, 1200 New Jersey Avenue SE, Washington, DC 20590, 202-744-0825, sayler.palabrica@dot.gov.

SUPPLEMENTARY INFORMATION:

I. General Discussion

On July 1, 2025, PHMSA published a direct final rule (DFR) clarifying the property damage thresholds that apply in determining whether a release is a reportable incident pursuant to 49 CFR 191.9 or 191.15 or reportable accident pursuant to 49 CFR 195.50(e) to exclude certain indirect costs associated with accessing the facility to perform repairs (90 FR 28050 (July 1, 2025)). The DFR would have also adopted for hazardous liquid and carbon dioxide pipeline accident reporting under Part 195 the inflation adjustment methodology that was previously adopted for reporting gas pipeline incidents in § 191.3 and

Appendix A to Part 191. PHMSA received four comments from the public in response to the DFR, including adverse comments as defined in 49 CFR 190.339(b). PHMSA therefore withdrew the DFR in accordance with the Agency's DFR procedures in § 190.339. For the reasons described in the DFR and this NPRM, PHMSA repropose the amendments in the DFR with revisions to address public comments.

The American Petroleum Institute, the Liquid Energy Pipeline Association, and Enbridge submitted comments noting that the DFR creates a misalignment between the property damage criterion for submitting 30-day reports of accidents under § 195.50 and the immediate notifications to the National Response Center (NRC) under § 195.52.^{1 2} In comparison, the requirements for NRC notifications for gas pipeline incidents in § 191.5 cross-reference the incident definition in § 191.3 and, therefore, the criteria remain aligned. Enbridge also recommended an editorial correction to a cross-reference in Appendix D to Part 195. PHMSA notes that the omission of updates for the NRC reporting criteria in § 195.52 was not intended.

The Pipeline Safety Trust (PST) and the Environmental Defense Fund (EDF) submitted comments objecting to the DFR on procedural grounds.^{3 4} These commenters also raised concern that the revised property damage threshold for reporting accidents and other clarifications to the property damage definition would reduce the amount of safety data available to the public and to PHMSA. PST commented that it was unclear whether the DFR applied to carbon dioxide pipelines and raised concerns that that the accident criteria already filter out "many large and potentially dangerous safety-related

¹ American Petroleum Institute and Liquid Energy Pipeline Association, "Comment on Pipeline Safety: Property Damage Definition for Incident Reporting on Gas Pipelines and Accidents on Hazardous Liquid Pipelines" at 2 (Sep. 2, 2025), <https://www.regulations.gov/comment/PHMSA-2025-0109-0004>.

² Enbridge, "Comment on Pipeline Safety: Property Damage Definition for Incident Reporting on Gas Pipelines and Accidents on Hazardous Liquid Pipelines" at 1 (July 25, 2025), <https://www.regulations.gov/comment/PHMSA-2025-0109-0002>.

³ Pipeline Safety Trust, "Comment on Pipeline Safety: Property Damage Definition for Incident Reporting on Gas Pipelines and Accidents on Hazardous Liquid Pipelines" (Sept. 2, 2025), <https://www.regulations.gov/comment/PHMSA-2025-0109-0003>.

⁴ Environmental Defense Fund, "Comment on Pipeline Safety: Property Damage Definition for Incident Reporting on Gas Pipelines and Accidents on Hazardous Liquid Pipelines" (Sept. 2, 2025), <https://www.regulations.gov/comment/PHMSA-2025-0109-0005>.