

**Part 192/195 Evaluation Project**  
**Advisory Committee Action: Information**  
**Contact: Mike Israni**

Project Objectives:

The Part 192/195 Evaluation Project was initiated to evaluate current regulations and identify:

- “hole” – categories of pipelines not subject to PHMSA safety regulations (e.g., production facilities),
- “gaps” – topics addressed in one part but not in the other, and
- “differences” – Parts 192 & 195 address the same subject, but do so differently.

The project also includes finding “deficiencies” in the current regulations that are worthy of correction. These “deficiencies” are generally of two types:

- regulatory language which is not clear enough to support enforcement actions and
- areas in which current requirements are not dealing with potentially important risks (e.g., there is no requirement to maintain depth of cover).

Part 192/195 Evaluation project also involves review of congressionally established jurisdiction and conscious exclusion from current regulations.

Background:

Much of the code has been in place for decades while much has changed. It is time for a fresh look. Our goals are no gaps, no overlaps, and revisions that clarify our requirements.

PHMSA’s 192-195 Regulations Evaluation Team includes Senior Headquarters staff, Regional and State inspectors, Senior Training & Qualification representatives and Attorneys.

Status:

By fall 2010, Team collected enough information and began evaluation of major holes, gaps and differences. Team reviewed enabling/authorizing legislation, particularly with respect to jurisdictional areas where we do not regulate. Team reviewed special permits, advisory bulletins, NTSB recommendations, NAPSR resolutions, PHMSA interpretations and high visibility accidents.

Candidate topics for regulatory change were evaluated. Topics were ranked for potential safety significance and likely level of controversy, and topics that are amenable to being addressed in a common rulemaking were grouped into possible regulatory packages.

Path Forward:

The resulting list of potential regulatory packages will be presented in a report for consideration by PHMSA management in preparing/updating the agency’s pipeline safety regulatory agenda.