

allow continued operation of the pipeline subject to alternative safety requirements.

(e) *Changes in unusually sensitive areas.* (1) If, after June 3, 2008, for Category 1 rural low-stress pipelines or October 1, 2011 for Category 2 rural low-stress pipelines, an operator identifies a new USA that causes a segment of pipeline to meet the criteria in paragraph (b) of this Section as a Category 1 or Category 2 rural low-stress pipeline, the operator must:

(i) Comply with the IM program requirement in paragraph (c)(1)(iii)(A) or (c)(2)(iii)(A) of this Section, as appropriate, within 12 months following the date the area is identified regardless of the prior categorization of the pipeline; and

(ii) Complete the baseline assessment required by paragraph (c)(1)(iii)(C) or (c)(2)(iii)(C) of this Section, as appropriate, according to the schedule in § 195.452(d)(3).

(2) If a change to the boundaries of a USA causes a Category 1 or Category 2 pipeline segment to no longer be within one-half mile of a USA, an operator must continue to comply with paragraph (c)(1)(iii) or paragraph (c)(2)(iii) of this section, as applicable, with respect to that segment unless the operator determines that a release from the pipeline could not affect the USA.

(f) *Record Retention.* An operator must maintain records demonstrating compliance with each requirement applicable to the category of pipeline according to the following schedule.

(1) An operator must maintain the segment identification records required in paragraph (c)(1)(i), (c)(2)(i) or (c)(3)(i) of this Section for the life of the pipe.

(2) Except for the segment identification records, an operator must maintain the records necessary to demonstrate compliance with each applicable requirement set forth in paragraph (c) of this section according to the record retention requirements of the referenced section or subpart.

[76 FR 25587, May 5, 2011, as amended at 76 FR 43605, July 21, 2011]

§ 195.13 What requirements apply to pipelines transporting hazardous liquids by gravity?

(a) *Scope.* Pipelines transporting hazardous liquids by gravity must comply with the reporting requirements of subpart B of this part.

(b) *Implementation period*—(1) *Annual reporting.* Comply with the annual reporting requirements in subpart B of this part by March 31, 2021.

(2) *Accident and safety-related reporting.* Comply with the accident and safety-related condition reporting requirements in subpart B of this part by January 1, 2021.

(c) *Exceptions.* (1) This section does not apply to the transportation of a hazardous liquid in a gravity line that meets the definition of a low-stress pipeline, travels no farther than 1 mile from a facility boundary, and does not cross any waterways used for commercial navigation.

(2) The reporting requirements in §§ 195.52, 195.61, and 195.65 do not apply to the transportation of a hazardous liquid in a gravity line.

(3) The drug and alcohol testing requirements in part 199 of this subchapter do not apply to the transportation of a hazardous liquid in a gravity line.

[Amdt. 195–102, 84 FR 52294, Oct. 1, 2019]

§ 195.15 What requirements apply to reporting-regulated-only gathering lines?

(a) *Scope.* Gathering lines that do not otherwise meet the definition of a regulated rural gathering line in § 195.11 and any gathering line not already covered under § 195.1(a)(1), (2), (3) or (4) must comply with the reporting requirements of subpart B of this part.

(b) *Implementation period*—(1) *Annual reporting.* Operators must comply with the annual reporting requirements in subpart B of this part by March 31, 2021.

(2) *Accident and safety-related condition reporting.* Operators must comply with the accident and safety-related condition reporting requirements in subpart B of this part by January 1, 2021.

(c) *Exceptions.* (1) This section does not apply to those gathering lines that

§ 195.18

are otherwise excepted under § 195.1(b)(3), (7), (8), (9), or (10).

(2) The reporting requirements in §§ 195.52, 195.61, and 195.65 do not apply to the transportation of a hazardous liquid in a gathering line that is specified in paragraph (a) of this section.

(3) The drug and alcohol testing requirements in part 199 of this subchapter do not apply to the transportation of a hazardous liquid in a gathering line that is specified in paragraph (a) of this section.

[Amdt. 195–102, 84 FR 52294, Oct. 1, 2019]

§ 195.18 How to notify PHMSA.

(a) An operator must provide any notification required by this part by:

(1) Sending the notification by electronic mail to *InformationResourcesManager@dot.gov*; or

(2) Sending the notification by mail to ATTN: Information Resources Manager, DOT/PHMSA/OPS, East Building, 2nd Floor, E22–321, 1200 New Jersey Ave. SE, Washington, DC 20590.

(b) An operator must also notify the appropriate State or local pipeline safety authority when an applicable pipeline segment is located in a State where OPS has an interstate agent agreement, or an intrastate pipeline segment is regulated by that State.

(c) Unless otherwise specified, if an operator submits, pursuant to § 195.258, § 195.260, § 195.418, § 195.419, § 195.420 or § 195.452 a notification requesting use of a different integrity assessment method, analytical method, sampling approach, compliance timeline, or technique (e.g., “other technology” or “alternative equivalent technology”) than otherwise prescribed in those sections, that notification must be submitted to PHMSA for review at least 90 days in advance of using that other method, approach, compliance timeline, or technique. An operator may proceed to use the other method, approach, compliance timeline, or technique 91 days after submittal of the notification unless it receives a letter from the Associate Administrator of Pipeline Safety informing the operator that PHMSA objects to the proposal, or that PHMSA

49 CFR Ch. I (10–1–23 Edition)

requires additional time and/or information to conduct its review.

[Amdt. 195–105, 87 FR 20987, Apr. 8, 2022]

Subpart B—Annual, Accident, and Safety-Related Condition Reporting

§ 195.48 Scope.

This Subpart prescribes requirements for periodic reporting and for reporting of accidents and safety-related conditions. This Subpart applies to all pipelines subject to this Part. An operator of a Category 3 rural low-stress pipeline meeting the criteria in § 195.12 is not required to complete those parts of the hazardous liquid annual report form PHMSA F 7000–1.1 associated with IM or high consequence areas.

[76 FR 25588, May 5, 2011]

§ 195.49 Annual report.

Each operator must annually complete and submit DOT Form PHMSA F 7000–1.1 for each type of hazardous liquid pipeline facility operated at the end of the previous year. An operator must submit the annual report by June 15 each year, except that for the 2010 reporting year the report must be submitted by August 15, 2011. A separate report is required for crude oil, HVL (including anhydrous ammonia), petroleum products, carbon dioxide pipelines, and fuel grade ethanol pipelines. For each state a pipeline traverses, an operator must separately complete those sections on the form requiring information to be reported for each state.

[75 FR 72907, Nov. 26, 2010]

§ 195.50 Reporting accidents.

An accident report is required for each failure in a pipeline system subject to this part in which there is a release of the hazardous liquid or carbon dioxide transported resulting in any of the following:

(a) Explosion or fire not intentionally set by the operator.

(b) Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8