

**UNITED STATES DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
WASHINGTON, D.C.**

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<b>Safety of Gas Gathering Pipelines:</b>	)	
<b>Extension of Reporting Requirements,</b>	)	<b>Docket No. PHMSA-2011-0023</b>
<b>Regulation of Large, High-Pressure</b>	)	
<b>Lines, and Other Related Amendments</b>	)	
	)	

**SUPPLEMENTAL FILING IN SUPPORT OF MOTION TO STAY**

On December 15, 2021, the GPA Midstream Association (GPA) and American Petroleum Institute (API), collectively the Associations, filed a Motion to Stay (Motion) and Petition for Reconsideration (Petition) of the Final Rule that the Pipeline and Hazardous Materials Safety Administration (PHMSA or the Agency) recently issued in the above-captioned proceeding. In the Motion, the Associations asked PHMSA to stay certain requirements in the Final Rule to avoid the irreparable harm that gathering line operators will suffer if those regulations go into effect as planned on May 16, 2022.<sup>1</sup> The Associations asked the Agency to grant that stay pending a decision on the relief sought in the Petition.

On January 13, 2022, the United States Government Accountability Office (GAO) issued a report, entitled “PIPELINE SAFETY: Operators of Natural Gas and Hazardous Liquid Gathering Lines Face Data Collection Challenges,” which contains findings that bear directly on the relief sought in the Motion. The GAO’s findings confirm that onshore gas gathering line operators will experience significant hardship in complying with the new reporting requirements in the Final Rule, particularly small operators who lack the resources necessary to collect the requisite data.<sup>2</sup>

As important, the GAO’s findings confirm that historically unregulated onshore gas gathering lines will experience a degree of hardship that far exceeds the burdens imposed in comparable rulemaking proceedings.<sup>3</sup> The GAO notes that, according to PHMSA’s own estimates, 500 onshore gas gathering line operators will be impacted by the new reporting requirements, which is more than 5 times the number of operators affected by the Agency’s recently established reporting requirements for historically unregulated hazardous liquid gathering

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<sup>1</sup> As explained in the Motion, the Associations specifically asked the Agency to stay the requirements in 49 C.F.R. §§ 191.3, 191.5, 191.15(a)(1), 191.17(a)(1), 191.23(a), 192.8(a)(5), and 192.8(b)(1) in certain respects.

<sup>2</sup> U.S. Gov’t Accountability Off., GAO-22-104817, *PIPELINE SAFETY: Operators of Natural Gas and Hazardous Liquid Gathering Lines Face Data Collection Challenges* (2022) at 9.

<sup>3</sup> *Id.* at 11-14.

lines.<sup>4</sup> The GAO further notes that the new reporting requirements will apply to 400,000-plus miles of onshore gas gathering lines, which is more than 10 times the total mileage of hazardous liquid gathering lines in the United States.<sup>5</sup>

The Associations respectfully request that the Agency consider the GAO's findings as further support for granting the relief sought in the Motion. Gas gathering line operators will suffer irreparable harm if PHMSA does not agree to stay certain aspects of the new reporting requirements pending a decision on the Petition.

Respectfully Submitted,



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<sup>4</sup> *Id.* at 13.

<sup>5</sup> *Id.* at 11-12.