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## Supplemental Memorandum

**To:** Public Service Commission of Utah  
**From:** Utah Division of Public Utilities  
Chris Parker, Director  
Brenda Salter, Assistant Director  
Jimmy Betham, Senior Pipeline Safety Engineer  
Connie Hendricks, Program Specialist I  
**Date:** February 26, 2026  
**Re:** **Docket No. 26-R409-01, Proposed Change to Public Service Commission Rule R746-409-1 Supplemental Memorandum**

## Recommendation (Approval)

The Division of Public Utilities (Division) recommends the Public Service Commission (PSC or Commission) update its rules concerning pipeline safety to incorporate by reference the most recent version of the applicable federal rules. Utah Administrative Code R746-409-1 is where the change should be made. The date should be updated from September 1, 2023, to September 1, 2025.

## Issue

The Division is providing this Updated Memorandum to include quoted summaries from the applicable Federal Register for the amendments listed below for easier reference to review each summary.

## Discussion

Current PSC R746-409-1.B:

R746-409. Pipeline Safety.



R746-409-1. General Provisions.

B. Adoption of parts of CFR Title 49 – The Commission adopts and incorporates by this reference the following parts of CFR Title 49, effective September 1, 2023:

1. Part 190 with the exclusion of Part 190.223 which is superseded by Title 54, Chapter 13, Part 8, Violation of chapter – Penalty;
2. Part 191;
3. Part 192;
4. Part 193;
5. Part 198; and
6. Part 199.

**Reason for change to rule:**

Federal guidelines for states participating in the Federal Pipeline Safety Grant program require that those states update their rules regarding federal regulations periodically to adopt amendments that have been added to the regulations after the date currently shown in PSC Rules.

Amendments have been added to Parts 190, 191 and 192 since September 1, 2023. The amendments are summarized, with direct quotes from the applicable Federal Register documentation provided in the links below each summary. The amendments include an estimate of the cost to operators for compliance with these amendments. Whenever the comments use the word “no substantive change”, this is in relation to changes in costs of operation.

**Part 190:**

**Final rule. Revisions to Civil Penalty Amounts, 2024 and 2025**

This final rule provides the statutorily prescribed 2024 adjustment to civil penalty amounts that may be imposed for violations of certain DOT regulations. <sup>1</sup>

This final rule provides the statutorily prescribed 2025 adjustment to civil penalty amounts that may be imposed for violations of certain DOT regulations. <sup>2</sup>

The amendments are revisions for the increase of Civil Penalty Amounts in 190.223. This subpart is excluded per PSC Rule 746-409-1 (B) (1). **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2023-28066>

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2024-30608>

**Part 191:**

**Final Rule. Pipeline Safety: Editorial Change To Reflect the Name Change of the Gulf of Mexico to the Gulf of America**

As directed by the Executive order of January 20, 2025, "Restoring Names that Honor American Greatness," PHMSA is amending its regulations to change the name of the body of water known previously as the "Gulf of Mexico" to the "Gulf of America." <sup>3</sup> **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2025-08988>

**Part 192:**

**Final Rule. Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments**

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<sup>1</sup> Federal Register / Vol. 88, No. 248 / Thursday, December 28, 2023 / Rules and Regulations

<sup>2</sup> Federal Register / Vol. 89, No. 249 / Monday, December 30, 2024 / Rules and Regulations

<sup>3</sup> Federal Register / Vol. 90, No. 96 / Tuesday, May 20, 2025 / Rules and Regulations

PHMSA is amending the Federal pipeline safety regulations (PSRs) to incorporate by reference all or parts of more than 20 new or updated voluntary, consensus industry technical standards. This action allows pipeline operators to use current technologies, improved materials, and updated industry and management practices. Additionally, PHMSA is clarifying certain regulatory provisions and making several editorial corrections.<sup>4</sup> **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2024-08624>

**Final Rule. Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards: Response to Petition for Reconsideration; Additional Technical Corrections**

In response to a Petition for Reconsideration of an August 1, 2023, technical correction rule, PHMSA is issuing additional corrections codifying a decision of the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) regarding the final rule titled "Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards."<sup>5</sup> **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2024-14116>

**Final Rule; Correction. Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments; Technical Correction**

PHMSA is issuing a technical correction to regulations promulgated in its April 29, 2024, final rule titled "Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments." The correction addresses text that was inadvertently deleted or omitted by the final rule.<sup>6</sup> **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2024-14115>

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<sup>4</sup> Federal Register / Vol. 89, No. 83 / Monday, April 29, 2024 / Rules and Regulations

<sup>5</sup> Federal Register / Vol. 89, No. 125 / Friday, June 28, 2024 / Rules and Regulations

<sup>6</sup> Federal Register / Vol. 89, No. 125 / Friday, June 28, 2024 / Rules and Regulations

**Final rule; technical amendments; response to petition for reconsideration. Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments; Additional Technical Amendments; Response to Petition for Reconsideration**

PHMSA is issuing technical amendments to regulations promulgated in its April 29, 2024, final rule titled "Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments." These technical amendments address the incorporation by reference of an updated edition of industry standard, ASME B31.8S, into specific provisions that the final rule did not update due to then- pending litigation. These technical amendments also respond to a Petition for Reconsideration filed on May 29, 2024.<sup>7</sup> **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2024-14115>

**Correcting amendments. Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments: Corrections To Conform to Judicial Review**

These amendments conform part 192 of the Code of Federal Regulations (CFR) to the August 2024 order of the United States Court of Appeals for the District of Columbia Circuit by removing several vacated provisions.<sup>8</sup> **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2025-00073>

**Final rule. Pipeline Safety: Editorial Change To Reflect the Name Change of the Gulf of Mexico to the Gulf of America**

See summary under Part 191 above. **“No substantive change”**

<https://www.phmsa.dot.gov/regulations/federal-register-documents/2025-08988>

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<sup>7</sup> Federal Register / Vol. 90, No. 124 / Tuesday, July 1, 2025 / Rules and Regulations

<sup>8</sup> Federal Register / Vol. 90, No. 9 / Wednesday, January 15, 2025 / Rules and Regulations

## **Conclusion**

The Pipeline Safety section of the Division found the changes will not result in significant costs to operators to remain in compliance with federal and state code.

See the attached Amendment Summary Table:

Amendment Summary Table to CFR 49, Parts 190, 191, 192						
From September 1, 2023, to September 1, 2025						
Part	Amendment Number	FR CITE	Published Date	Effective Date	Paragraph Impacted	In Reference To:
<b>190</b>	No number	88 FR 89551	12/28/23	12/28/23	190.223	Revisions to Civil Penalty Amounts
	No number	89 FR 10628 2	12/30/24	12/30/24	190.223	Revision to Civil Penalty Amounts, 2025
<b>191</b>	34	90 FR 21434	05/20/25	05/20/25	191.1	Pipeline Safety: Editorial Change To Reflect the Name Change of the Gulf of Mexico to the Gulf of America
<b>192</b>	135	88 FR 33264	04/29/24	06/28/24	192.3, .7, .11, .13, .112, .113, .121, .145, .147, .153, .163, .225, .279, .714, .727, .903, .907, .911, .917, .921, .923, .925, .927, .933,	Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments

				.935, .937, .939	
136	89 FR 53880	06/28/24	06/28/24	162.617, .635	Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards: Response to Petition for Reconsideration; Additional Technical Corrections
137	89 FR 53877	06/28/24	06/28/24	192.121	Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments; Technical Correction
137	89 FR 53877	07/01/25	07/01/25	192.7, .714, .933	Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments; Additional Technical Amendments; Response to Petition for Reconsideration

	138	90 FR 3713	01/15/25	01/15/25	192.9, .478, .714, .927, .933	Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments: Corrections To Conform to Judicial Review
	139	90 FR 21434	05/20/25	05/20/25	192.1, .3, .319, .327, .612	Pipeline Safety: Editorial Change To Reflect the Name Change of the Gulf of Mexico to the Gulf of America