

# Trump Administration Rescinds Biden-Era Guidance on PIPES Act of 2020

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## Summary

On June 16, 2025, the U.S. Department of Transportation (USDOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) announced a [note](#) that rescinded an Advisory Bulletin (Bulletin) issued by the Biden administration concerning the provisions in Section 114 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020 ([2020 PIPES Act](#)). The rescission went into effect when it was published in the [Federal Register](#) on June 18, 2025. The move came as the Trump administration continues to remove “red tape” that could get in the way of the administration’s goal of energy dominance.

Commented [EB1]: Any sense of timing of that?

Following the rescission of the Bulletin, pipeline operators may wish to take a cautious and strategic approach to compliance and operational planning. Operators who have already incorporated Section 114 elements into their Operations & Maintenance (O&M) plans may want to “stay the course,” continuing to follow the original statutory requirements, which remain in effect. This strategy reinforces safety and demonstrates regulatory durability and stewardship. For operators who have not yet implemented Section 114, especially those managing non-gas pipelines or rural gathering lines, which PHMSA clarified are not subject to the rescinded guidance, there is no immediate mandate to adopt the previously expanded requirements. Nonetheless, maintaining proactive leak mitigation and pipeline replacement strategies remains an industry best practice.

GTI Energy and the Center for Methane Research are actively supporting operators during this regulatory shift by leveraging their strong relationships with PHMSA, the American Gas Association (AGA), and the Interstate Natural Gas Association of America (INGAA) to monitor developments and anticipate future changes. GTI offers technical assistance and strategic guidance to help operators align with the core intent of Section 114, including reducing methane emissions and replacing leak-prone infrastructure. GTI Energy will continue to assist operators in navigating uncertainty and maintaining compliance while optimizing safety and performance. This support underscores GTI’s commitment to energy durability and providing apolitical, science-based solutions that last beyond regulatory fluctuations.

Commented [CM2]: Does Section 114 pertain to methane emissions?

Commented [AC3R2]: Yes

## What is Section 114 of the PIPES Act of 2020?

The original PIPES Act was part of a larger end-of-year spending bill ordered by Congress to crack down on natural gas emissions late on December 27<sup>th</sup>, 2020, signed by President Trump. The bill expanded PHMSA responsibilities to view leaks as more than a purely safety issue and started to include environmental impacts in its scope.

Section 114 of the PIPES Act of 2020 emphasizes reducing methane emissions and enhancing pipeline safety through stricter inspection and maintenance standards. It established a deadline of December 27, 2021, for all regulated pipeline operators to revise their written inspection and maintenance plans. These plans must include measures to eliminate hazardous natural gas leaks, minimize methane emissions, and prioritize the repair or replacement of leak-prone pipelines (e.g., cast iron, unprotected steel, historic plastics). The Act directs PHMSA and state authorities to review the adequacy of these updated plans and mandates initial inspections starting in 2022. Subsequent reviews of the plans' adequacy are required at least once every five years. Inspections focus on verifying that operators have written, detailed, technically supported procedures for emission reduction, as well as the repair and replacement of leak-prone pipelines. If PHMSA or the states find the procedures inadequate during inspections, they may initiate enforcement actions, including:

- Corrective Action Orders- These are issued when a pipeline facility is found to pose a serious hazard, and PHMSA can require immediate corrective measures, including shutdowns, repairs, and/ or operational changes.
- Notices of Probable Violations- Issued by PHMSA if an operator is suspected of violating pipeline safety regulations, which can lead to civil penalties or required compliance actions.
- Compliance Orders- Direct orders to operators to take specific action to correct deficiencies, such as revising procedures, retraining staff, or replacing leak-prone pipe.
- Administrative Civil Penalties- PHMSA can impose financial penalties for noncompliance. The maximum penalty per violation can exceed \$250,000, with increasing fines for repeat or multiple violations.
- Warning Letters- For less severe issues, PHMSA may issue a warning letter advising the operator of the deficiency and requiring voluntary corrective action.
- State Enforcement- States take similar actions under their own authority.

These mandates are self-implementing, and these enforcement actions are codified in 49 U.S.C. 60108, meaning operators must comply without waiting for further rulemaking. As of the publication of this brief (August 2025), there are no publicly documented enforcement cases specifically citing noncompliance with Section 114 of the PIPES Act of 2020. This is not to say enforcement actions have not been occurring under broader pipeline safety regulations if operators fail to meet the expectations outlined in their plans, even if not plainly labeled as Section 114 violations.

Section 114(a) of the PIPES Act amended 49 U.S.C. 60108(a)(2) by adding to the list of factors that PHMSA and state authorities must consider when reviewing the adequacy of inspection and maintenance plans. The new factors include “the extent to which the plan will contribute to eliminating hazardous leaks and minimizing releases of natural gas from pipeline facilities,” as well as “the extent to which the plan addresses the replacement or remediation of pipelines that are known to leak based on the material (including cast iron, unprotected steel, wrought iron, and historic plastics with known issues), design, or past operating and maintenance history of the pipeline.” Additionally, Section 114(a) provisions directed PHMSA and state authorities to review the adequacy of inspection and maintenance plans at certain intervals, with the initial review to be completed within 2 years of the enactment of the PIPES Act, or no later than December 27, 2022. Furthermore, additional reviews were to occur at least every 5 years. If the plans did not comply with the requirements, enforcement proceedings were to be initiated.

Additionally, in Section 114 of the 2020 PIPES Act, two additional mandates directed the Comptroller General of the United States and PHMSA to prepare certain reports. In section 114(c), Congress instructed the Comptroller General to submit a report that reviewed operator plans prepared under section 60108(a) and describe the results of the study that provided recommendations for how to further minimize releases of natural gas from pipeline facilities without compromising pipeline safety. Congress assigned an additional report to be completed by PHMSA that described the best available technologies or practices to prevent releases of natural gas, along with pipeline facility designs that limit intentional venting.

## What has been rescinded?

The rescinded Bulletin from June 4<sup>th</sup>, 2021 was titled “Pipeline Safety: Statutory Mandate to Update Inspection and Maintenance Plans to Address Eliminating Hazardous Leaks and Minimizing Releases of Natural Gas from Pipeline Facilities” reminded each pipeline facility owner operator that the PIPES Act of 2020 contained a self- executing mandate that required operators to update their inspection and maintenance plans to address eliminating hazardous leaks and minimizing releases of natural gas, including intentional venting during normal operations under 49 CFR 192.605, 193.2017, and 195.402.

The Advisory Bulletin offered guidance that operators should have revised their plans to address the replacement and remediation of pipeline facilities that are known to leak based on their material, design, or past operating and maintenance history. The guidance listed three main things to consider when updating their plans to comply with section 114 of the PIPES Act of 2020:

1. Operations and Maintenance (O&M) plans should have addressed the elimination of hazardous leaks and minimization of releases of natural gas from the operators’ pipeline facilities, meaning operators should have updated their plans to minimize fugitive and vented emissions.
2. O&M plans should have addressed the replacement or remediation of pipelines that are known to leak based on material, including cast iron, unprotected steel, wrought iron, and historic plastics with known issues, design or past operating and maintenance history of the pipeline. Inspections by PHMSA and the states were to include an evaluation of how the material, design, and O&M history contributed to leaks in the system. PHMSA and the states were to evaluate whether the plans addressed reducing leaks in the operators’ pipeline systems.

**Commented [CM4]:** I spiraled when reading trying to figure out if 2022 was typo here. Still not sure. If it is 2022 may want to mention what is different in the 2022 and 2021 (below) deadlines.

**Commented [AC5R4]:** Yeah it is confusing, but from what I understand, it laid out that operators update their plans by 2021, and they were reviewed by PHMSA/ state by 2022

**Commented [AC6R4]:** I reordered to make the earlier deadline to operators come first when reading, and the review deadline comes after when reading through

**Commented [CM7]:** Referred to as “Bulletin” in the Summary

**Commented [EB8]:** I would switch to pipeline facility owner/operator as it reads like owner operators are being reminded of a pipeline facility.

3. Operators must carry out a written O&M plan to address public safety and environmental concerns. PHMSA inspections evaluate how the plans contribute to public safety and environmental protection.

Upon its release in June 2021, the Bulletin was praised by environmental non-governmental organizations (eNGO), like the Environmental Defense Fund (EDF), and industry associations, like INGAA, which represents companies that own large gas pipelines and have set goals of net-zero greenhouse gas emissions by 2050.

### Why was the Advisory Bulletin rescinded?

On February 19, 2025, President Trump issued an Executive Order titled, [“Ensuring Lawful Governance and Implementing the President’s ‘Department of Government Efficiency’ Deregulatory Initiative.”](#) In this order, the President directed Federal agencies to review and take appropriate action to rescind or modify existing regulations and guidance that are “based on anything other than the best reading of the underlying statutory authority” or “impose significant costs upon private parties that are not outweighed by public benefit.”

On March 11, 2025, the Office of the General Counsel (OGC) at the U.S. Department of Transportation issued a Memorandum to Secretarial Officers and Heads of Operating Administrations establishing procedures for the review and clearance of guidance documents and articulating principles that the Department’s Operating Administrations must follow in preparing such documents.

The Trump administration believes the guidance went beyond the letter of the law and beyond the scope of what Congress directed the agency to do in the text of Section 114. Ben Kochman, acting administrator at PHMSA, said Biden officials exceeded their authority by imposing “significant costs” on pipeline companies in 2021 when the guidance was issued. The 19-page notice criticized guidance, stating that it incorrectly included non-gas pipelines and rural gathering pipelines.

Though some industry groups are supportive of the reversal of guidance, the move could create confusion for pipeline operators because they still must follow the existing law on reducing gas leaks. Bill Caram, executive director of the Pipeline Safety Trust advocacy group, stated, “Pipeline operators still need to meet the legal requirements, but they no longer have PHMSA’s guidance on how to do it properly.” Kochman, however, stated, “Section 114 provided clear direction to operators and PHMSA. That is why I am rescinding the prior administration’s Advisory Bulletin, which imposed new requirements outside the scope of existing regulations and statute.” The notice advises owners and operators of pipeline facilities to adhere to the text in Section 114 of the 2020 PIPES Act and Section 60108(a) of the PIPES Act to develop their safety and maintenance plans. PHMSA and state pipeline safety enforcement personnel should do the same in reviewing the plans during audits and inspections.