

John R. Ashcroft

Secretary of State / Administrative Rules

RULE TRANSMITTAL

Administrative Rules Stamp

JCAR Stamp

RECEIVED

By JCAR at 1:18 pm, Jul 23, 2025

Rule Number 20 CSR 4240-40.030

Use a SEPARATE rule transmittal sheet for EACH individual rulemaking.

Name of person(s) Administrative Rules can contact with questions about this rule:

Content Nancy Dippell Phone 573-751-8518 Fax 573-526-6010

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Data Entry Kayla Kliethermes Phone 573-751-4256 Fax 573-526-6010

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Interagency mailing address Public Service Commission, 9th Floor Gov. Office Bldg, JC, MO

TYPE OF RULEMAKING ACTION TO BE TAKEN

Emergency Rulemaking > Rule Amendment Rescission Termination

Effective date for the emergency _____

Proposed Rulemaking > Rule Amendment Rescission

Rule Action Notice

In Addition

Rule Under Consideration

Request for Non-Substantive Change

Statement of Actual Cost

Order of Rulemaking > Withdrawal Adoption Amendment Rescission

Effective date for the order _____

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES—LIST THE SECTIONS/SUBSECTIONS WITH CHANGES:

Subsection (1)(D) and Section (16)



Missouri Public Service Commission

MAIDA J. COLEMAN
Commissioner

KAYLA HAHN
Chair

VACANT
Commissioner

GLEN KOLKMEYER
Commissioner

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573-751-3234
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<http://psc.mo.gov>

JOHN P. MITCHELL
Commissioner

Sarah Schappe
Director
Joint Committee on Administration Rules
State Capitol, Room B8A
Jefferson City, Missouri 65101

Re: 20 CSR 4240-40.030 Safety Standards—Transportation of Gas by Pipeline

Dear Director Schappe,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission.

Statutory Authority: *sections 386.250, 386.310, and 393.140, RSMo 2016.*

If there are any questions regarding the content of this order of rulemaking, please contact:

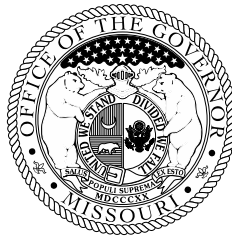
Nancy Dippell, Secretary
Missouri Public Service Commission
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Jefferson City, MO 65102
(573) 751-8518
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Nancy Dippell
Secretary to the Commission



Enclosures

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(573) 751-3222
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Mike Kehoe

GOVERNOR
STATE OF MISSOURI

July 18, 2025

Kayla Hahn, Chair
Missouri Public Service Commission
P O Box 360
Jefferson City MO 65102

Dear Ms. Hahn:

Our office has received the Final Order of rulemakings for the following regulations:

- **20 CSR 4240-40.020** Incident, Annual, and Safety-Related Condition Reporting Requirements
- **20 CSR 4240-40.030** Safety Standards-Transportation of Gas by Pipeline
- **20 CSR 4240-40.080** Drug and Alcohol Testing

Executive Order 25-13 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, or adopt new regulations. After our review, we approve submission of the rule and the regulatory impact report (if required) to JCAR and the Secretary of State.

Sincerely,

A handwritten signature in blue ink that reads "Lowell Pearson".

Lowell Pearson
General Counsel

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240 – Public Service Commission
Chapter 40 – Gas Utilities and Gas Safety Standards

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250, 386.310, 393.140, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-40.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2025 (50 MoReg 576-615). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended June 2, 2025, and the commission held a public hearing on the proposed amendment on June 6, 2025. The commission received one (1) written comment in support of the amendment, two (2) comments suggesting amendments to other sections of the rule, and two (2) verbal comments at the hearing in support of the proposed amendment.

COMMENT #1: J. Scott Stacey on behalf of the staff of the commission filed written comments and commented at the hearing in support of the proposed amendment with certain changes. Staff noted that the proposed amendments were intended to update the Missouri regulations to the most current federal regulations. Staff notes that there is currently a more up-to-date version of the *Code of Federal Regulations* and recommends that paragraphs (1)(D)1. and (1)(D)2. and section (16) be amended accordingly.

RESPONSE AND EXPLANATION OF CHANGES: The commission thanks its staff for its work updating the gas safety rules. The commission will make changes to paragraphs (1)(D)1. and (1)(D)2. and section (16) as recommended in order to reference the most up-to-date version of the federal regulations.

COMMENT #2: Antonio Arias of behalf of Spire Missouri Inc. commented at the hearing in support of the proposed amendment and staff's suggested changes.

RESPONSE: The commission thanks Spire for its comment. No changes were made as a result of this comment.

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COMMENT #3: The commission received comments from members of the public, Brett Johnson and Jeff Smith, expressing concerns about natural gas pipeline leaks in general and the adequacy of the currently effective rules to address these concerns. Mr. Johnson's comment referred to specific methods and equipment for leak detection, and suggested modernizing section (14) to incorporate additional standards for leak detection. Mr. Smith's comments pertained to health and cost aspects of methane leaks, and urged the commission to require utilities to locate and eliminate all methane leaks, prioritizing advanced leak detection and repair. The commission staff commented in response to the public comments that it has been following the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) progress toward promulgation of an advanced leak detection and repair rule, and agrees that some updates to the section (14) may be appropriate. However, because a proposed federal rule that addresses these requirements is currently under review, staff believes that it is premature to revise the commission's leak detection and repair requirements at this time.

RESPONSE: The commission thanks members of the public for their comments. Because PHMSA is currently reviewing its leak detection and repair rules, the commission finds it premature to further amend section (14) at this time. No changes were made as a result of these comments.

20 CSR 4240-40.030 Safety Standards—Transportation of Gas by Pipeline

(1) General.

(D) Incorporation By Reference of the Federal Regulation at 49 CFR 192.7.
(192.7)

1. As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2024, the federal regulation at 49 CFR 192.7 is incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to 49 CFR 192.7.

2. The *Code of Federal Regulations* and the *Federal Register* are published by the Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. The October 1, 2024, version of 49 CFR part 192 is available at <https://www.govinfo.gov/content/pkg/CFR-2024-title49-vol3/pdf/CFR-2024-title49-vol3-part192.pdf>.

3. The regulation at 49 CFR 192.7 provides a listing of the documents that are incorporated by reference partly or wholly in 49 CFR part 192, which is the federal counterpart and foundation for this rule. All incorporated materials are available for inspection from several sources, including the following sources:

A. The Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590. For more information, contact 202- 366-4046 or go to the PHMSA website at www.phmsa.dot.gov/pipeline/regs;

B. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, go to the NARA website at www.archives.gov/federal-register/cfr/ibr-locations.html or call 202-741-6030 or 866-272- 6272; and

C. Copies of standards incorporated by reference can also be purchased or are otherwise made available from the respective standards-developing organizations listed in 49 CFR 192.7.

4. Federal amendment 192-94 (published in *Federal Register* on June 14, 2004, page 69 FR 32886) moved the listing of incorporated documents to 49 CFR 192.7 from 49 CFR part 192–Appendix A, which is now “Reserved.” This listing of documents was in Appendix A to this rule prior to the 2008 amendment of this rule. As of the 2008 amendment, Appendix A to this rule is also “Reserved” and included herein.

(16) Pipeline Integrity Management for Transmission Lines.

(A) As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2024, and the subsequent amendment 192-138 (published in the *Federal Register* on January 15, 2025, page 90 FR 3713), the federal regulations in 49 CFR part 192, subpart O, and in 49 CFR part 192, appendices E and F, are incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to subpart O and appendices E and F to 49 CFR part 192.

(B) The *Code of Federal Regulations* and the *Federal Register* are published by the Office of the Federal Register, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. The October 1, 2024, version of 49 CFR part 192 is available at <https://www.govinfo.gov/content/pkg/CFR-2024-title49-vol3/pdf/CFR-2024-title49-vol3-part192.pdf>. The *Federal Register* publication on page 90 FR 3713 is available at <https://www.govinfo.gov/content/pkg/FR-2025-01-15/pdf/2025-00073.pdf>.