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Inspection and Enforcement Priorities: Pipeline and Hazardous Materials Safety Administration Issues November 20th Memorandum

11/25/2025

The Pipeline and Hazardous Materials Safety Administration ("PHMSA") issued on November 20th a Memorandum addressing inspection and enforcement priorities.

The Memorandum was transmitted from William Quade, Acting Associate Administrator for Hazardous Materials Safety to the Office of Hazardous Materials Safety ("OHMS") Staff.

The Memorandum is described as establishing the inspection and enforcement priorities of the PHMSA Office of Hazardous Materials Safety. The document notes:

- Focusing priorities on areas that provide the greatest positive impact on hazardous materials safety will enable the OHMS staff to be better positioned to fulfill its statutory mission.
- Identification of areas requiring increased attention and oversight based on:
 - Regulatory trends.
 - Incident data.
 - Industry feedback.
 - Internal performance assessments.

The inspection and enforcement priorities relate to implementation of the Federal Hazardous Materials Transportation Act and implementing the Hazardous Materials Regulations.

PHMSA uses three types of enforcement actions that include:

- Warning Letters.
- Ticketing.
- Notice of Probable Violation.

Outreach priorities in the Memorandum are stated to include:

- Increasing communication and engagement with hazardous materials shippers.
- Supporting shipper understanding and compliance with hazardous materials package selection requirements.
- Promoting proper classification of materials prior to shipment.

Inspection priorities are stated to include:

- General hazardous materials shippers.

- Cylinder requalification facilities.
- Cylinder manufacturing (both foreign and domestic entities).
- Drum manufacturing operations.
- Drum recertification entities.
- Follow-up inspections of companies with previous major safety violations (recidivism focus).
- Shippers of lithium batteries.
- Undeclared hazardous material shippers operating via e-commerce platforms.

Enforcement priorities are stated to include:

- Ensure Timely and Accurate Case Processing.
- Focus on Risk-Based Enforcement.
- Promote National Consistency and Accountability.
- Leverage Data to Drive Strategic Improvements.

A copy of the Memorandum can be found [here](#).