Arkansas Pipeline Code/Arkansas Public Service Commission: January 9th Petition to Initiate Rulemaking Addressing Proposed Revisions



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01/22/2026

A Petition to Initiate a Rulemaking Docket ("Petition") was filed on January 9th before the Arkansas Public Service Commission ("APSC") by the general staff. See Docket No. 26-006-R.

The Petition proposes to make changes to the Arkansas Gas Pipeline Code ("Code").

United States energy pipelines are key infrastructure that enable the operation of powerplants, airports, military bases, etc. The Congressional Research Service estimates that the pipeline network includes 3.3 million miles of onshore pipeline transporting natural gas, crude oil, and other hazardous liquids. Because the products they carry can have the characteristics of volatility or flammability, they are regulated at both federal and state levels.

The Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 are the principal acts establishing the federal role in pipeline safety.

The Secretary of Transportation is provided the primary authority to regulate certain aspects of pipeline safety such as:

- Design.
- Construction.
- Operation.
- Maintenance.
- Spill response planning.

The State of Arkansas inspects and enforces pipeline safety regulations for intrastate gas pipeline operators in the state. This work is undertaken by the Pipeline Safety Office of the APSC. However, the Arkansas Oil and Gas Commission has jurisdiction over the regulated gas lines that are operated by gas producers.

The Arkansas Natural Gas and Pipeline Safety Act provides APSC the authority to obtain a certification with the federal government to regulate pipeline safety of intrastate natural gas operators.

APSC states that its Pipeline Safety Office inspects for operating safety, gas leakage, and the control of corrosion at the facilities include:

- 4 natural gas distribution utilities.
- 26 intrastate natural gas operators.

- 163 master meter gas systems.

The Petition indicates that Section 60105(a) represents an agreement between the APSC and federal Pipeline and Hazardous Material Safety Administration that requires Arkansas to adopt the minimum pipeline safety standards contained in Title 49 of the Code of Federal Regulations, as amended. Therefore, the Petition is intended to propose the incorporation of the recently published Pipeline and Hazardous Material Safety Administration's 2025 changes.

The Petition includes:

- Exhibit A: Summary of changes to the Arkansas Gas Pipeline Code.
- Exhibit B: A redline version of proposed substantive changes to Arkansas Gas Pipeline Code.
- Exhibit C: A clean version of the Arkansas Gas Pipeline Code incorporating the proposed revisions.

The Petition includes a request to the APSC to establish a procedural schedule and set a public hearing for the consideration of the proposed amendments.

A link to the Docket containing the Petition and Exhibits can be found here.