

**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, and 393.140, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-40.020 Incident, Annual, and Safety-Related Condition Reporting Requirements 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 572-576). No changes have been made to the text of the proposed amendment, so it is not 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 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. Staff noted that federal law requires the state of Missouri to take measures to adopt each applicable safety standard in order to continue to receive federal funding and federal certification for enforcement of state goals set by the Pipeline and Hazardous Materials Safety Administration (PHMSA).

RESPONSE: The commission thanks its staff for its work updating the gas safety rules. No changes were made as a result of this comment.

COMMENT #2: Antonio Arias of behalf of Spire Missouri Inc. commented at the hearing in support of the proposed amendment.

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

**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, and 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 CHANGE: 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.

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>.

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, and 393.140, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-40.080 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 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 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 section (1) be amended accordingly.

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

COMMENT #2: Antonio Arias on 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.

20 CSR 4240-40.080 Drug and Alcohol Testing

(1) As set forth in the *Code of Federal Regulations* (CFR) dated October 1, 2024, and the subsequent amendment published on November 5, 2024 (published in the *Federal Register* on November 5, 2024, page 89 FR 87792), 49 CFR parts 40 and 199 are incorporated by reference and made a part of this rule. This rule does not incorporate any subsequent amendments to 49 CFR parts 40 and 199. The *Code of Federal Regulations* is 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, versions of 49 CFR parts 40 and 199 are available at <https://www.govinfo.gov/content/pkg/CFR-2024-title49-vol1/pdf/CFR-2024-title49-vol1-part40.pdf> and <https://www.govinfo.gov/content/pkg/CFR-2024-title49-vol3/pdf/CFR-2024-title49-vol3-part199.pdf>, respectively. The *Federal Register* publication on page 89 FR 87792 is available at <https://www.govinfo.gov/content/pkg/FR-2024-11-05/pdf/2024-25403.pdf>.