

STATE OF CALIFORNIA
OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF EMERGENCY REGULATORY ACTION

**California Code of Regulations
TITLE 19. Public Safety
Division 1. State Fire Marshal
Chapter. 14
Article. 9**

Carbon Dioxide Pipelines

NOTICE IS HEREBY GIVEN pursuant to Government Code Section 11346.1 and 11349.6 that the California Department of Forestry and Fire Protection – Office of the State Fire Marshal (“OSFM”) or (“SFM”) proposes to take the emergency regulatory action described below in the Informative Digest implementing Title 19, Division 1, Chapter 14, Article 9 of the California Code of Regulations, related to Carbon Dioxide Pipelines.

Government Code Section 11346.1(a)(2) requires that at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law, the adopting agency provides a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the Office of Administrative Law, the Office of Administrative Law shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code Section 11349.6.

This notice is solely a notice of intent to file the proposed emergency regulations and should in no way be confused with the notices specified in Government Code Sections 11346.4 and 11346.5.

The OSFM intends to submit this proposed emergency action to the Office of Administrative Law on June 16, 2026. The submitted action will appear on the list of “Emergency Regulations Under Review” on the Office of Administrative Law’s website at: [Emergency Regulations Under Review | OAL](#)

COMMENTS ON THE PROPOSED EMERGENCY REGULATIONS

Any interested person or their authorized representative may submit written comments relevant to the proposed emergency regulatory action. Comments and questions must be directed to:

- **Email:** staff@OAL.ca.gov (SFM - Carbon Dioxide Pipelines)
- **US Mail postmarked no later than June 21, 2026, to:**
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, California 95814-4339

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- **Phone:** (916) 323-6225
Fax: (916) 445-9515

When submitting a comment on an emergency rulemaking action, a copy of the comment must also be submitted to the rulemaking agency's contact person.

FINDING OF EMERGENCY

Reference: Government Code Section 11346.1(b)(2)

Government Code Section 51011.5(a)(1)(B)(i) specifically designated the adoption of these regulations as an emergency, and necessary for the immediate preservation of the public peace, health, safety, and general welfare. Currently, there are no carbon dioxide transportation pipelines in the State.

California set a target to reach carbon neutrality by 2045 under Governor Brown's Executive Order B-55-18. This target became law in 2022 through AB 1279, authored by Assemblymember Muratsuchi. The law requires that at least 85 percent of emissions be directly reduced, and no more than 15 percent can be offset through technologies that remove emissions from the atmosphere.

Reaching carbon neutrality means that all carbon dioxide emissions are either completely eliminated or balanced out by removing an equal amount from the atmosphere. This is necessary to limit global temperature rise above historic levels. While the term "carbon neutrality" is often used in the same way as "net zero greenhouse gas emissions," the latter is inclusive of all greenhouse gases – not just carbon dioxide – such as nitrous oxide, as defined by AB 32 (Nunez, Chapter 488, Statutes of 2006).

There is currently a moratorium in place on the construction of carbon dioxide pipelines (SB 905, Caballero, Chapter 359, Statutes of 2022). The only way for pipeline projects to proceed is for the U.S. Department of Transportation - Pipeline Hazardous Materials Safety Administration (PHMSA) to adopt carbon dioxide regulations, or for the OSFM to adopt regulations. In the interest of achieving the State's carbon neutrality goals and the general health and safety benefits associated with carbon reduction, the OSFM was directed by the Legislature to move forward with regulations governing the safe operation of carbon dioxide pipelines (SB 614, Stern, Chapter 529, Statutes of 2025).

AUTHORITY AND REFERENCE

Reference: Government Code 11346.1(b)(2) and 11346.5(a)(2)

Authority cited: Sections 51010, 51010.5, 51011.5, 51013.5, 51015, 51015.4, 51015.5, 51016, 51018.6, 51018.9 Government Code; and Sections 60104 and 60105, Title 49 of the United States Code.

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Reference: Sections 51010, 51010.5, 51011.5, 51011.6, 51013, 51013.5, 51014.3, 51014.5, 51015, 51015.06, 51015.4, 51015.5, 51016, 51018, 51018.6, 51018.8, 51018.9; and Sections 60104 and 60105, Title 49 of the United States Code.

INFORMATIVE DIGEST – POLICY STATEMENT OVERVIEW

Reference: Government Code 11346.1(b)(2) and 11346.5(a)(3)

Consistent with the Authority and Reference sections cited above the OSFM drafted emergency regulations to address the safe transportation of carbon dioxide by pipeline.

The OSFM propose additions to existing pipeline safety regulations to be located in Title 19 Code of Regulations, commencing with section 2170. The regulations include safety standards and reporting requirements for carbon dioxide pipelines used for intrastate transportation. These pipelines will be used for transportation of carbon dioxide from point sources to sequestration sites. The OSFM was tasked with adopting the minimum federal standards proposed in draft federal regulation (RIN 2137-AF60) and was allowed to adopt more stringent standards.

Here, the OSFM proposes safety improvements for all carbon dioxide pipelines, including the establishment of an emergency planning zone for improved emergency response and public communications; more prescriptive fracture control requirements; specific requirements for vapor dispersion modeling; and require operators to develop and follow a written Carbon Dioxide Pipeline Safety Program that includes all elements in the regulations. OSFM also proposes specific requirements, including enhanced inspections to identify geologic hazards and mitigate those threats, and the use of fixed vapor detection and alarm systems at specific carbon dioxide pipeline facilities. On January, 15, January 29, April 2, and May 20, 2026 and held public meetings with the Pipeline Safety Advisory Committee on February 5 and May 14, 2026 to discuss carbon dioxide pipeline safety and help inform this rulemaking. OSFM received comments and feedback from members of the public, State carbon dioxide program representatives, pipeline safety advocacy groups, first responders and emergency response organizations, and industry experts. These comments and meetings are not required under the Administrative Procedures Act, but were undertaken to gather as much expertise and relevant information as possible in the limited time frame afforded in developing emergency regulations.

Summary of Effect

Reference: Gov. Code 11346.1(b)(2) and 11346.5(a)(3)(A)

OSFM proposes a series of additional sections to Title 19 Code of Regulations (section 2170 through 2182) to pipeline safety regulations in response to recently adopted legislation directing the office to regulate carbon dioxide (SB 614, 2025). The anticipated significant expansion of pipeline infrastructure transporting carbon dioxide in all phases due to private sector, State, and Federal initiatives to address climate change; and lessons learned from the February 22, 2020, rupture of a supercritical-phase carbon dioxide pipeline near Satartia, Mississippi.

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OSFM proposed rulemaking will bring regulatory definitions to carbon dioxide pipelines within the scope of design, installation, operations, maintenance, and reporting requirements; bolstered integrity management requirements; and strengthened emergency response communication and coordination requirements. These regulations will ensure any expansion of carbon dioxide pipeline infrastructure occurs in a manner that is safe for nearby communities and pipeline workers, protective of the environment, transparent, and equitable as it supports the greenhouse gas reduction potential of carbon capture, utilization, and sequestration (Carbon Capture, Utilization, and Storage or Carbon Capture and Storage) efforts.

There are currently no carbon dioxide transportation pipelines in California. The Legislature placed a moratorium on their construction until PHMSA adopted regulations governing the safe transportation of carbon dioxide. However, PHMSA never adopted regulations expanding on the limited existing carbon dioxide pipeline standards. The Legislature and Executive branch have identified carbon capture use and sequestration as a necessary component to achieve a net neutrality goal by 2045. In the absence of comprehensive federal safety regulations, the Legislature deemed the OSFM responsible for developing State specific safety requirements. Because there is no comprehensive safety regulation related to carbon dioxide transportation, the OSFM must develop a framework for the safe construction and operation of these pipelines to safeguard the people and property of California. These regulations aim to achieve that framework.

Summary of Existing Laws and Regulations

Reference: Government Code 11346.1(b)(2) and 11346.5(a)(3)(A)

Broadly speaking, OSFM implements and oversees the safe operation and inspection of hazardous liquid and carbon dioxide transportation pipelines in California. This authority is granted in Government Code commencing with section 51010, Title 19 Code of Regulations commencing with section 2000, and through certification of the federal oversight agency, PHMSA. See Title 49 USC 60101 and Title 49 Code of Federal Regulations 190-199, where applicable.

The laws cited above under Authority and Reference delegate rulemaking authority to the OSFM for a variety of laws pertaining to pipeline safety, including regulations relating to the safe transportation of carbon dioxide.

Government Code section 51010 designates the OSFM as the exclusive safety and regulatory authority for the transportation of hazardous liquids and carbon dioxide pipelines in California.

Government Code section 51010.5 provides relevant definitions applicable to the regulations, including “pipeline”, “emergency planning zone”, and “sensitive receptor”.

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Government Code section 51011.5 is the primary statute directing OSFM to adopt carbon dioxide pipeline regulations. It states adoption shall be a statutorily defined emergency, that regulations are to be at least as protective as draft PHMSA regulations, regulations must be adopted by July 1, 2026, and that regulations cover areas of: Pipeline design, Fracture mechanics, Pipeline materials, Valve materials, Pipeline location, Potential impact areas of a release, Land movement, Operation, Odorant requirements, Leak detection, Emergency response, carbon dioxide contaminants, and Maintenance.

Government Code section 51011.6 specifies that operators shall not build pipelines in an area where one or more sensitive receptors are within an emergency planning zone unless a sensitive receptor risk analysis is conducted and a lead agency determines that the risk of exposure is within an acceptable range (consistent with the California Environmental Quality Act).

Government Code section 51013 specifies that new pipelines constructed in the State must be built in accordance with federal regulations found in Title 49 Code of Federal Regulations Part 195, subparts C and D. All new pipelines must also be designed to accommodate internal inspection devices, shall have leak detection, cathodic protection, leak mitigation, and emergency response plans and equipment as the OSFM may require.

Government Code section 51013.5 allows (among other things) the OSFM to require testing or inspection on a pipeline at any time in the interest of public safety.

Government Code section 51014.3 mandates operators notice the OSFM at least 3 days prior to conducting a hydrotest (pressure test) on a pipeline.

Government Code section 51014.5 directs operators to obtain hydrostatic test results under 51013.5 to be certified by an independent testing firm.

Government Code section 51015 directs operators to provide local fire departments with a map or diagram showing the location of a pipeline, a description of products transported, a contingency plan for emergencies, and any reasonable information that the OSFM may require. It also allows the OSFM to require operators establish and maintain records, make reports, and provide information to the OSFM as directed. Operators are required to meet with local fire departments at least once each calendar year to discuss and review contingency plans for pipeline emergencies.

Government Code section 51015.06 requires operators to submit an emergency planning zone and inventory map to the OSFM and local lead agency. The map must include sensitive receptors with the emergency planning zone, location and distance to the pipeline, and a graphic representation of the sensitive receptor

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risk analysis modeling required under section 51011.6.

Government Code section 51015.4 directs operators to maintain each valve and check valve on a pipeline in good working order and to protect those valves from unauthorized operation.

Government Code section 51015.5 requires operators to obtain prior approval from the OSFM for repairs due to rupture, leak, or other incidents. Approval of a repair plan must also be sought from the OSFM.

Government Code section 51016 allows the OSFM to adopt regulations related to valve on new, existing, or replacement pipelines as necessary to protect the public interest.

Government Code section 51018 mandates that every rupture, explosion, fire, including pipelines otherwise exempted under 51010.5, and pipelines undergoing testing, immediately report to the fire department having fire suppression responsibilities to the Office of Emergency Services. This section also defines what a rupture includes: every unintentional liquid leak and leak that occurs during hydrostatic testing, among others.

Government Code section 51018.6 directs the OSFM to adopt regulations for enforcement proceedings.

Government Code section 51018.8 allows the OSFM to issue orders directing compliance with these statutes and regulations.

Government Code section 51018.9 gives OSFM enforcement authority over carbon dioxide pipelines and allows for the assessment of penalties and the issuance of administrative orders where appropriate.

Comparable Federal Regulations or Statutes

Reference: Government Code 11346.1(b)(2) and 11346.5(a)(3)(B)

PHMSA is the federal regulatory agency that oversees interstate pipeline safety. They administer laws under Title 49 USC 61010 and Title 49 Code of Federal Regulations Parts 190-199 as it relates to pipeline safety. The primary source of information and laws related to carbon dioxide is found in Title 49 Code of Federal Regulations Part 195. The Part 195 sections broadly apply pipeline design, construction, operations, maintenance, and reporting requirements. However, those provisions do not carry specific requirements that California is currently anticipating in the realm of carbon capture and sequestration and carbon dioxide transportation.

Comparable Federal regulations can be found in the following sections of Title 49 Code of Federal Regulations Part 195:

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- 195.1 - Which pipelines are covered by this Part?
- 195.2 - Definitions
- 195.4 - Compatibility necessary for transportation of hazardous liquids or carbon dioxide
- 195.8 - Transportation of hazardous liquid or carbon dioxide in pipelines constructed with other than steel pipe.
- 195.50 - Reporting accidents
- 195.52 - Immediate notice of certain accidents
- 195.102 - Design temperature
- 195.111 - Fracture propagation
- 195.116 - Valves
- 195.258 - Valves: General
- 195.260 - Valves: Location
- 195.302 - General requirements
- 195.303 - Risk-based alternative to pressure testing older hazardous liquid and carbon dioxide pipelines.
- 195.306 - Test medium
- 195.401 - General requirements
- 195.402 - Procedural manual for operations, maintenance, and emergencies
- 195.403 - Emergency response training
- 195.410 - Line markers
- 195.417 - Notification of potential rupture
- 195.418 - Valves: Onshore valve shut-off for rupture mitigation
- 195.419 - Valve Capabilities
- 195.440 - Public awareness
- 195.452 - Pipeline integrity management in high consequence areas
- 195.579 - What must I do to mitigate internal corrosion?
- 195.588 - What standards apply to direct assessment?
- APPENDIX B — RISK-BASED ALTERNATIVE TO PRESSURE TESTING OLDER HAZARDOUS LIQUID AND CARBON DIOXIDE PIPELINES

Rulemaking Objective

Reference: Government Code 11346.1(b)(2) and 11346.5(a)(3)(C)

The OSFM proposes the addition of new sections to Title 19 of the California Code of Regulations, commencing with section 2170. These regulations are in response to Legislative mandates directing OSFM to regulate carbon dioxide pipelines; the anticipated significant expansion of pipeline infrastructure transporting carbon dioxide in all phases due to private sector, State, and Federal initiatives to address climate change; and lessons learned from the February 22, 2020, rupture of a supercritical-phase carbon dioxide pipeline near Satartia, Mississippi.

The OSFM designed the regulations to meet the minimum standards of PHMSA's part 195 design, construction, operations, maintenance, and reporting

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requirements; bolstered integrity management requirements; and strengthened emergency response communication and coordination requirements for all carbon dioxide pipelines. The minimum standards set forth in PHMSA's (RIN 2137-AF60) were incorporated as mandated by statute. These adoptions will ensure any expansion of carbon dioxide pipeline infrastructure occurs in a manner that is safe for nearby communities and pipeline workers, protective of the environment, transparent, and equitable, as it supports the greenhouse gas reduction potential of carbon capture, utilization, and sequestration (Carbon Capture, Utilization, and Storage or Carbon Capture and Storage) efforts in the State.

This rulemaking implements Government Code 51011.5 and others to prescribe minimum safety standards for the transportation of carbon dioxide. Recent nationwide, private sector, State, and Federal efforts—in particular, the 2021 Infrastructure Investment and Jobs Act (Pub. L. 117-58), the Inflation Reduction Act of 2022 (Pub. L. 117-169), and their respective implementing regulations and financial incentives—have encouraged significant, near-term commercial interest in the increase of pipelines transporting carbon dioxide as part of a larger buildout of Carbon Capture and Storage infrastructure, including capture at industrial facilities and power plants, direct air-capture, and long-term storage facilities.

The February 22, 2020, rupture near Satartia, Mississippi of a supercritical-phase carbon dioxide pipeline operated by Denbury Gulf Coast Pipelines, LLC (Satartia accident) also underscores the adverse public safety and environmental consequences of not enhancing longstanding part 195 requirements for all carbon dioxide pipelines. This further highlights the need for specific regulatory requirements that meet the unique needs and legislative mandate of California. The Satartia accident resulted from the full circumferential fracture of a pipeline girth weld caused by a landslide from heavy rains that placed catastrophic axial strain on the pipeline. This accident released 31,405 barrels of supercritical-phase carbon dioxide, sent 45 individuals to hospitals for medical treatment, and prompted the evacuation of approximately 200 residents from the nearby community, which U.S. Census data indicates was a majority-minority, economically-challenged area. PHMSA's Failure Investigation Report stated that the operator's actions and omissions contributed to the accident and its severity. Further, it found that enhanced PHMSA safety regulations, integrity management programs, and emergency response coordination requirements would help avoid or mitigate similar accidents. The proposed regulations are important to protect public safety and the environment, as the mileage of pipelines transporting carbon dioxide and the number of projects is projected to increase in the future.

Anticipated Benefits

Reference: Government Code 11346.1(b)(2) and 11346.5(a)(3)(C)

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There are extensive non-monetary benefits to the adoption of these regulations, including protection of public health and safety, worker safety, environmental protection, and transparency in business and government.

OSFM expects the proposed regulations to yield significant public safety benefits associated with reduced frequency and severity of accidents similar to that which occurred in 2020 on a supercritical phase carbon dioxide pipeline near Satartia, Mississippi, although the OSFM did not quantify the expected benefits. The Satartia accident resulted in a number of adverse consequences, as well as more than \$5 million in property damage, lost product, claims, other mitigation costs, and the social cost of released greenhouse gas emissions. OSFM also expects the proposed rule will yield other, unquantified benefits, which include risk reduction for leaks and accidents on carbon dioxide and hazardous liquid pipelines; reduced consequences from all accidents and emergencies; improved enforcement and oversight; advanced safety measures and communications; avoided emissions; improved public confidence in the safety of carbon dioxide and hazardous liquid pipeline systems. For additional analysis on economic and fiscal impacts, please see the STD. 399, STD. 399 Memorandum, and STD. 399 Attachment A.

Evaluation of Consistency

Reference: Government Code Section 11346.1(b)(2) and 11346.5(a)(3)(D)

The OSFM has evaluated the proposed regulations and compared them to existing State regulations and found that they are consistent and compatible with existing regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4)

There are no other matters prescribed by statute applicable to the OSFM, or to any specific regulation. There are no other matters to identify.

FISCAL IMPACT

Reference: Government Code Section 11346.1(b)(2) and 11346.5(a)(6)

The OSFM has made the following initial determinations concerning the adoption of the proposed emergency regulations regarding fiscal impact:

1. Costs or savings to any state agency: N/A
2. Cost to any local agency or school district that must be reimbursed in accordance with Government Code Sections 17500 through 17630: N/A
3. Other non-discretionary cost or saving imposed on local agencies: N/A
4. Costs or savings in federal funding to the State of California: N/A

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DOCUMENTS INCORPORATED BY REFERENCE

Reference: Government Code 11346.1(b)(2)

- American Petroleum Institute (API) Specification 5L, Line Pipe, 46th edition, April 2018, including Errata 1 (May 2018), (API Spec 5L); IBR approved for Section 2174(b)(5), Section 2174.1(a)(4), Section 2174.2(a)(1), and Section 2174.2(a)(2).
- API Standard 1104, Welding of Pipelines and Related Facilities, 21st edition, September 2013, including Errata 1 through 5 (April 2014 through September 2018), Addendum 1 (July 2014), and Addendum 2 (May 2016), (API Std 1104); IBR approved for Section 2175.6(b)(2)(B).
- API Recommended Practice 1130, "Computational Pipeline Monitoring for Liquids: Pipeline Segment," First Edition, September 2007, (API RP 1130), Reaffirmed, April 2017; IBR approved for Section 2174.4(b).
- API Recommended Practice 1185, Pipeline Public Engagement, First Edition, March 2024, (API RP 1185); IBR approved for Section 2173(c).
- API Recommended Practice 1187, Pipeline Integrity Management of Landslide Hazards, 1st Edition, August 2024 (API RP 1187); IBR approved for Section 2178.6(a)(1).
- ASME B31.4-2019, Pipeline Transportation Systems for Liquids and Slurries: ASME Code for Pressure Piping, B31, issued November 1, 2019, (ASME B31.4); IBR approved for Section 2174(b) and Section 2175.1(a).
- ANSI/NACE SP0502-2010, Pipeline External Corrosion Direct Assessment Methodology, revised June 24, 2010, (NACE SP0502); IBR approved for Section 2175.5(d).
- Form PSD-104, "Notification of Proposed Carbon Dioxide Pipeline Construction", rev. July 1, 2026

DOCUMENTS RELIED UPON

Reference: Government Code 11346.1(b)(2)

- API Technical Report 1149, Second Edition, September 2015
- CO2 Pipeline Material Selection & Design Reference Table
- Computational Pipeline Monitoring for Liquids, API Recommended Practice 1130, First Editions, September 2007, Reaffirmed November 2017
- Pipeline Variable Uncertainties and Their Effects on Leak Detectability, API Technical Report 1149, Second Editions, September 2015
- Pipeline Leak Detection Program Management, API RP 1175, First Edition, December 2015, Errata March 2017, 2-Year Extension July 2020
- Line Pipe, API Specification 5L, 46th Edition, April 2018, API Monogram Program Effective Date May 1, 2019, Errata 1, May 2018
- Gas Transmission and Distribution Piping Systems, ASME B31.8-2018, November 20, 2018
- Carbon Dioxide Pipeline Safety, Pipeline Safety Trust, Summary for Policymakers May 2023

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- Notice of Preparation of a Draft Environmental Impact Report for the Carbon Terravault 1 Carbon Capture and Sequestration Project by California Resources Corporation, March 4, 2022
- Carbon Dioxide Removal in California, A practical Guide for Policymakers and the Public, The Climate Center, December 2025
- CO2SafePipe JIP: Design and Operation of CO2 Pipelines, Bente Leinum, Sigbjorn Roneid, Erling Ostby, Harald Wathne, Lars Torbergson, 19th Pipeline Technology Conference 8-11 April 2024, Berlin
- Developing Design and Welding Requirements Including Material Testing and Qualification of New and Existing Pipelines for Transporting CO2, BMT Canada LTD, October 31, 2025
- Design and Operation of Carbon Dioxide Pipelines, DNV-RP-F104, February 2021, Amended September 2021
- Design and Operation of CO2 Pipelines, DNV-RP-J202, April 2010
- Failure Investigation Report – Denbury Gulf Coast Pipelines, LLC – Pipeline Rupture/Natural Force Damage, USDOT PHMSA OPS, Failure Date February 22, 2020
- DOE FECM Briefing, US DOE Fossil Energy and Carbon Management, John Litynski, January 20, 2022
- Final Environmental Assessment Phase version 8.4 for DNV, USDOT PHMSA, available here: <https://www.regulations.gov/docket/PHMSA-2021-0041>
- List of CCUS and CDR Projects, October 13, 2025
- PHMSA Notice of Proposed Rulemaking for CO2 Pipelines RIN 2137-AF60, January 10, 2025
- Background for Regulating Transportation of Carbon Dioxide in a Gaseous State, Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, Section 15, PHMSA, February 2015
- Pipeline Safety Management Systems, ANSI/API Recommended Practice 1173, First Edition, July 2015, Errata 1, April 2015
- Pipeline Public Engagement, API Recommended Practice 1185, First Edition, March 2024
- Transportation of Carbon Dioxide by Pipeline, API Recommended Practice 1192, First Edition, December 2025
- Pipeline Safety Advisory Committee Meeting Minutes: Pipeline Safety Division, Thursday, May 14, 2026
- Pipeline Safety Advisory Committee Meeting Minutes: Pipeline Safety Division, Wednesday, February 5, 2026

AVAILABILITY OF DOCUMENTS

This notice is being provided at least 5 working days prior to the proposed emergency regulation action with the Office of Administrative Law. All materials concerning this rulemaking can be accessed on the Office of the State Fire Marshal website:

<http://osfm.fire.ca.gov/divisions/code-development-andanalysis/title-19-development/>

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RULEMAKING AGENCY CONTACTS:

GENERAL INQUIRY CONTACTS

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