

## SUBCHAPTER D—PIPELINE SAFETY

### PART 190 —PIPELINE SAFETY PROGRAMS AND RULEMAKING PROCEDURES

#### Subpart A—General

- Sec.
- 190.1 Purpose and scope.
- 190.3 Definitions.
- 190.5 Service.
- 190.7 Subpoenas; witness fees.
- 190.9 Petitions for finding or approval.
- 190.11 Availability of informal guidance and interpretive assistance.

#### Subpart B—Enforcement

- 190.201 Purpose and scope.
- 190.203 Inspections.
- 190.205 Warning letters.
- 190.207 Notice of probable violation.
- 190.209 Response options.
- 190.211 Hearing.
- 190.213 Final order.
- 190.215 Petitions for reconsideration.

#### COMPLIANCE ORDERS

- 190.217 Compliance orders generally.
- 190.219 Consent order.

#### CIVIL PENALTIES

- 190.221 Civil penalties generally.
- 190.223 Maximum penalties.
- 190.225 Assessment considerations.
- 190.227 Payment of penalty.

#### CRIMINAL PENALTIES

- 190.229 Criminal penalties generally.
- 190.231 Referral for prosecution.

#### SPECIFIC RELIEF

- 190.233 Hazardous facility orders.
- 190.235 Injunctive action.
- 190.237 Amendment of plans or procedures.

#### Subpart C—Procedures for Adoption of Rules

- 190.301 Scope.
- 190.303 Delegations.
- 190.305 Regulatory dockets.
- 190.307 Records.
- 190.309 Where to file petitions.
- 190.311 General.
- 190.313 Initiation of rulemaking.
- 190.315 Contents of notices of proposed rulemaking.
- 190.317 Participation by interested persons.
- 190.319 Petitions for extension of time to comment.
- 190.321 Contents of written comments.
- 190.323 Consideration of comments received.

- 190.325 Additional rulemaking proceedings.
- 190.327 Hearings.
- 190.329 Adoption of final rules.
- 190.331 Petitions for rulemaking.
- 190.333 Processing of petition.
- 190.335 Petitions for reconsideration.
- 190.337 Proceedings on petitions for reconsideration.
- 190.338 Appeals.
- 190.339 Direct final rulemaking.

AUTHORITY: 33 U.S.C. 1321; 49 U.S.C. 5101-5127, 60101 *et seq.*; Sec. 212-213, Pub. L. 104-121, 110 Stat. 857; 49 CFR 1.53.

SOURCE: 45 FR 20413, Mar. 27, 1980, unless otherwise noted.

#### Subpart A—General

##### § 190.1 Purpose and scope.

(a) This part prescribes procedures used by the Research and Special Programs Administration in carrying out duties regarding pipeline safety under 49 U.S.C. 60101 *et seq.* (the pipeline safety laws) and 49 U.S.C. 5101 *et seq.* (the hazardous material transportation laws).

(b) This subpart defines certain terms and prescribes procedures that are applicable to each proceeding described in this part.

[45 FR 20413, Mar. 27, 1980, as amended by Amdt. 190-6, 61 FR 18512, Apr. 26, 1996]

##### § 190.3 Definitions.

As used in this part:

*Hearing* means an informal conference or a proceeding for oral presentation. Unless otherwise specifically prescribed in this part, the use of “hearing” is not intended to require a hearing on the record in accordance with section 554 of title 5, U.S.C.

*OPS* means the Office of Pipeline Safety, which is part of the Research and Special Programs Administration, U.S. Department of Transportation.

*Person* means any individual, firm, joint venture, partnership, corporation, association, State, municipality, cooperative association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative thereof.

*Presiding Official* means the person who conducts any hearing relating to