

## PHMSA Releases a Final Rule Expanding the Required Use of Excess Flow Valves

On October 7, the Pipeline and Hazardous Materials Safety Administration (PHMSA) released a pre-publication version of its Final Rule entitled “[Expanding the Use of Excess Flow Valves in Gas Distribution Systems to Applications Other Than Single-Family Residences](#)” (EFV Final Rule).

In response to statutory changes and a National Transportation Safety Board recommendation, PHMSA is expanding the existing requirement that operators install an excess flow valve (EFV) on certain natural gas distribution pipelines to additional types of new or replaced service lines. The agency is also requiring curb valves or other manual shut-off valves on new or replaced service lines with meter capacities above 1,000 standard cubic feet per hour (SCFH) and requiring operators to notify customers of their right to request the installation of an EFV on certain types of service lines. The EFV Final Rule will become effective six months after the date of publication in the *Federal Register*, which is expected within 7–10 days.

An EFV is a safety device installed inside a distribution service line between the main and the meter which can reduce the risk of an incident in the event of damage to the line by shutting off excessive gas flows. Since 2010, PHMSA has required operators to install EFVs on new or replaced gas service lines servicing single-family residences (SFRs) unless the service line meets certain exceptions.

EFVs must now be installed on the following service lines:

- Branched service lines to a SFR installed concurrently with the primary SFR service line (a single EFV may be installed to protect both lines);
- Branched service lines to a SFR installed off a previously installed SFR service line that does not contain an EFV;
- Multifamily installations, including duplexes, triplexes, fourplexes, and other small multifamily buildings (e.g., apartments, condominiums) with known customer loads at time of service installation, based on installed meter capacity, up to 1,000 SCFH per service; and
- A single, small commercial customer served by a single service line, with a known customer load at time of service installation, based on installed meter capacity, of up to 1,000 SCFH per service.

### *Curb or Shut-off Valves*

PHMSA is also amending the pipeline safety regulations to require the use of either a curb valve, a valve installed below grade on a service line in a protective box, or another manually operated shut-off valve for new or replaced service lines with meter capacities exceeding 1,000 SCFH. Operators can choose to install an EFV in lieu of a curb valve on lines with capacities over 1,000 SCFH, but one is not required.

In response to the recommendation of the Gas Pipeline Advisory Committee (GPAC), PHMSA modified its proposal that curb valves must be accessible to first responders.



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Members of the GPAC expressed concern that first responders may operate the wrong valve, which could create additional damage or impacts to service. As a result, PHMSA is requiring operators to ensure that curb valves are accessible to “other personnel **authorized by the operator**”. Operators could then train first responders on proper operation of the valve.

PHMSA also modified its language covering maintenance of the curb valve. Many commenters were concerned that PHMSA’s proposal would require operators to inspect and maintain curb valves annually. In the final rule, PHMSA modified the rule text to allow for operators to conduct regularly scheduled maintenance of the curb valves in accordance with the manufacturer’s specifications.

### *Customer Notification of Right to Request EFV*

Finally, PHMSA is requiring operators to notify customers of their right to request the installation of an EFV on service lines that are not new or replaced and not otherwise exempted from EFV installation. PHMSA agreed to allow operators to use a combination of means to notify customers including internet postings, billing materials, and new customer packets. PHMSA also agreed that operators could keep a single copy of the communication to comply with the documentation requirements. PHMSA deferred the question of who will bear the cost of installing an EFV requested by a customer to the operator’s economic regulator.

For more information on the potential implications of this Final Rule, please contact Brianne Kurdock at 202.853.3462 or [bkurdock@babstcalland.com](mailto:bkurdock@babstcalland.com), James Curry at 202.853.3461 or [jcurry@babstcalland.com](mailto:jcurry@babstcalland.com), or Keith Coyle at 202.853.3460 or [kcoyle@babstcalland.com](mailto:kcoyle@babstcalland.com).



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*Led by three former Pipeline and Hazardous Materials Safety Administration (PHMSA) attorneys, our Pipeline and Hazardous Materials Safety practice group counsels pipeline and midstream companies, gas utilities, terminal operators, investors, trade associations, and other stakeholders, throughout the United States. James Curry, Keith Coyle and Brianne Kurdock together have more than 25 years of experience with a multitude of pipeline safety issues. They partner with client engineering and legal personnel to address day-to-day compliance questions and develop business and regulatory strategies.*