



Chemical Safety and Natural Gas Distribution: The EPA Settles Enforcement under CSB Accidental Release Reporting Rule for First Time

On July 28, 2025, the U.S. Environmental Protection Agency (EPA) and the U.S. Chemical Safety and Hazard Investigation Board (CSB) announced an EPA settlement with a natural gas distribution facility resolving an alleged violation of the 2020 Accidental Release Reporting Rule under the Clean Air Act (CAA). This marks the EPA's first enforcement action and settlement with a company for violations of the 2020 rule.

The Accidental Release Reporting Rule, promulgated by the CSB in February 2020 and codified at 40 C.F.R. Part 1604, is part of the chemical accident prevention requirements under section 112(r) of the CAA. The rule requires owners and operators of stationary sources to report to the CSB, within eight hours, any accidental release of regulated or other extremely hazardous substances into the ambient air (including the atmosphere inside or outside a stationary source) that results in fatality, serious injury, or substantial property damage. Reporting a release to the National Response Center (NRC) does not satisfy the rule but does enable streamlined reporting to the CSB. Although the CSB promulgated the rule, the EPA maintains the authority to enforce it.

The announced settlement alleges that on June 8, 2023, an accidental release of natural gas from a Pacific Gas and Electric Company (PG&E) facility pipeline in San Jose, California caused a serious injury to a PG&E employee. PG&E reported the release to the NRC the same day, provided a follow up report to NRC two days later, and filed an incident report with the Pipeline Hazardous Materials Safety Administration on July 3, 2023, and a final revision of that report later in 2023. However, according to the settlement, PG&E did not report the release to the CSB

within eight hours, as the rule requires. The CSB's press release on the settlement states that the company's failure to report timely occurred "[d]espite being advised by the CSB that the company was required to report the release." The settlement states PG&E submitted its report to the CSB on April 2, 2025. Under the settlement, which takes the form of a Consent Agreement, PG&E will pay a civil penalty of \$45,273 for the violation of the timely reporting requirement.

The EPA's press release quotes EPA Deputy Assistant Administrator Cecil Rodrigues for the Office of Enforcement and Compliance Assurance: "This settlement clearly signals that EPA will hold companies accountable for not providing CSB with essential information, which can lead to the potential for loss of life, injury, or property damage." The press release also notes, "Failure to report incidents such as these hinder the CSB's ability to investigate accidental releases, determine probable causes of those releases, and recommend measures to prevent future occurrences." And finally, "This settlement further reinforces the partnership between the CSB and EPA in promoting chemical safety and preventing accidental releases."

This blog was drafted by [Paul Jacobson](#), an attorney in the Spencer Fane Kansas City, Missouri, office. For more information, visit www.spencerfane.com.

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