



U.S. Department  
Of Transportation  
**Pipeline and  
Hazardous Materials  
Safety Administration**

820 Bear Tavern Road, Suite 103  
West Trenton, NJ 08628  
**609.989.2171**

## WARNING LETTER

### OVERNIGHT EXPRESS MAIL

October 25, 2013

Robert J. Cooper  
Vice President, Engineering  
EQT Midstream  
625 Liberty Avenue  
Pittsburgh, PA 15222

**CPF 1-2013-1019W**

Dear Mr. Cooper:

From September 25 to 27, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code inspected EQT Midstream's (EQT) Public Awareness Program titled *Public Awareness Program, Revision 5, September 10, 2012 (Public Awareness Program)*, in Pittsburgh, Pennsylvania.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

**1. §192.616 Public awareness.**

- (a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see § 192.7).**

EQT failed to develop a written continuing public education program that followed the guidance in API RP 1162 Section 4.4.3.

API RP 1162 Section 4.4.3 Emergency Preparedness Response Plans states that “[t]he operator should include information about how emergency officials can access the operator’s emergency response plans covering their jurisdiction.” EQT’s *Public Awareness Program* and materials provided to emergency officials did not contain information on how emergency officials can access EQT’s emergency response plans.

**2. §192.616 Public awareness.**

**(a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see § 192.7).**

EQT failed to develop a written continuing public education program that followed the guidance in API RP 1162 Section 4.11.

API RP 11162 Section 4.11 Security states that “pipeline operators should communicate an overview pertaining to security of their pipelines and related facilities.” The *Public Awareness Program* and materials provided to stakeholders did not contain information pertaining to security.

**3. §192.616 Public awareness.**

**(a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see § 192.7).**

EQT failed to develop a written continuing public education program that followed the guidance in API RP 1162 Section 4.12.

API RP 1162 Section 4.12 Facility Purpose states:

Where appropriate, communication with the affected public and emergency and public officials in proximity to major facilities (such as storage facilities, compressor or pump stations) should include information to promote understanding of the nature of the facility. Operators should communicate general information regarding the facility and product(s) stored or transported through the facility.

During the inspection, EQT indicated that it has major facilities such as: transmission lines, gathering lines, and compressor stations that are in proximity to the public. However, EQT's *Public Awareness Program* did not include a written process on how or where it would communicate information regarding its facilities and product stored or transported through its facilities to all stakeholders. In addition, EQT material provided to the affected public, emergency and public officials did not contain information on major facilities and areas of the pipe that are not odorized.

**4. §192.616 Public awareness.**

**(a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see § 192.7).**

EQT failed to develop a written continuing public education program that followed the guidance in API RP 1162 Section 8.4.2.

API RP 1162 Section 8.4.2 Measure 2 – Understandability of the Content of the Message specifies that “[o]perators should pre-test public awareness materials for their appeal and thee messages for their clarity, understandability and retain-ability before they are widely used.” EQT did not have a documented process for pre-testing public awareness materials.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the items identified in this letter. Failure to do so will result in EQT being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 1-2013-1019W**. Please send all correspondence in this matter to Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,

Byron Coy, PE  
Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration