

December 10, 2021

**VIA ELECTRONIC MAIL TO: bauerd@natfuel.com**

Mr. David P. Bauer  
President and Chief Executive Officer  
National Fuel Gas Company  
6363 Main Street  
Williamsville, New York 14221

**Re: CPF No. 1-2021-057-NOPV**

Dear Mr. Bauer:

Enclosed please find the Final Order issued in the above-referenced case to your subsidiary, National Fuel Gas Supply Corporation. It makes a finding of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Eastern Region, this enforcement action will be closed. Service of the Final Order by e-mail is effective upon the date of transmission as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Robert Burrough, Director, Eastern Region, Office of Pipeline Safety, PHMSA  
Mr. Ronald Kraemer, President, National Fuel Gas Supply Corp., kraemerr@natfuel.com  
Mr. Ramon P. Harris, Jr., Vice President, National Fuel Gas Supply Corp.,  
harrisr@natfuel.com  
Ms. Laura Berloth, Senior Attorney, National Fuel Gas Supply Corp., berlothl@natfuel.com

**CONFIRMATION OF RECEIPT REQUESTED**

**U.S. DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

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<b>In the Matter of</b>	)	
	)	
<b>National Fuel Gas Supply Corporation,</b>	)	<b>CPF No. 1-2021-057-NOPV</b>
<b>a subsidiary of National Fuel Gas Company,</b>	)	
	)	
<b>Respondent.</b>	)	
	)	

**FINAL ORDER**

On October 7, 2021, pursuant to 49 C.F.R. § 190.207, the Director, Eastern Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to National Fuel Gas Supply Corporation (NFG or Respondent), a subsidiary of National Fuel Gas Company.<sup>1</sup> The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. § 192.167(a)(4). The Notice also proposed certain measures to correct the violation. NFG did not contest the allegation of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 192.167(a)(4) (**Item 1**) — Respondent failed to install an emergency shutdown system for its attended compressor station that is operable from at least two locations outside the gas area of the station, near the exit gates of the fenced station, and not more than 500 feet from the limits of the station.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

**COMPLIANCE ACTIONS**

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violation. The Director may grant an

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<sup>1</sup> <https://www.nationalfuel.com/pipeline-storage/national-fuel-gas-supply-corp/about-national-fuel-gas-supply-corporation/> (last accessed December 6, 2021)

extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

**WARNING ITEM**

With respect to Item 2, the Notice alleged a probable violation of 49 C.F.R. § 192.745(a), but did not propose a civil penalty or compliance order for this item. Therefore, this is considered a warning item. If OPS finds a violation of this provision in a subsequent inspection, Respondent may be subject to future enforcement action.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

December 10, 2021

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued