

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

VIA ELECTRONIC MAIL TO: cynthia.hansen@enbridge.com,
michael.mcgrath@enbridge.com, and nathan.atanu@enbridge.com

April 12, 2022

Ms. Cynthia Hansen
EVP & President GTM
Vector Pipeline, L.P.
5400 Westheimer Court
Houston, TX 77056

CPF 3-2022-042-NOPV

Dear Ms. Hansen:

From September 17-18, 2020, a representative of the Michigan Public Service Commission, acting as an interstate agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code (U.S.C.), investigated an incident at Vector Pipeline, L.P.'s (Vector) Athens Compressor Station in Calhoun County, Michigan.

As a result of the investigation it is alleged that Vector has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item investigated and the probable violation is:

1. § 192.603 General provisions.

(a) No person may operate a segment of pipeline unless it is operated in accordance with this subpart.

On September 16, 2020, Vector Pipeline, L.P. (Vector) did not operate its Athens Compressor Station, located in Calhoun County, Michigan, in accordance with Part 192 Subpart L – Operations. When starting a compressor unit that was previously out-of-service for maintenance, natural gas was released and ignited (i.e. the “Incident”), causing \$72,599 in damages as reported by Vector.

Within Subpart L – Operation, 49 CFR § 192.605(b)(6) requires preparation and following a manual of written procedures to provide safety during maintenance and operations. The required procedures are to provide for safety and must address maintaining compressor stations, including provisions for isolating units or sections of pipe and for purging before returning to service; and, starting, operating and shutting down gas compressor units.

Investigation showed that Vector did not operate the Athens Compressor Station in a safe manner in accordance with Subpart L – Operations. A compressor unit had been isolated for maintenance by previously closing the compressor unit’s suction and discharge valves. The valve body bleeds on the suction and discharge valves were also opened, as part of, or in preparation for, the maintenance activity. When the compressor unit was started on September 16, 2020, the valve body bleeds had been left open, venting natural gas to the atmosphere that ignited.

A review of Vector’s written procedures and implementation of those procedures showed them to be inadequate to provide safety and prevent the Incident of September 16, 2020 from occurring. Vector’s procedure for ensuring valves were opened or closed for startup after maintenance was a checklist for lockout/tagout. This checklist did not contain the body bleed valves. Although the opening of the body bleed valves was communicated verbally to the responsible person for lock out/tagout, the body bleed valves themselves were not tagged or denoted on the checklist. This subsequently led to the body bleed valves being left open during the start-up of the facility. Vector’s submission of the revised 30-day report clearly states that inadequate procedures were the cause of the incident.

Proposed Civil Penalty

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022.

We have reviewed the circumstances and supporting documentation involved for the above probable violation(s) and recommend that you be preliminarily assessed a civil penalty of \$218,647 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$218,647

Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Enforcement Proceedings*. Please refer to this document and note the response options. All material you submit in response to this enforcement action may be 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).

Following the receipt of this Notice, you have 30 days to submit written comments, or request a hearing under 49 CFR § 190.211. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order. If you are responding to this Notice, we propose that you submit your correspondence to my office within 30 days from the receipt of this Notice. This period may be extended by written request for good cause.

In your correspondence on this matter, please refer to **CPF 3-2022-042-NOPV** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Gregory A. Ochs
Director, Central Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*