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April 27, 2021

Pipeline and Hazardous Materials Safety Administration
Attn: Ms. Mary L. McDaniel, PE
Director, Southwest Region
8701 South Gessner, Suite 630
Houston, TX 77074

**Subject: Response to Notice of Probable Violation (CPF 4-2021-009-NOPV)
Easton Energy Pipelines LLC, Operator ID 40170**

Dear Ms. McDaniel,

This letter is in response to your letter dated March 18, 2021, for which the deadline for submitting written comments was extended until April 28, 2021. Easton Energy Pipelines LLC ("Easton") is contesting alleged violation #1 (49 CFR 195.420, Valve Maintenance) and the associated Proposed Compliance Order. Easton is neither requesting an oral hearing on alleged violation #1, nor contesting alleged violation #2 (49 CFR 195.410, Line Markers). These two items were identified during an inspection of Easton's Iowa, Louisiana to Orange, Texas pipeline conducted from August 10, 2020 to October 7, 2020.

Alleged violation #1: 195.420 Valve Maintenance.

(a) Each operator shall maintain each valve that is necessary for the safe operation of its pipeline systems in good working order at all times.

Easton became the operator of the Iowa to Orange pipeline on August 10, 2020. On this date, the pipeline had been isolated from other pipelines, purged of hazardous liquids, and filled with nitrogen for at least a decade. While the pipeline is classified as 'active', the line is idle (not transporting product) and was not in hazardous liquid service when the valves were identified as being inoperable by the previous operator in December 2019 and May 2020.

Safety and environmental risks from properly purged idle lines are significantly less than those from in-service and non-purged idle pipelines. PHMSA issued Advisory Bulletin (ADB) 2016-05 to discuss this topic and the different regulatory treatment for purged idle pipelines. It is noted in this ADB that "PHMSA will accept deferral of certain activities for purged but active

pipelines” and that “All deferred activities must be completed prior to, or as part of, any later return-to-service.”

Easton’s *Inspection of Mainline Valves* procedure, P-195.420, differentiates between valves on “active in-service” pipelines and those on “active idle” pipelines under a nitrogen blanket. Per this procedure, in cases where a valve on an “active idle” pipeline is outside its required normal working conditions, repair or replacement must be completed before the associated pipeline is brought into hydrocarbon [hazardous liquid] service. The inoperable valves noted during the inspection have been included in our maintenance management system as requiring repair or replacement before the pipeline is returned to active service (transporting product) in the future.

Easton contends there was no violation of 49 CFR 195.420 since (1) the pipeline was purged of hazardous liquids before being idled; (2) the inoperable valves are not necessary for the safe operation of the idle pipeline as the line is not likely to result in impacts to people, property, or the environment based on its current condition; (3) Easton’s valve procedure aligns with ADB-2016-05 by allowing deferred valve maintenance on “active idle” lines with the requirement to complete repairs before the pipeline is returned to hazardous liquid service; and (4) the valves have been identified in our maintenance management system as requiring repair or replacement before the pipeline is returned to active service.

Given the information above, Easton requests alleged violation #1 and the associated Proposed Compliance Order be withdrawn in their entirety.

Please feel free to contact me at (281) 767-2511 x104, or via email at mcesarz@eastonenergy.com, if you have any questions or need additional information.

Sincerely,



Matthew S. Cesarz, PE
Director, HSE & Regulatory