

## NOTICE OF AMENDMENT

### OVERNIGHT EXPRESS DELIVERY

May 11, 2017

Steven Thompson,  
Senior Vice President  
Eastern Shore Natural Gas Co  
909 Silver Lake Blvd  
Dover, DE 19904

**CPF 1-2017-1009M**

Dear Mr. Thompson:

During the weeks of May 16 and September 26, 2016, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected Eastern Shore Natural Gas's (ESNG) White Oak Mainline Expansion and US301/SR1 Relocation construction projects at locations in Cochranville, PA and Biddles Corner, DE.

On the basis of the inspections, PHMSA has identified the apparent inadequacy found within ESNG's plans or procedures, as described below:

**1. §192.303 Compliance with specifications or standards.**

**Each Transmission line or main must be constructed in accordance with comprehensive written specifications or standards that are consistent with this part.**

ESNG's written specifications for each transmission line constructed in accordance with Part 192 were inadequate. Specifically, ESNG's Construction Standards Manual, Revision 3, dated 3/16/13 (Manual) did not provide sufficient guidance for securing ground clamps during welding to maintain electrical conductivity.

During the inspection in May of 2016, the PHMSA inspector reviewed ESNG's Manual. Section 9.3.11 of the Manual, Ground Clamps, states:

"A. External pressure-type clamps shall be utilized when performing all welding. Ground clamps may be fitted with copper or brass contact tips to prevent arc burns on the pipe surfaces.

B. A welder is automatically disqualified if he tacks the ground lead to a pipe or appurtenance."

On May 17, 2016 and September 27, 2016, the PHMSA inspector observed several occasions where the grounding clamp utilized during welding was not firmly secured to the pipeline.

American Petroleum Institute (API) Standard 1104 "Welding of Pipelines and Related Facilities", 20th Edition, incorporated by reference in §192.7(b)(9), states in Section A.5.3 that "Arc burns may occur on the internal or external surface of the pipe as a result of inadvertent arc strikes or improper grounding."

In order to maintain electrical conductivity for proper grounding throughout the welding process, a secured ground contact is necessary. Unsecured ground contact may lead to inadequate grounding, interruption of welding and/or arc burns.

ESNG's Manual lacked guidance on how ground clamps will be secured to the pipeline in order to maintain electrical conductivity.

#### Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §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 an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 60 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that ESNG maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures)

and submit the total to Robert Burrough, Acting Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please refer to **CPF 1- 2017-1009M** on each document you submit, and whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to [robert.burrough@dot.gov](mailto:robert.burrough@dot.gov). Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

Robert Burrough  
Acting Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration

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