

## NOTICE OF AMENDMENT

### OVERNIGHT EXPRESS DELIVERY

December 5, 2017

J. Andrew Drake  
Vice President, Operations & EHS  
Algonquin Gas Transmission, L.L.C. (Spectra Energy Partners, LP)  
5400 Westheimer Court  
Houston, TX 77056

**CPF 1-2017-1019M**

Dear Mr. Drake:

From May 2 to 5, 2017, the Connecticut Department of Energy and Environmental Protection (CT DEEP) acting as Agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected the procedures of Algonquin Gas Transmission, L.L.C. (Algonquin), a subsidiary of Enbridge Inc. (Enbridge).

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Algonquin's plans or procedures, as described below:

- 1. § 192.605 Procedural manual for operations, maintenance, and emergencies.**
  - (b) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.**
    - (1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and Subpart M of this part.**

Algonquin's procedures for conducting operations and maintenance activities and for emergency response were inadequate. Specifically, Algonquin's gas detector maintenance procedure #4-3030, *Stationary Gas & Fire Detection Systems*, dated 03/03/2017 (Gas Detection Procedure), and associated record forms, did not contain sufficient details for documenting the performance testing of gas detectors in accordance with § 192.736.

Section 192.736 (b) and (c) state:

“(b) Except when shutdown of the system is necessary for maintenance under paragraph (c) of this section, each gas detection and alarm system required by this section must-

(1) Continuously monitor the compressor building for a concentration of gas in air of not more than 25 percent of the lower explosive limit; and

(2) If that concentration of gas is detected, warn persons about to enter the building and persons inside the building of the danger.

(c) Each gas detection and alarm system required by this section must be maintained to function properly. The maintenance must include performance tests.”

During the inspection, the CT DEEP Inspector reviewed Algonquin’s Gas Detection Procedure, and Work Order records of gas detector testing and inspection. The Gas Detection Procedure states in part:

*2.0 T&I – Gas Detectors*

...

*2.2.1 Verify the following action:*

*2.2.1.1 20% LEL – low alarm trip point*

*2.2.1.2 40% LEL – high alarm trip point, if applicable.*

...

*7.0 Reporting*

*7.1 Complete testing and inspection activities in the applicable Work Order within the EAM Solution Database.*

Algonquin provided Work Order Details for Work Order Number 401132096 as records of gas detector testing and inspection. The records reviewed did not contain documented values, responses or dates for any of the steps outlined in the “Operations” portion of the record, including “0050 Verify Audible and Visual Alarms”. The only information supplied in these records to indicate that work was done was a “Completed Indicator” marking for each of the 17 gas detectors at the associated location, and a finish date for the work order. The record did not indicate any actual or set alarm trip points, or contain fields requiring that this information be documented.

Records of required maintenance activities must contain adequate details to demonstrate the work completed. A record not indicating the performance test trip or set point is unable to verify that the low alarm trip point is 20% LEL, as required by the Gas Detection Procedure, or below 25% LEL as required by § 192.736 (b). The records did not provide adequate information to demonstrate compliance with the Procedure or with § 192.736.

Therefore, Algonquin’s procedure and associated record form were inadequate with regards to gas detector testing to demonstrate compliance with § 192.736.

2. § 192.605 Procedural manual for operations, maintenance, and emergencies.

(b) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

(1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and Subpart M of this part.

Algonquin's procedures for conducting operations and maintenance activities and for emergency response were inadequate. Specifically, Algonquin's written procedure 1-6010, *Pipeline Patrol and Leakage Survey Frequency Criteria*, dated 06/08/2010 (Survey Procedure), fails to provide guidance consistent with Algonquin's current practice of utilizing leak detection equipment in areas where vegetation survey is impractical.

During the inspection, the CT DEEP inspector reviewed Algonquin's Survey Procedure. The Survey Procedure did not address right of way conditions that might hinder certain types of survey methods. Algonquin performed leakage survey through vegetation survey, but in areas of significant pavement, where vegetation survey is impractical, Algonquin used leak detection equipment. This practice is consistent with PHMSA's interpretation PI-09-0018 of § 192.706, dated 11/5/2009, which states in part (**emphasis added**):

"...Therefore, under the current code language an operator could potentially utilize an alternate leakage survey method such as an over-the-line vegetation survey in Class 1 and Class 2 locations and for transmission lines with odor or odorant in Class 3 and Class 4 locations, but only if the operator can demonstrate that such a survey would be effective in identifying any leaks. This means that an over-the-line vegetation survey must be performed during the time of year when vegetation is in its growth cycle (i.e., spring or summer) and the operator must be able to document that such a survey would be effective based on the time of year, weather conditions, ground visibility, soil conditions, location of the pipeline, etc. **Even under these circumstances, additional leakage survey methods potentially involving leak detection equipment would be necessary in locations without vegetation cover such as road crossings, paved areas, dead soil areas with no vegetation, and other such areas.**"

The Survey Procedure did not require this use of an additional, effective leak detection method in areas of significant pavement or areas where other conditions hinder the use of vegetation survey.

Therefore, Algonquin's procedure was inadequate as it fails to provide guidance for taking additional action in areas where vegetation survey is impractical.

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 90 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 Algonquin Gas Transmission Co. (Spectra Energy Corp) 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 1-2017-1019M** 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.

Additionally, if you choose to respond to this (or any other case), please ensure that any response letter pertains solely to one CPF case number.

Sincerely,

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

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

Cc: *Karl Baker, CT DEEP*