

## NOTICE OF AMENDMENT

### OVERNIGHT EXPRESS DELIVERY

January 31, 2019

Ms. Michele Harradence  
Vice President, Transmission & Midstream Operations  
Algonquin Gas Transmission, L.L.C.  
5400 Westheimer Court  
Houston, TX 77056

**CPF 1-2019-1003M**

Dear Ms. Harradence:

Between February 25, 2018 and June 15, 2018, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), and inspectors from the Connecticut Department of Energy & Environmental Protection (CT DEEP), and the New York State Department of Public Service (NYS DPS) acting as agents of PHMSA, pursuant to Chapter 601 of 49 United States Code performed an integrated inspection of Algonquin Gas Transmission, L.L.C. (AGT) pipeline system in Houston, TX, Massachusetts, Rhode Island, Connecticut, New York and New Jersey.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within AGT'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.**
  - (2) Controlling corrosion in accordance with the operations and maintenance requirements of Subpart I of this part.**

AGT's manual of written procedure was inadequate in that it failed to include procedures for controlling corrosion in accordance with the operations and maintenance requirements of Part 192

Subpart I. Specifically, AGT's Procedure Number 2-3010, *Internal Corrosion Monitoring and Mitigation*, dated 03/01/2016 (Corrosion Procedure), failed to provide sufficient detail regarding required timing for completing internal corrosion inspections and their documentation.

Section 192.475(b) states in part "Whenever any pipe is removed from a pipeline for any reason, the internal surface must be inspected for evidence of corrosion."

During the inspection, the CT DEEP inspector reviewed AGT's Corrosion Procedure. Section 3.0, Visual Inspection Requirements, of the Corrosion Procedure stated in part:

#### "3.1. Pipeline Cut Open or Removed

Whenever any pipe is cut open or removed from a pipeline, for any reason, a visual inspection must be performed by a Qualified Person to determine whether internal corrosion is present...

...the inspection should include the collection and analysis of solid, liquid and sludge samples, in accordance with SOP #5-3090.

#### 3.2 Documenting Internal Corrosion

The internal conditions of the pipe shall be documented. This includes documenting whether the internal surface is wet or dry and noting the presence or absence of deposits, debris, nodules (discrete deposits), sludge, scale, oil, water, etc. and described in SOP #5-3090.

...

#### 3.6 Recording Information

All inspections shall be recorded within the Pipe Anomaly Database. This information shall be retained for the life of the pipeline."

The Corrosion Procedure required internal inspection of cut or removed pipe as prescribed in § 192.475(b). However, it failed to prescribe a timeframe for how soon the inspection must be completed and documented following the cutting or removal of the pipe. Prompt inspection is needed to be able to obtain the samples and information required by Section 3.0 outlined above. Additionally, AGT's Corrosion Procedure failed to prescribe if the original documentation to initiate repairs is to be updated after internal corrosion inspection is performed, or a new report is to be created for the internal corrosion inspection.

### **2. § 192.805 Qualification Program**

**Each operator shall have and follow a written qualification program. The program shall include provisions to:**

**(a) Identify covered tasks;**

AGT's written qualification program was inadequate. Specifically, AGT's Operator Qualification Procedures, dated December 7, 2017 (OQ Plan) failed to include adequate provisions for identifying covered tasks based on the four-part test defined in § 192.801(b).

During the inspection, the PHMSA inspector reviewed AGT's OQ Plan. The inspector found that the OQ Plan failed to include a written process for identifying covered tasks using the four-part test set out in § 192.801(b). The OQ Plan included the origin of AGT's Covered Task List, which included who participated in determining the Covered Task List; however, the provisions to identify the covered tasks based on the four-part test as defined in § 192.801(b) were not included in the OQ plan.

Therefore, AGT failed to include provisions in their written qualifications program to identify covered tasks in accordance with § 192.805, by not including the four-part test set out in § 192.801(b).

#### 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 AGT 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, Director, PHMSA Eastern Region, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. Please refer to **CPF 1-2019-1003M** 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  
Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration

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