

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

August 12, 2019

Michele Harradence
VP Gas Transmission & Midstream Operations
Algonquin Gas Transmission, LLC
5400 Westheimer Court
Houston, TX 77056

CPF 1-2019-1015M

Dear Ms. Harradence:

From October 16 - October 20, 2017 and May 15 - 17, 2018, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected Algonquin Gas Transmission, LLC (Algonquin)'s procedures for the Mystic River HDD Project in Waltham, Massachusetts.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within Algonquin'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.

Algonquin's written specifications and standards for constructing each transmission line were inadequate. Specifically, Algonquin's construction standards for coating inspection failed to adequately address the requirements of § 192.307 and § 192.461(e) regarding pipe that was horizontally directionally drilled (HDD).

During the inspection, a PHMSA inspector requested procedures for assessing and remediating coating that may have been damaged as a result of installation via HDD. Algonquin provided COATING DESIGN FOR HDD INSTALLATIONS (Guideline Number: DG-PC1.1 and Revision Date: 11/04/2014) (Design Guideline).

Section 192.307 stated “Each length of pipe and each other component must be visually inspected at the site of installation to ensure that it has not sustained any visually determinable damage that could impair its serviceability.” The Design Guideline did not address inspecting piping in the exit pit that was installed via HDD in order to determine if any damage occurred that could impair its serviceability, and also subsequent remediation requirements that may be necessary in the event damage was discovered.

Section 192.461(e) stated “If coated pipe is installed by boring, driving, or other similar method, precautions must be taken to minimize damage to the coating during installation.” The Design Guideline did not address inspecting the coating condition of piping in the exit pit that was installed via HDD, and subsequent remediation requirements for damaged coating.

Therefore, Algonquin’s construction standards failed to address inspecting and remediating, if necessary, the coating of piping in the exit pit that was installed via HDD to comply with § 192.461(e). Also, the procedures did not address inspection of said pipe to determine if any damage occurred during the HDD installation that could impair its serviceability to meet § 192.307, and subsequent remediation, if necessary.

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 Enforcement 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 Algonquin Gas Transmission, LLC 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 1-2019-1015M** 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. Larger files should be sent on USB flash drive 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 Enforcement Proceedings*