June 26, 2020

VIA ELECTRONIC MAIL TO: badar.khan@nationalgrid.com

Mr. Badar Khan
President
National Grid USA
40 Sylvan Road
Waltham, Massachusetts 02451

Re: CPF No. 1-2020-003-NOPV

Dear Mr. Khan:

Enclosed please find the Final Order issued in the above-referenced case to your subsidiary, Niagara Mohawk Power Corporation. It makes a finding of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Eastern Region, this enforcement action will be closed. Service of the Final Order by electronic mail is effective upon the date of transmission as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Robert Burrough, Director, Eastern Region, Office of Pipeline Safety, PHMSA
Mr. Ross Turrini, Senior Vice President – Gas Process and Chief Engineer, National Grid USA, ross.turrini@nationalgrid.com
Ms. Cordelia O’Hara, Chief Operating Officer – Gas Operations, National Grid USA, cordi.ohara@nationalgrid.com

CONFIRMATION OF RECEIPT REQUESTED
In the Matter of

Niagara Mohawk Power Corporation, a subsidiary of National Grid USA, Respondent.

CPF No. 1-2020-003-NOPV

FINAL ORDER

On May 12, 2020, pursuant to 49 C.F.R. § 190.207, the Director, Eastern Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Niagara Mohawk Power Corporation (Respondent), a subsidiary of National Grid USA. The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 193. The Notice also proposed certain measures to correct the violation. Respondent did not contest the allegation of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 193.2167 (Item 1) — Respondent failed to prohibit the use of a covered impounding system at its Providence, Rhode Island liquefied natural gas facility.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

COMPLIANCE ACTIONS

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violation. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.
WARNING ITEMS

With respect to Items 2 and 3, the Notice alleged two probable violations of 49 C.F.R. § 193.2605(b), respectively, but did not propose a civil penalty or compliance order for these items. Therefore, these are considered to be warning items. If OPS finds a violation of any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

June 26, 2020

Alan K. Mayberry
Associate Administrator
for Pipeline Safety