

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

July 16, 2020

Mr. Richard Redmond
President
DTE Midstream Appalachia, LLC
1000 Noble Energy Drive
Canonsburg, PA 15317

CPF 1-2020-004-NOA

Dear Mr. Redmond:

From April 29, 2020 - April 30, 2020, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected DTE Midstream Appalachia, LLC's (DTE) procedures.

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

1. **§ 192.605 - Procedural manual for operations, maintenance, and emergencies.**
 - (a) ...
 - (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) ...
 - (2) **Controlling corrosion in accordance with the operations and maintenance requirements of subpart I of this part.**

DTE's procedures were inadequate. Specifically, DTE's *O&M Procedure 451 Corrosion Control, dated March, 2018* (Corrosion Procedure) failed to include a description or details of its grading system for evaluating pipe exposed to the atmosphere for coating condition and atmospheric corrosion.

During the inspection, the PHMSA inspector requested DTE's procedures for atmospheric corrosion inspections. DTE provided its Corrosion Procedure, which discusses atmospheric corrosion control in Section 5, *Control of Atmospheric Corrosion*, and remedial actions required from corrosion inspections

in Section 6, *Remedial Measures*. Additionally, Section 7 of the procedure, *Inspection*, notes that corrosion inspections are documented on Form 5340, Activity Report (Form). The Form included fields for coating Condition and Bond, with grading scales of Good, Fair, and Poor. It also includes a field for General Pipe Condition with options of Good, Minor Pitting and Deep/Severe Pitting. However, the written procedure did not provide guidance on how this grading scale is applied and what remedial actions are required, if any, for each pipe and coating condition grade.

When the PHMSA inspector requested if there were additional procedures or guidance related to the evaluation method used for atmospheric corrosion, DTE stated there was no further guidance.

Thus, DTE failed to include details in its procedures of its criteria to evaluate atmospheric corrosion on its pipelines in accordance with § 192.605(b)(2). Therefore, DTE must amend their procedures to include details of the criteria to evaluate atmospheric corrosion on pipelines.

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

(a) ...

(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) ...

(2) Controlling corrosion in accordance with the operations and maintenance requirements of subpart I of this part.

DTE's procedures for corrosion control were inadequate. Specifically, DTE's *O&M Procedure 451 Corrosion Control, dated March, 2018* (Corrosion Procedure) failed to define the training and experience requirements for the person or persons who direct or carry out DTE's corrosion control procedures in accordance with § 192.453.

Section 192.453 states:

The corrosion control procedures required by §192.605(b)(2), including those for the design, installation, operation, and maintenance of cathodic protection systems, must be carried out by, or under the direction of, a person qualified in pipeline corrosion control methods.

During the inspection, the PHMSA inspector requested DTE's procedures regarding qualifications for corrosion control personnel. DTE presented its Corrosion Procedure, which lacked details addressing what training or experience in corrosion control methods are required for a person who directs or carries out its corrosion control procedures. When the PHMSA inspector requested if there were additional procedures or guidance related to these qualification requirements, DTE stated there was no further guidance related to qualifications other than in *Procedure 604 Operator Qualification Program*. This additional procedure indicated the covered tasks associated with the program, but failed to address the specific requirements of § 192.453.

Thus, DTE's procedures were inadequate regarding the qualification requirements of § 192.453. Therefore, DTE must amend their procedures to define the training and experience requirements for the person(s) who direct or carry out the corrosion control procedures.

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 30 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 DTE Midstream Appalachia, 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 1-2020-004-NOA** 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*

CC: Patrick Raichel, Supervisor Codes & Regulatory, DTE Midstream (via email)