

May 7, 2020

Director Robert Burrough
PHMSA Eastern Region
840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628

RE: CPF 1-2020-1012W

Dear Mr. Robert Burrough,

This letter is in response to the April 14, 2020 Warning Letter (CPF 1-2020-1012W) sent to Equitrans Midstream Corporation by the Pipeline and Hazardous Materials Safety Administration (PHMSA) for the Mountain Valley Pipeline Project (MVP).

As noted in the Warning Letter, a representative of PHMSA inspected portions of MVP on August 6-8, 2019 in Webster and Braxton Counties, West Virginia. As a result of the inspection, PHMSA has alleged that MVP committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. Specifically, EQT¹ failed to construct MVP in accordance with its comprehensive written specifications or standards consistent with Part 192. Specifically, EQT failed to follow its 10.2 Pipeline Construction Standard, Revision 4 - 1/22/19 (10.2 Standard) requirements pertaining to § 192.319. The Warning Letter also stated that “[b]ecause the MVP was not being installed in accordance with EQT’s 10.2 Standard, and in a manner that minimizes stresses and protects the pipe and pipe coating at certain locations, EQT failed to comply with § 192.303.”

Mountain Valley Pipeline, LLC (Mountain Valley) respectfully requests that PHMSA withdraw this Warning Letter. The evidence and facts included in the record does not support a probable violation of 49 C.F.R. § 192.303. The pipeline was installed and constructed in compliance with Mountain Valley’s Design and Construction Standards in a manner that minimizes stresses and protects the pipe and pipe coating. Mountain Valley has provided the following Timeline of Events for reference purposes, followed by Mountain Valley’s Response to PHMSA Comments from the April 14, 2020 Warning Letter.

Timeline of Events

August 6, 2019 to August 8, 2019

- PHMSA inspected locations on MVP Spread C in Webster and Braxton Counties, West Virginia;

¹ Please note that the letter addresses Equitrans Midstream Corporation as “EQT”

- The inspector expressed concern with the open ditch at Mudlick Run Road. The ditch was open and awaiting tie-in;
- After a conversation with MVP representatives on sight, the PHMSA inspector verbally conveyed that he was satisfied with the explanation and requested that evidence of remediation be provided after the tie-in was complete; and
- Over the remainder of the inspection, the PHMSA inspector did not express any additional concerns regarding bedding and backfilling.

December 5, 2019

- Mountain Valley received a follow up request for information (RFI) related to procedure clarification.

January 17, 2020

- Mountain Valley provided a response to PHMSA's RFI.

April 13, 2020

- Mountain Valley submitted a draft of procedure language Improvements to PHMSA for review.

April 14, 2020

- PHMSA sent Warning Letter CPF 1-2020-1012W to Equitrans Midstream Corporation.

Mountain Valley's Response to PHMSA Allegations

PHMSA Comment No. 1: *At Mudlick Run Road, 42-inch diameter pipe was noted to have been placed within a rock laden trench without adequate support padding and/or backfill material to protect the pipe coating from damage due to protruding rocks and spoils within the trench.*

MVP Response: No. 1: At the time of the PHMSA inspection, the impending tie-in work was scheduled to be completed in the upcoming weeks. The open ditch should not have been inspected as if it were complete and ready for final inspection. While the ditch remained open, heavy rains loosened the soil between the rocks and was washed away. The pipe remained supported by sacks within required spacing and was properly wrapped in rock shield to maintain temporary protection. Mountain Valley attests that inspection personnel must have ample opportunity to inspect pipe while resting in the ditch to make corrections as necessary during the construction process. It would be reasonable to expect that the PHMSA inspector waited until construction inspectors deemed the ditch ready for padding and backfill prior to assessing the ditch prematurely. Pipe at this location was protected and would have been re-jeeped and repaired per MVP standards, if necessary, after tie-in of the approaching pipeline.

PHMSA Comment No. 2: *At Camp Creek Road, the PHMSA inspector observed 42-inch diameter pipe being placed within a rock laden trench inconsistent with EQT's construction standard requirements.*

MVP Response: No. 2: Mountain Valley would attest that the construction process must be allowed to progress, and craft inspection personnel must have the opportunity to inspect pipe in the ditch at the appropriate time. Per MVP standards and practices, it would have been appropriate for the PHMSA inspector to wait until MVP construction inspectors deemed the ditch ready for padding, backfill and final inspection.

PHMSA Comment No. 3: *“...preparation of trench, padding height and clear spacing requirements between rock and pipe wall were inconsistent with the required minimum stipulated in EQT’s 10.2 Standard, Sections 9.1, 14.1, 14.2 and 15.3” and “Observations indicated that pipe installed at this location may be susceptible to stresses and/or damage that may incur as a result of movement or settlement that is typical during required post installation hydrostatic testing.”*

MVP Response: No. 3: Mountain Valley attests that these alleged discrepancies in height and spacing were not supported by physical measurements nor are the assumptions regarding susceptibility to stress due to possible pipe movement supported by evidence or engineering analysis.

Furthermore, Mountain Valley is confident that the items identified in the Warning Letter are in compliance with 49 CFR § 192.303. This pipeline was installed and constructed in compliance with our design and construction standards in a manner that minimizes stresses and protects the pipe and pipe coating. As part of MVP’s installation processes, once the pipeline is constructed and inspected to Mountain Valley’s written specifications, the pipeline undergoes further scrutiny to ensure its integrity prior to operation.

Prior to placing the line into service, Mountain Valley performs coating survey testing as an additional measure to ensure the integrity of the pipeline coating. If the survey reveals specific indication of coating damage, Mountain Valley will excavate the pipeline and repair the coating. In addition, Mountain Valley will conduct geometric pigging to ensure the pipeline meets acceptable geometry requirements. If the pigging tool reveals indications of dents or irregular ovality issues, Mountain Valley will excavate the pipeline and determine if the feature requires further remedial action. Through numerous proactive integrity and pipeline safety activities, Mountain Valley assures the safe operation of its pipeline system.

Although PHMSA Eastern Region has noted that it does not intend to conduct additional enforcement action or penalty assessment proceedings, Mountain Valley respectfully requests that PHMSA withdraw this warning letter since the facts do not support a probable violation. Additionally, allegations of inconsistent practices with respect to dimensional requirements must be accompanied by physical evidence.

Thank you for your time and attention to this matter. Please feel free to contact me at (412) 395-2971 or GWest@equitransmidstream.com if you have any questions or need addition information.

Respectfully,

Gregg West
VP, Environmental Safety & Compliance