U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628
609.771.7800

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

May 28, 2020

Thomas F. Farrell, II
Chairman, President and Chief Executive Officer
Dominion Energy
1 James Ctr.
Richmond, VA 23219

CPF 1-2020-1021M

Dear Mr. Farrell:

From January 17, 2018 to June 18, 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 records and procedures of Dominion Energy Transmission, Inc. (Dominion) at its main office in Bridgeport, West Virginia.

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

1. **§ 192.631 Control room management.**

(a) *General.* (1) This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section, except that for each control room where an operator's activities are limited to either or both of:

Dominion's written control room management procedures were inadequate because they failed to include a detailed process to implement the requirements of § 192.631(b)[1]. Specifically,

[1] § 192.631(b) *Roles and responsibilities.* Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, and operator must define each of the following:

Dominion's *Control Room Management Plan, Revision 4, 1/23/2018* (CRM Plan) failed to define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions.

Dominion's CRM Plan had several references to "supervisor" but did not define the roles and responsibilities of a supervisor. Moreover, Dominion's CRM Plan did not outline the difference between a shift-supervisor and a supervisor's roles and responsibilities in *Section 4.2 Defined Roles and Responsibilities*.

Therefore, Dominion's CRM Plan was inadequate because they did not define the roles and responsibilities of a controller in accordance with § 192.631(b).

2. § 192.631 Control room management.

(a) *General.* (1) This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section, except that for each control room where an operator's activities are limited to either or both of:

Dominion's written control room management procedures were inadequate because they failed to include details to implement the requirements of § 192.631(b)(4)[2]. Specifically, Dominion's *Control Room Management Plan, Revision 4, 1/23/2018* (CRM Plan) did not have a detailed method of recording controller shift-changes and any hand-over of responsibility between controllers regarding controller absences from consoles.

Dominion CRM Plan, *Subsection 4.3 Method of Recording Controller Shift-Changes and Any Hand-Over of Responsibility between Controllers 192.631(b)(4) 192.631(c)(5)* stated in part:

> "A Shift Change Sheet must be completed at the beginning of every shift and if a controller is away from the controlling console for more than a significant amount of time."

However, Dominion's CRM Plan did not define "significant amount of time". Thus, it is unclear how long a controller could be absent from the console and still maintain adequate coverage.

Therefore, Dominion's CRM Plan was inadequate because they did not include a detailed method of recording controller shift-changes and any hand-over responsibilities between controllers in accordance with § 192.631(b)(4).

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[2] § 192.631(b) *Roles and responsibilities.* Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, and operator must define each of the following:
§ 192.631(b)(4) A method of recording controller shift-changes and any hand-over of responsibilities between controllers; and

3. § 192.631 Control room management.

(a) *General.* (1) This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section, except that for each control room where an operator's activities are limited to either or both of:

Dominion's written control room management procedures were inadequate because they failed to have written control room management procedures that implemented the requirements of § 192.631(d)[3]. Specifically, Dominion's *Control Room Management Plan, Revision 4, 1/23/2018* (CRM Plan) did not include procedures for implementing the methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined.

Dominion's CRM Plan, *Subsection 6.3 Fatigue Mitigation 192.631(d)(2) 192.631(d)(3)* stated in part: "A fatigued controller should call the Gas Control Manager, Director or Coordinator to find a replacement controller. (Controller Fatigue Replacement Procedure)." However, Dominion's CRM Plan did not describe or reference a process for when someone such as a supervisor identifies that a controller is fatigued and must find a replacement.

Therefore, Dominion's CRM Plan was inadequate because they did not implement the methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined in accordance with § 192.631(d).

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

[3] § 192.631(d) *Fatigue mitigation.* Each operator must implement the following methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:

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 Dominion Energy Transmission, Inc. 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 1-2020-1021M** 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: Brian Sheppard, Vice President, Eastern Pipeline Operations, Dominion Energy Transmission, Inc. (via email)