



**Southern Star Central Gas Pipeline, Inc.**  
4700 State Route 56  
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Owensboro, Kentucky 42304-0010  
Phone 270/852-5000

July 06, 2021

US Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
Office of Pipeline Safety  
Eastern Region Office  
840 Bear Tavern Road, Suite 300  
West Trenton, NJ 08628

Mr. Robert Burrough,

RE: Response to Notice of Probable Violation and Proposed Civil Penalty (CPF 1-2021-037-NOPV)

On June 17, 2021 you issued a letter to Southern Star Central Gas Pipeline, Inc (Southern Star) outlining a Notice of Probable Violation (NOPV) and Proposed Civil Penalty based upon an inspection, which was performed pursuant to Chapter 601 of 49 United States Code. In the Notice of Probable Violation, PHMSA alleged that Southern Star has committed probable violations of the Pipeline Safety Regulations:

- Item 1 – Violation of §191.5 Immediate notice of certain incidents – Southern Star failed to give notice of the Incident at the earliest practicable moment following discovery, but no later than one hour after confirmed discovery.
- Item 2 – Violation of §199.225 Alcohol tests required – Southern Star failed to conduct required alcohol tests as soon as practicable following the Incident for employees performing tasks or those whose performance of a task cannot be completely discounted as a contributing factor to the accident.

Southern Star's responses are below to the proposed violation items:

**Item 1 – Violation of §191.5 Immediate notice of certain incidents**

The incident associated with the NOPV did not incur an unintentional release of gas, the estimated property damage of \$3,000 was below the reportable threshold, and the site was immediately secured following the closure of the blow-off valve. Southern Star personnel on-site were not certified medical professionals who could reasonably determine the severity of the injury especially with respect to whether there was any internal injury. Therefore, prior to notifying the National Response Center (NRC) confirmation was pending that the injury would necessitate in-patient hospitalization as determined by the medical professionals. The injured employee was under observation at the hospital and admitted at 04:09 PM CST. Once this confirmation was received, Southern Star confirmed discovery of an incident meeting criteria 1(i) under §191.3 - A death, or personal injury necessitating in-patient hospitalization. Notification was made to the NRC at 04:45 PM CST on 06/30/2020 within the 1-hour requirement window after confirmed discovery. Southern Star contests the allegation and proposed penalty associated with item 1 based upon the nature of the incident and the explanation and timeline of events above.

**Item 2 – Violation of §199.225 Alcohol tests required**

Due to the COVID-19 pandemic and associated hospital restrictions, Southern Star was not able to utilize the Pipeline Testing Consortium group to conduct testing within our normal protocol. The alcohol testing requirements were not communicated, and the two Southern Star employees did not receive alcohol testing within the required time window. Southern Star does not contest the allegations or proposed penalty associated with item 2.

Southern Star is committed to operating a safe and reliable storage system and will continue to take measures daily to protect those individuals who live and work along our system.

Sincerely,

/s/ 

V.P. & Chief Operations Officer