



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

8701 S. Gessner, Suite 630
Houston TX 77074

NOTICE OF AMENDMENT

ELECTRONIC MAIL - RETURN RECEIPT REQUESTED

November 1, 2021

Aaron Stephenson
Senior Vice President, Operations
Midship Pipeline Company, LLC
700 Milam Street, Suite 1900
Houston, Texas 77002

CPF 4-2021-058-NOA

Dear Mr. Stephenson:

From March 29, 2021 through June 8, 2021, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected Midship Pipeline Company, LLC's (Midship) procedures for operations, maintenance, and emergencies.

Based on the inspection, PHMSA has identified an apparent inadequacy found within Midship's plans or procedures, as described below:

1. **§ 192.615 Emergency plans**
 - (a) **Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. . .**
 - (b) **Each operator shall:**
 - (1) . . .
 - (3) **Review employee activities to determine whether the procedures were effectively followed in each emergency.**

Midship's *Pipeline Emergency Response Plan, ERP-PPL-6110* (Dated November 1, 2020) is inadequate because it does not include steps for personnel to follow when reviewing an employee's activities during an emergency, to determine whether that employee effectively followed the procedures during such emergency. Specifically, *Section 24.2 Review After Emergency* of Midship's *Pipeline Emergency Response Plan* requires that the plan "be reviewed by the VP Pipeline Operations for effectiveness of the procedures used after an

emergency.”

The procedure does not, however, include the necessary steps for reviewing the employee’s activities or employee’s actions during the emergency as part of the review process.

Midship’s procedure must be amended or supplemented to include steps guiding the review of the activities of an employee during an emergency as part of the post-emergency review process for the effectiveness review of the emergency procedures used during the emergency.

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 Compliance 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 Midship Pipeline Company, 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 Mary L. McDaniel P.E, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 4-2021-058-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Mary L. McDaniel P.E.
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration