



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

January 31, 2022

Sean Kolassa
President
Harvest Midstream Company
1111 Travis Street
Houston, Texas 77002

CPF 4-2022-031-NOA

Dear Mr. Kolassa:

From August 30, 2021 through September 15, 2021, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected Harvest Midstream Company's (Harvest) operations and maintenance procedures.

During the inspection, PHMSA identified the apparent inadequacies found within Harvest's plans or procedures, as described below:

1. **§ 195.402 - Procedural manual for operations, maintenance, and emergencies.**
 - (a) ***General.*** Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to ensure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.
 - (b) . . .
 - (c) ***Maintenance and normal operations.*** The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:
 - (1) . . .
 - (3) Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of this part.

§ 195.422 Pipeline repairs.

(a) Each operator shall, in repairing its pipeline systems, ensure that the repairs are made in a safe manner and are made so as to prevent damage to persons or property.

Harvest's written procedure for repairing its pipeline system is inadequate as it does not provide guidance for determining how long a temporary repair may remain in place, but rather includes a general recommendation regarding how long temporary repairs should remain in operation. Harvest procedure *P-195.422 Repairs/Replacements/Relocations* (Revision Date: 11/5/2021) states, "As a general recommendation, temporary repairs should not remain in operation past one (1) year from date of installation. Based on the calculated remaining life span of the affected pipe wall, the duration of the temporary repair could be allowed to remain in place for a longer duration, but not past the next inspection interval without further action."

While the procedure does provide guidance on an initial time interval for the duration of a temporary repair, there is not a definitive end date. The procedure also allows the temporary repair to remain in place for a longer duration of time based on the calculated remaining life span of the affected pipe wall, and refers to the "next inspection interval." According to Harvest personnel, this refers to the next integrity assessment, which may be an interval of up to five (5) years, which is an excessive time interval to allow a temporary repair to remain in place.

Harvest submitted an amended procedure to PHMSA on December 21, 2021. PHMSA reviewed the amended procedure and determined that it adequately addresses the inadequacies described regarding the installation of temporary repair methods.

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. As mentioned above, Harvest Midstream Company has already submitted an amended procedure to PHMSA that reflects the amendments required by this Notice. The amended procedure was reviewed and found to be adequate by PHMSA, therefore, no further action or response is required. If no additional response is received within 30 days of receipt of this Notice, this enforcement will be automatically closed.

It is requested (not mandated) that Harvest Midstream Company 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, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 4-2022-031-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

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings.*

cc: Troy Brown, Pipeline Compliance Specialist/Coordinator,
trbrown@harvestmidstream.com