

August 24, 2017

Mr. Steve Newby
President and CEO
Summit Midstream Partners, LLC
1790 Hughes Landing Blvd., Suite 500
The Woodlands, Texas 77380

Re: CPF No. 5-2017-6003

Dear Mr. Newby:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation and finds that Summit Midstream Partners, LLC, has completed the actions specified in the Notice to comply with the pipeline safety regulations. Therefore, this case is now closed. Service of the Final Order by certified mail is effective upon the date of mailing as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosure

cc: Director, Western Region, Office of Pipeline Safety, PHMSA
Mr. Alfred Garcia Jr., Summit Midstream Partners, LLC, Pipeline Compliance Manager,
1790 Hughes Landing Blvd., Suite 500, The Woodlands, Texas 77380

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

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| In the Matter of |) | |
| |) | |
| Summit Midstream Partners, LLC, |) | CPF No. 5-2017-6003 |
| |) | |
| Respondent. |) | |
| |) | |

FINAL ORDER

On April 26-27, 2016, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of the facilities and records of Summit Midstream Partners, LLC’s (Summit or Respondent) Hereford highly volatile liquid (HVL) facility in Grover, Colorado. Summit primarily operates natural gas and crude-oil gathering systems in West Virginia, Ohio, North Dakota, Texas, and Colorado.¹ Summit’s Hereford HVL facility consists of one 4-inch HVL pipeline that transports natural gas liquid from the Hereford/Meadowlark gas plant to a connection with Overland Pass Pipeline. The HVL pipeline is approximately 10.8 miles in length.

As a result of the inspection, the Director, Western Region, OPS (Director), issued to Respondent, by letter dated February 13, 2017, a Notice of Probable Violation and Proposed Compliance Order (Notice), which also included warnings pursuant to 49 C.F.R. § 190.205. In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Summit had violated 49 C.F.R. §§ 195.404(b)(1) and 195.404(b)(2) and proposed ordering Respondent to take certain measures to correct the alleged violations. The warning items required no further action, but warned the operator to correct the probable violations or face possible enforcement action.

Summit responded to the Notice by letter dated April 10, 2017 (Response). The company did not contest the allegations of violation but provided information concerning the corrective actions it had taken. Respondent did not request a hearing and therefore has waived its right to one.

FINDINGS OF VIOLATION

In its Response, Summit did not contest the allegations in the Notice that it violated 49 C.F.R. Part 195, as follows:

¹ Summit Midstream, *website*, available at <http://www.summitmidstream.com/about> (last accessed August 1, 2017).

Item 3: The Notice alleged that Respondent violated 49 C.F.R. § 195.404(b)(1), which states:

§ 195.404 Maps and records.

- (a) ...
- (b) Each operator shall maintain for at least 3 years daily operating records that indicate –
 - (1) The discharge pressure at each pump station; ...

The Notice alleged that Respondent violated 49 C.F.R. § 195.404(b)(1) by failing to maintain daily operating records indicating the discharge pressure at each pump station for at least three years. Specifically, the Notice alleged that Summit’s control center’s data management system had the capability of retaining discharge pressure at each pump station for only 12-13 months, instead of the three years required by § 195.404(b)(1). According to the Notice, Summit acknowledged that it did not have daily operating records indicating discharge pressure at each pump station for three years. In addition, Summit was only able to provide discharge records starting on August 21, 2015.

In its Response, Summit did not contest this allegation of violation. Accordingly, based upon a review of all the evidence, I find that Respondent violated 49 C.F.R. § 195.404(b)(1) by failing to maintain daily operating records indicating the discharge pressure at each pump station for at least three years.

Item 4: The Notice alleged that Respondent violated 49 C.F.R. § 195.404(b)(2), which states:

§ 195.404 Maps and records.

- (a) ...
- (b) Each operator shall maintain for at least 3 years daily operating records that indicate –
 - (1) ...
 - (2) Any emergency or abnormal operation to which the procedures under § 195.402 apply.

The Notice alleged that Respondent violated 49 C.F.R. § 195.404(b)(2) by failing to retain daily operating records for at least three years indicating any emergency or abnormal operations to which the procedures under § 195.402 apply. Specifically, the Notice alleged that Summit’s control center only had the capability of retaining records for 12-13 months.²

In its Response, Summit did not contest this allegation of violation. Accordingly, based upon a review of all the evidence, I find that Respondent violated 49 C.F.R. § 195.404(b)(2) by failing to retain daily operating records for at least three years indicating any emergency or abnormal operations to which the procedures under § 195.402 apply.

² Item 4 noted that Summit’s control center did not retain discharge pressure at each pump station for three years. This evidence was used to support a finding of violation for Item 3 and was presumably referenced in Item 4 in error. Nevertheless, the fact that Respondent’s control center had the capability to retain records for only 12-13 months is sufficient evidence to find a separate violation of § 195.404(b)(2).

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to Items 3 and 4 in the Notice for violations of 49 C.F.R. §§ 195.404(b)(1) and 195.404(b)(2), respectively. Under 49 U.S.C. § 60118(a), each person who engages in the transportation of hazardous liquids or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. The Director indicates that Respondent has taken the following actions specified in the proposed compliance order:

1. With respect to the violation of § 195.404(b)(1) (**Item 3**), Respondent has installed a new Supervisory Control and Data Acquisition (SCADA) system with more robust storage and reporting features that will store all daily discharge pressure data for a minimum of three years.
2. With respect to the violation of § 195.404(b)(2) (**Item 4**), Respondent has installed a new SCADA system that can extract and retain emergency and abnormal operations records for three years.

Accordingly, I find that compliance has been achieved with respect to these violations. Therefore, the compliance terms proposed in the Notice are not included in this Order.

WARNING ITEMS

With respect to Items 1 and 2, the Notice alleged probable violations of Part 195 but did not propose a civil penalty or compliance order for these items. Therefore, these are considered to be warning items. The warning(s) were for:

49 C.F.R. § 195.266(a) (**Item 1**) — Respondent's alleged failure to maintain a complete record showing the total number of girth welds and the number nondestructively tested, including the number rejected and the disposition of each rejected weld, for the life of the pipeline facility. OPS alleged that Summit was unable to provide welding records to demonstrate that nondestructive testing was performed on at least 10 percent of the girth welds made by each welder and welding operator during each welding day of construction, as required by § 195.234(d). The welding data Summit provided allegedly showed a list of welders and percentage of welds X-rayed, but failed to include the dates each welder welded or the daily non-destructive testing percentages.

49 C.F.R. § 195.403(c) (**Item 2**) — Respondent's alleged failure to verify that its supervisors maintained a thorough knowledge of the portion of the emergency response procedures under § 195.402 for which they are responsible for ensuring compliance. Pursuant to § 195.403(a) and (b), operators are required to establish

and conduct a continuing training program to instruct emergency response personnel on emergency response procedures required under § 195.402 at intervals not to exceed 15 months, but at least once each calendar year. OPS alleged that Summit was unable to provide records demonstrating that a supervisor was trained in emergency response procedures for the 2014 calendar year.

If OPS finds a violation of any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

The terms and conditions of this Final Order are effective upon service in accordance with 49 C.F.R. § 190.5.

August 24, 2017

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued