

## WARNING LETTER

### VIA E-MAIL TO MS. MILLIE MORAN

February 11, 2021

Ms. Millie Moran  
Vice President – Commercial Operations  
TC Energy – Columbia Gas  
1700 MacCorkle Avenue, SE  
Charleston, WV 25314

**CPF 5-2021-005-WL**

Dear Ms. Moran:

During the week of June 1 through 5, 2020, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), performed a virtual inspection of the TC Energy - Columbia Gas West (TCECGW) Control Room located in Houston, Texas. This inspection included procedures, records, and a virtual observation associated with the Control Room Management Program.

As a result of the inspection, it is alleged that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violations are:

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

**(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:**

**(1) ...**

**(2) Educate controllers and supervisors in fatigue mitigation strategies and how off-duty activities contribute to fatigue;**

TC Energy Columbia Gas West (TCECGW) failed to keep records showing all controllers and supervisors were educated in fatigue mitigation strategies, including how off-duty activities contribute to fatigue. A review of controller and supervisor training records from 2015 to 2019 revealed that records for several individuals could not be provided to demonstrate periodic training to educate and provide fatigue mitigation strategies regarding how off-duty activities contribute to fatigue for the inspectors. Due to the operator's record keeping format, PHMSA reviewed control room training records back to 2015. However, no records for the specific employees were provided to PHMSA.

**2. § 192.631 Control room management.**

**(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:**

**(1) ...**

**(3) Train controllers and supervisors to recognize the effects of fatigue;**

TCECGW's control room training program and training content for controllers and supervisors did not include content regarding recognizing the effects of fatigue. A review of controller and supervisor training records from 2015 to 2019 showed that records for the several individuals could not be provided to demonstrate periodic training for controllers and supervisors to recognize the effects of fatigue. Due to the operator's record keeping format, PHMSA reviewed control room training records back to 2015. However, no records for the specific employees were provided to PHMSA.

**3. § 192.631 Control room management.**

**(e) *Alarm management.* Each operator using a SCADA system must have a written alarm management plan to provide for effective controller response to alarms. An operator's plan must include provisions to:**

**(5) Monitor the content and volume of general activity being directed to and required of each controller at least once each calendar year, but at intervals not to exceed 15 months, that will assure controllers have sufficient time to analyze and react to incoming alarms;**

TCECGW's alarm management plan did not provide for effective controller response to alarms and did not monitor the content and volume of general activity being directed to and required of each controller at least once each calendar year, but at intervals not to exceed 15 months. Regarding the 2018 and 2019 Controller Activities Assessment Reports, the assessments did not conclude whether any recommendations were necessary. A complete analysis of any program should state whether or not changes or recommendations are required to provide for effective controller response to alarms.

Neither the 2018 nor the 2019 Controller Activities Assessment Reports had a publish date on the document. TCECGW reported that the Controller Activities Assessment Reports shown during the inspection were the documents to demonstrate compliance with this section of

code. Inspectors reminded the operator that a complete date (month/day/year) needs to be on any documents or reports to demonstrate compliance with the once per calendar year, not to exceed 15 months, requirement.

**4. § 192.631 Control room management.**

**(h) Training.** Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator.

TCECGW did not review the controller training program content to identify potential improvements at least once each calendar year, at intervals not to exceed 15 months. Records indicate that the review of the controller training program exceeded 15 months between April 26, 2018 and October 1, 2019.

**5. § 192.631 Control room management.**

**(h) Training.** Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator. In addition, the training program must include the following elements:

**(1) ...**

**(6) Control room team training and exercises that include both controllers and other individuals, defined by the operator, who would reasonably be expected to operationally collaborate with controllers (control room personnel) during normal, abnormal or emergency situations. Operators must comply with the team training requirements under this paragraph by no later than January 23, 2018.**

TCECGW did not establish a controller training program that included control room team training and exercises by January 23, 2018. The operator's Controller Training Program, Revision 09, indicates that the team training requirement was not added to the Training Program until February 22, 2018, 30 days beyond the requirement of January 23, 2018. The operator also developed a Control Room Team Training Procedure, Rev. 00, which had an effective date of February 22, 2018. These procedures were not in effect by required date of January 23, 2018.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring

prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 for a related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the items identified in this letter. Failure to do so will result in TC Energy – Columbia Gas being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 5-2021-005-WL**. 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).

Sincerely,

Dustin Hubbard  
Director, Western, Office of Pipeline Safety  
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry  
PHP-500 D. Fehling (#20-173096)  
Lee Romack, TC Energy  
Erik Hughes, TC Energy