

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

April 14, 2020

Gregg West
Vice President, Midstream Operations
Equitrans Midstream Corporation
2200 Energy Drive
Canonsburg, PA 15317

CPF 1-2020-1012W

Dear Mr. West:

On August 6-8, 2019, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected Equitrans Midstream Corporation's (EQT) Mountain Valley Pipeline project in Webster and Braxton Counties, West Virginia.

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

1. § 192.303 Compliance with specifications or standards.

Each transmission line or main must be constructed in accordance with comprehensive written specifications or standards that are consistent with this part.

EQT failed to construct the Mountain Valley Pipeline (MVP) in accordance with its comprehensive written specifications or standards consistent with Part 192. Specifically, EQT failed to follow its *10.2 Pipeline Construction Standard*, Revision 4 – 1/22/19 (10.2 Standard) requirements pertaining to § 192.319.

Section 192.319(a) and (b) state:

- (a) When installed in a ditch, each transmission line that is to be operated at a pressure producing a hoop stress of 20 percent or more of SMYS must be installed

so that the pipe fits the ditch so as to minimize stresses and protect the pipe coating from damage.

(b) When a ditch for a transmission line or main is backfilled, it must be backfilled in a manner that:

- (1) Provides firm support under the pipe; and
- (2) Prevents damage to the pipe and pipe coating from equipment or from the backfill material.

EQT's 10.2 Standard includes requirements that pertain to § 192.319 and specifically requires that the trench be wide enough and free from rock, gravel, and other objects that might damage the pipe or the pipe's coating. Notably, repeated references to trenching, quality of backfill material, support, damage prevention and spacing requirements are made in sections 9.1 - *[Trenching] General*, 14.1 - *Preparation for Lowering*, 14.2 - *Rocky Trench Bottom*, and 15.3 - *Padding*.

During the field inspection of MVP Spread C on August 6-8, 2019, the PHMSA inspector noted the placement of pipe within ditches off Mudlick Run Road and Camp Creek Road was not performed in a manner consistent with EQT's procedures prescribed by § 192.303.

At Mudlick Run Road, 42-inch diameter pipe was noted to have been placed within a rock laden trench without adequate support padding and/or backfill material to protect the pipe coating from damage due to protruding rocks and spoils within the trench. Observations indicated that pipe installed at this location may be susceptible to stresses and/or damage that may incur as a result of movement or settlement that is typical during required post installation hydrostatic testing. Specifically, preparation of trench, padding height and clear spacing requirements between rock and pipe wall were inconsistent with the required minimum stipulated in EQT's 10.2 Standard, Sections 9.1, 14.1, 14.2 and 15.3. EQT's response to an inquiry by the inspector noted that the installation was a proposed tie-in location which was incomplete at the time of inspection. The location was subsequently remediated with supporting evidence provided at the request of the PHMSA inspector.

At Camp Creek Road, the PHMSA inspector observed 42-inch diameter pipe being placed within a rock laden trench inconsistent with EQT's construction standard requirements. Specifically, clear spacing requirements between pipe and rock wall, rock and/or rock fragments were inconsistent with the required minimum stipulated in EQT's 10.2 Standard, Sections 9.1, 14.1, 14.2 and 15.3. Observations indicated that pipe installed at this location may be susceptible to stresses and/or damage that may incur as a result of movement or settlement that is typical during required post installation hydrostatic testing.

Because the MVP was not being installed in accordance with EQT's 10.2 Standard, and in a manner that minimizes stresses and protects the pipe and pipe coating at certain locations, EQT failed to comply with § 192.303.

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 item(s) identified in this letter. Failure to do so will result in Equitrans Midstream Corporation being subject to additional enforcement action.

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).

No reply to this letter is required. If you choose to reply, please submit all correspondence in this matter to Robert Burrough, Director, PHMSA Eastern Region, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. Please refer to **CPF 1-2020-1012W** on each document you submit, and whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to robert.burrough@dot.gov. Larger files should be sent on USB flash drive accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

Robert Burrough
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration