

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

June 8, 2021

Mr. William Akley
President Gas Operations
Hopkinton LNG Co
107 Selden Street
Berlin, Connecticut 06037

CPF 1-2021-039-NOA

Dear Mr. Akley:

From November 23, 2020 to November 25, 2020, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Hopkinton LNG Co's (Hopkinton) procedures in Hopkinton, Massachusetts.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within Hopkinton's plans or procedures, as described below:

1. § 193.2017 Plans and procedures.

(a) Each operator shall maintain at each LNG plant the plans and procedures required for that plant by this part. The plans and procedures must be available upon request for review and inspection by the Administrator or any State Agency that has submitted a current certification or agreement with respect to the plant under the pipeline safety laws (49 U.S.C. 60101 et seq.). In addition, each change to the plans or procedures must be available at the LNG plant for review and inspection within 20 days after the change is made.

Hopkinton's plans and procedures were inadequate. Specifically, Hopkinton did not have procedures developed to comply with § 193.2301 regarding Section 6.6.5 of NFPA-59A-2001, Record Retention (Section 6.6.5).

Section 193.2301 states:

Each LNG facility constructed after March 31, 2000 must comply with requirements of this part and of NFPA-59A-2001 (incorporated by reference see §193.2013). In the event of a conflict between this part and NFPA 59A, this part prevails.

Section 6.6.5 states:

Test records and written procedures required when conducting nondestructive examinations shall be maintained for the life of the piping system or until such time as a reexamination is conducted.

Records and certifications pertaining to materials, components, and heat treatment as required by ASME B 31.3, Process Piping, subparagraphs 341.4.1(c) and 341.4.3(d) and Section 346, shall be maintained for the life of the system.

During the inspection, the PHMSA inspector inquired of Hopkinton personnel whether it had procedures addressing how it complies with Section 6.6.5, and the response was that they did not. After the inspection, Hopkinton personnel stated that it had revised its internal procedures to address this requirement, but those procedures were not made available to the PHMSA inspector.

Thus, Hopkinton's plans and procedures were inadequate. Hopkinton must revise its procedures to address retention of records pertaining to Section 6.6.5 of NFPA-59A-2001, and make its revised plans and procedures available to PHMSA for review.

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 Enforcement 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 Hopkinton LNG Co's maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Robert Burrough, Director, Eastern Region, Pipeline and Hazardous Materials Safety Administration, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. In correspondence concerning this matter, please refer to **CPF 1-2021-039-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible. 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

Enclosure: Response Options for Pipeline Operators in Enforcement Proceedings