



November 5, 2021

Via Overnight Delivery Service

Robert Burrough
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration
840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628

Re: UGI Energy Services, LLC

Response to Notice of Amendment CPF 1-2021-060-NOA

Dear Mr. Burrough:

This letter constitutes the formal response of UGI Energy Services, LLC ("UGIES") to the Notice of Amendment issued by the Pipeline Hazardous Materials and Safety Administration ("PHMSA"), on October 7, 2021 (the "NOA"), asserting apparent inadequacies in UGIES' plans and procedures and specific actions that UGIES must take to comply with the pipeline safety regulations, at its facilities in New Middletown, Ohio. The NOA raises nine separate issues, which UGIES summarizes below.

The NOA asserts in **Item 1** that UGIES' Asset Emergency Response Plan – Base Plan violated 49 CFR §195.402(a) by failing to state the proper frequency for conducting a review of the emergency response manual.

In response to the assertions in **Item 1**, UGIES has amended its procedure "Emergency Response Plan – Base Plan," specifically the header block on the ERP Base Plan, to state that the procedure must be updated at least annually, at intervals not to exceed 15 months. The revised procedure is included as **Attachment 1** to this letter.

The NOA asserts in **Item 2** that UGIES' Liquid Operations Manual violated 49 CFR §195.430 by not including adequate details regarding firefighting equipment.

In response to the assertions in **Item 2**, UGIES has amended its procedure "Liquid Operations Manual 30.30.40 Firefighting Equipment – Portable Fire Extinguishers," specifically Section 4.0 Portable Fire Extinguisher Inspection, to further clarify how UGIES is complying with this requirement. The revised procedure is included as **Attachment 2** to this letter.

The NOA asserts in **Item 3** that UGIES' Liquid Operations Manual violated 49 CFR §195.444(b) by not including details on evaluating the capability of its leak detection systems to protect the public, property, and the environment.

In response to the assertions in **Item 3**, UGIES has published the procedure "Liquid Operations Manual 50.20.30 Leak Detection System – Performance Testing & Validation", to further clarify how UGIES was complying with this requirement. The revised procedure is included as **Attachment 3** to this letter.

The NOA asserts in **Item 4** that UGIES' Emergency Procedures violated 49 CFR §195.402(e)(2) by failing to include adequate details requiring personnel, equipment, instruments, tools and materials to be available as needed at the scene of an emergency.

In response to the assertions in **Item 4**, UGIES has amended its procedure "Emergency Response Plan – Base Plan," specifically Section I (III)(d)(i), to include adequate details requiring personnel, equipment, instruments, tools, and materials to be available as needed at the scene of an emergency. The revised procedure is included as **Attachment 4** with this letter.

The NOA asserts in **Item 5** that UGIES' Emergency Response Plan violated 49 CFR §195.402(e)(7) by failing to contain details to notify fire, police, and other appropriate public officials to hazardous liquid pipeline emergencies and details on coordinating with them preplanned and actual responses during an emergency.

In response to the assertions in **Item 5**, UGIES has amended its procedure "Emergency Response Plan – Subpart D Appendix E1 – HB800 Line," specifically Sections 7 and 15(c), to contain details on notifying fire, police, and other appropriate public officials to hazardous liquid pipeline emergencies and details on coordinating with them preplanned and actual responses during an emergency. The revised procedure is included as **Attachment 5** with this letter.

The NOA asserts in **Item 6** that UGIES' Emergency Procedures violated 49 CFR §195.403(a) by failing to contain adequate details to establish and conduct a training program to instruct emergency response personnel to meet the requirements described therein.

In response to the assertions in **Item 6**, UGIES has amended its procedure "Emergency Response Plan – Base Plan", specifically Sections C(I) to contain adequate details to establish and conduct a training program to instruct emergency response personnel to meet the requirements described by §195.403(a). The revised procedure is included as **Attachment 6** with this letter.

The NOA asserts in **Item 7** that UGIES' Emergency Procedures violated 49 CFR §195.403(b) by failing to state that it shall, at intervals not to exceed 15 months but at least once each calendar year, review with personnel their performance in meeting the objectives of the

emergency response training program and make the appropriate changes to the emergency response program as necessary.

In response to the assertions in **Item 7**, UGIES has amended its procedure “Emergency Response Plan – Base Plan,” specifically Sections C(I)(c) and (d), to include details to meet the requirements of §195.403(b). The revised procedure is included as **Attachment 7** to this letter.

The NOA asserts in **Item 8** that UGIES’ Emergency Procedures violated 49 CFR §195.403(c) by failing to establish a continuing training program that includes provisions to require and verify that supervisors be knowledgeable of emergency response procedures for which they are responsible.

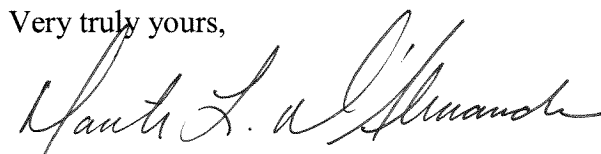
In response to the assertions in **Item 8**, UGIES has amended its procedure “Emergency Response Plan – Subpart D Appendix E1 – HB800 Line,” specifically Sections 15 to contain details to meet the requirements of §195.403(c). The revised procedure is included with this letter as **Attachment 8**.

The NOA last asserts in **Item 9** that UGIES’ Liquid Operations Manual violated 49 CFR §192.452(h)(2) by not including adequate details for notifying PHMSA when UGIES believes the 180 days are impracticable to make a determination about a condition found during an assessment.

In response to the assertions in **Item 9**, UGIES has amended its procedure “Liquid Operations Manual 120.10.10 Hazardous Liquid Pipeline Integrity Management Program,” specifically Section 7.3. The revised procedure is included as **Attachment 9** to this letter.

I believe the attached revised procedures satisfy PHMSA’s concerns in this matter. Please contact me at (610) 373-7999, ext. 1173 if you have any additional questions regarding this response.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dante D'Alessandro", is written over the typed name.

Dante D'Alessandro
Vice President – Engineering and Operations

Enclosures: Manual and Plan Attachments Shown on Appendix A