



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628
609.771.7800

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

December 10, 2021

Mr. Rod Sailor
President and Chief Executive Officer
Enable Mississippi River Transmission, LLC
499 W. Sheridan, Suite 1500
Oklahoma City, OK 73102

CPF 1-2021-069-NOA

Dear Mr. Sailor:

From June 14, 2021 to June 18, 2021, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Enable Mississippi River Transmission, LLC's (Enable) records and procedures for Enable's underground storage construction activities in Saint Jacobs, Illinois.

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

1. **§ 192.12 Underground natural gas storage facilities.**
 - (a) ...
 - (c) ***Procedural manuals.*** Each operator of a UNGSF must prepare and follow for each facility one or more manuals of written procedures for conducting operations, maintenance, and emergency preparedness and response activities under paragraphs (a) and (b) of this section. Each operator must keep records necessary to administer such procedures and review and update these manuals at intervals not exceeding 15 months, but at least once each calendar year. Each operator must keep the appropriate parts of these manuals accessible at locations where UNGSF work is being performed. Each operator must have written procedures in place before commencing operations or beginning an activity not yet implemented.

Enable's written procedures for conducting operations, maintenance, and emergency preparedness and response activities were inadequate to ensure safe operation of a pipeline facility. Specifically, Enable failed to have written procedures that specified compliance with applicable fire codes and regulations, as required by API RP 1171, Section 10.3.2¹ (Section 10.3.2) and incorporated by reference under § 192.12(b)(2),² as required by § 192.12(c).

During the inspection, PHMSA observed that fences or enclosures were placed at gas storage wells. However, Enable's procedures failed to specify that fences or enclosures shall comply with applicable fire codes and regulations as required by Section 10.3.2. After the inspection, Enable confirmed to PHMSA over email that, at the time of the inspection, they had fences or enclosures at the St. Jacob gas storage wells but they did not have procedures in place to ensure they complied with applicable state and local fire codes.

Therefore, Enable's written procedures required by § 192.12(c) were inadequate. Enable must revise its procedures to address applicable fire codes and regulations for fences or enclosures in accordance with Section 10.3.2.

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

¹ API RP 1171, Section 10.3.2 Fences and Enclosures

Ingress or Egress of the site may be controlled by fences or enclosures. When used at well locations, fences or enclosures shall comply with applicable fire codes and regulations.

² § 192.12 Underground natural gas storage facilities.

(a) ...

(b) *Depleted hydrocarbon and aquifer reservoir UNGSFs.*

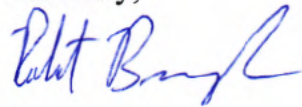
(1) ...

(2) Each UNGSF that uses a depleted hydrocarbon reservoir or an aquifer reservoir for natural gas storage and was constructed on or before July 18, 2017, must meet the provisions of API RP 1171 (incorporated by reference, see § 192.7), sections 8, 9, 10, and 11, and paragraph (c) of this section, by January 18, 2018, and must meet all provisions of paragraph (d) of this section by March 13, 2021.

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 Enable Mississippi River Transmission, LLC 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 1-2021-069-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,

A handwritten signature in blue ink, appearing to read "Robert Burrough", is written over a light blue horizontal line.

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

Enclosure: Response Options for Pipeline Operators in Enforcement Proceedings