

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

November 3, 2022

Mr. Dave Wortman
Vice President, Supply and Transportation
Kiantone Pipeline Corp
15 Bradley Street
PO Box 780
Warren, Pennsylvania 16365

CPF 1-2022-063-NOA

Dear Mr. Wortman:

From August 9, 2021 through August 13, 2021, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Kiantone Pipeline Corp's (Kiantone) procedures for control room management for its West Seneca, New York control room.

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

1. § 195.446 Control Room Management

(a) General. This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. The procedures required by paragraphs (b), (c)(5), (d)(2) and (d)(3), (f) and (g) of this section must be implemented no later than October 1,

2011. The procedures required by paragraphs (c)(1) through (4), (d)(1), (d)(4), and (e) must be implemented no later than August 1, 2012. The training procedures required by paragraph (h) must be implemented no later than August 1, 2012, except that any training required by another paragraph of this section must be implemented no later than the deadline for that paragraph.

Kiantone's control room management procedures were inadequate to ensure safe operation of a pipeline facility. Specifically, Kiantone's written control room management procedures failed to include procedures for testing backup SCADA systems in accordance with § 195.446(c)(4).¹

During the inspection, PHMSA asked Kiantone to submit procedures addressing the testing of backup SCADA systems. Kiantone stated that they do not have backup SCADA systems and thus they did not need to have a procedure for testing any backup SCADA system. However, in the CRM Form submitted to PHMSA prior to the inspection, Kiantone listed backup control rooms at Gowanda Booster Station and Warren Lab with SCADA and communication systems with similar functionality as the primary control room.² In addition, Kiantone's Control Room Procedures identify Gowanda Booster Station and Warren Lab as redundant control rooms.³

Therefore, Kiantone's control room management procedures were inadequate as they lacked any procedures or specific details about testing Kiantone's backup SCADA systems. Kiantone must develop a procedure for testing backup SCADA systems including redundant servers and communication systems.

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

¹ § 195.446 Control Room Management

(a) ...

(c) Provide adequate information. Each operator must provide its controllers with the information, tools, processes and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following:

(1) ..

(4) Test any backup SCADA systems at least once each calendar year, but at intervals not to exceed 15 months:

² In Item 24 of the CRM Form submitted to PHMSA, Off-site Backup Control Room, Kiantone identified 2 off-site backup control rooms with the same capability as the primary located in zip codes 14070 and 16365, which correlate with the aforementioned sites.

³ PHMSA defines "backup SCADA systems" as independent or redundant systems that provide similar functionality to the primary SCADA system. See, PHMSA Control Room Management FAQ C-08 available at https://www.phmsa.dot.gov/sites/PHMSA/files/20180726_1.docx (live.com) (Last accessed October 11, 2022).

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 Kiantone Pipeline Corp 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 1-2022-063-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