



March 3, 2023

(Via Email and U.S. Mail)

Mr. Robert Burrough
Director, Eastern Region,
Office of Pipeline Safety
PHMSA
840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628
Robert.burrough@dot.gov

RE: CPF No. 1-2023-005-WL

Dear Mr. Burrough:

National Fuel Gas Supply Corporation ("National Fuel") is in receipt of and has reviewed the Warning Letter dated February 2, 2023, CPF No. 1-2023-005-WL (the "Warning Letter"). On September 14, 2022, a PHMSA representative inspected National Fuel's mainline valves and other above ground natural gas pipeline appurtenances within the FM120 pipeline segment subject to Special Permit PHMSA-2017-0090 (the "Special Permit") and located in Elk and McKean Counties, Pennsylvania. The resulting Warning Letter alleges that National Fuel committed a probable violation of 49 CFR § 192.751(c) Prevention of accidental ignition. Below please find National Fuel's response to the finding and its ongoing commitment to safety.

PHMSA Finding

1. § 192.751 Prevention of accidental ignition.

Each operator shall take steps to minimize the danger of accidental ignition of gas in any structure or area where the presence of gas constitutes a hazard of fire or explosion, including the following:

(a) ...

(c) Post warning signs, where appropriate.

PHMSA alleges that National Fuel failed to post warning signs that demonstrate compliance with §192.751(c). Specifically, there were no warning signs posted at two fenced above ground natural gas facilities located along the pipeline right of way at approximate Mile Posts 0.00 and 1.20.

Operator Response

The fenced above ground natural gas facilities at approximate Mile Posts 0.00 and 1.20, as identified in the Warning Letter, are each located in a remote location. The facility located at approximate Mile Post 0.00 is a secure, fenced-in pressure limiting

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station, which includes a Remote Controlled Valve ("RCV") as required by the Special Permit. The nearest building intended for human occupancy is located approximately 700 feet from the facility. The facility located at approximate Mile Post 1.20 is a secure, fenced-in RCV that also contains a pressure limiting station to serve a small, local distribution market. The nearest building intended for human occupancy is located approximately 1,650 feet from the facility. While the RCVs at these locations vent a small quantity of gas when they are operated – in limited circumstances (i.e., for routine maintenance or in an emergency situation) – the amount of gas vented does not rise to the level of creating a hazardous atmosphere.

National Fuel understands the requirement that such signage must be posted where appropriate. Although National Fuel typically posts signs warning those in the area of the potential for accidental ignition at above ground facilities where the presence of gas venting to atmosphere could create a hazardous gas-in-air mixture, in this instance, National Fuel maintains that the locations at Mile Posts 0.00 and 1.20 do not meet these requirements. Regardless, National Fuel has installed warning signs at these locations, as directed by PHMSA. National Fuel strives to comply with all of PHMSA's regulations and is simultaneously working to address the Notice of Amendment dated February 2, 2023, CPF No. 1-2023-004-NOA, which was received on the same day as the Warning Letter, by amending its procedures as needed.

National Fuel thanks PHMSA for the opportunity to respond to this Warning Letter and highlight its ongoing commitment to pipeline safety.

Please direct any questions regarding this submission to me at 716-857-6884.

Respectfully,

A handwritten signature in blue ink, appearing to read "R P Harris, Jr.", with a stylized flourish at the end.

Ramon P. Harris, Jr., Vice President

Enclosures

cc: (Via email only)
Ms. Laura P. Berloth, Senior Attorney, National Fuel Gas Supply Corp.