



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

April 6, 2023

Mr. Gregg West
Vice President, Midstream Operations
Equitrans Midstream Corporation
2200 Energy Drive
Canonsburg, Pennsylvania 15317

CPF 1-2023-035-WL

Dear Mr. West:

From December 6, 2021, through December 10, 2021, via video-conferenced inspection, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Equitrans Midstream Corporation's (Equitrans) procedures and records for control room management of its control room in Canonsburg, Pennsylvania.

As a result of the inspection, it is alleged that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violations are:

1. § 192.631 Control Room Management.

(a) ...

(d) *Fatigue Mitigation.* Each operator must implement the following methods to reduce risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:

(1) ...

(4) Establish a maximum limit on controller hours-of-service which may provide for an emergency deviation from the maximum limit if necessary for the safe operation of a pipeline facility.

Equitrans failed to implement and document a maximum limit on controller hours-of-service in accordance with § 192.631(d)(4).

During the inspection, PHMSA requested records of the hours of service of qualified controllers. Equitrans stated that they have an on-call supervisor who can perform controller duties for after hours and on weekends, but there is no formal rotation schedule and supervisors move to the next shift. Subsequent to the inspection, Equitrans presented an annual pre-populated hours of service schedule for calendar year 2021 and 2022, including supervisors. However, no records were presented for 2019 and 2020 demonstrating the implementation of a maximum limit on hours-of-service that accounts for all on-duty time for the on-call supervisor^a.

Therefore, Equitrans failed to implement and document a maximum limit on controller hours-of-service for calendar years 2019 and 2020, in accordance with § 192.631(d)(4).

2. § 192.631 Control Room Management.

(a) ...

(h) Training. Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator. In addition, the training program must include the following elements:

Equitrans failed to conduct an annual review of the controller training program at least once each calendar year, but at intervals not to exceed 15 months, in accordance with § 192.631(h).

During the inspection, PHMSA requested records regarding an annual review of Equitrans' controller training program. Equitrans provided the *Control Room Management Training Plan, dated 11/18/21* (CRM Training Plan). The CRM Training Plan included a log of revisions but failed to include documentation demonstrating that an annual review of the training program content had been performed.

Therefore, Equitrans failed to conduct an annual review of the controller training program during calendar years 2020 and 2021 in accordance with § 192.631(h).

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$257,664 per violation per day the violation persists, up to a maximum of \$2,576,627 for a related series of violations. For violation occurring on or after March 21, 2022, and before January 6, 2023, the maximum penalty may not exceed \$239,142 per violation per day the violation persists, up to a maximum of \$2,391,142 for a related series of violations. For violation occurring on or after May 3, 2021, and before March 21, 2022, the maximum penalty may not exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of

^a See PHMSA's *Control Room Management Frequently Asked Questions (FAQs)*, Revised 1/16/2018 -FAQ D.02

violations. For violation occurring on or after January 11, 2021, and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019, and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018, and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015, and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the items identified in this letter. Failure to do so will result in Equitrans Midstream Corporation being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 1-2023-035-WL**. 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).

Sincerely,

P.P.

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