

June 12, 2026

Via e-mail (dolores.francis@dot.gov)

Dolores Francis, Esq.
Presiding Official
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Ave., S.E.
Washington, D.C. 20590

Re: CPF Nos. 1-2023-046-NOA and 1-2023-047-NOPV

Dear Ms. Francis,

ANR Pipeline Company (ANR or Company) respectfully submits this letter in regard to the above-referenced notices (the Notices)¹ on account of the recent decision by the Pipeline and Hazardous Materials Safety Administration (PHMSA) to withdraw PI-18-0010, a letter of interpretation issued to the Michigan Public Service Commission (MPSC or Commission).² On May 27, 2026, PHMSA withdrew PI-18-0010 in order to further consider the matter.³ This interpretation letter concerned the scope of inspection and testing requirements for relief devices pursuant to 49 C.F.R. §§ 192.731(a), 192.739, 192.743, and 192.201.

PHMSA's withdrawal of PI-18-0010 is materially impactful to the above-referenced proceedings. In the Notices, PHMSA alleged that ANR had violated section 192.731(a) by failing to test and inspect relief valves in accordance with the intervals prescribed by section 192.739(a) and 192.743(a)⁴ and section 192.605(b)(1) by having inadequate procedures for inspecting and testing relief devices pursuant to sections 192.731, 192.739, and 192.743.⁵ The Office of Pipeline Safety (OPS) relied heavily on PI-18-0010 to support its position at the hearing and in its Region Recommendations. At the hearing, OPS stated that PI-18-0010 answered the question of whether every single relief device in a compressor station needs to comply with these regulations.⁶ In the Region Recommendations, OPS asserted that “[h]istorical DOT guidance documents also squarely

¹ *In the Matter of ANR Pipeline Company*, CPF No. 1-2023-047-NOPV, Notice of Probable Violation (Dec. 4, 2023) and *In the Matter of ANR Pipeline Company*, CPF No. 1-2023-046-NOA, Notice of Amendment (Oct. 31, 2023).

² PHMSA Letter of Interpretation to Mr. David J. Chislea, PI-18-0010 (Oct. 4, 2018).

³ PHMSA Withdrawal of Interpretation Letter PI-18-0010 to Mr. David J. Chislea (May 27, 2026).

⁴ *In the Matter of ANR Pipeline Company*, CPF No. 1-2023-047-NOPV, Notice of Probable Violation (Dec. 4, 2023) at 4.

⁵ *In the Matter of ANR Pipeline Company*, CPF No. 1-2023-046-NOA, Notice of Amendment (Oct. 31, 2023) at 1.

⁶ Transcript, at 52:6-25 (“there’s a more recent interpretation that we’re going to also discuss in our post hearing recommendation that gets at this exact question...”); *See also*, Transcript, at 81:24-25 and 82:1-5 (“PHMSA’s 2018 interpretation answered that question... That’s our position.”) and 168:1-14 (“you put up the interpretation to the State of Michigan, right, and that that interpretation really clearly explains that thermal relief devices on ASME pressure vessels are subject to the 731(a) inspection requirements.”)

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address the inspection of each pressure relieving device at issue in the Notice and the related CPF No. 1-2023-047-NOPV.”⁷ OPS further confirmed its position that “a 2018 PHMSA interpretation letter addressing questions from the State of Michigan unequivocally explains that all relief devices, including those providing overpressure control for thermal and redundant purposes in gas carrying pipeline facility equipment in a compressor station, must be inspected annually under Subpart M.”⁸

Because the Agency has decided to re-evaluate its position on the inspection of relief valves and the cited interpretation is no longer available, it is appropriate to withdraw these pending cases at this time. This outcome is consistent with how the Agency handled other enforcement cases that were pending when PHMSA decided to review a regulatory requirement. In February 2026, PHMSA withdrew a finding of violation and noted that the Agency had withdrawn an interpretation on the same subject for further consideration.⁹ Between 2009 and 2011, PHMSA withdrew allegations involving the line-of-sight test for line markers so that it could reexamine how that test should be applied.¹⁰ ANR recognizes that such a withdrawal is without prejudice and PHMSA has the authority to issue new enforcement cases involving section 192.731(a) at any time.

Sincerely,



Brianne K. Kurdock
Counsel to ANR Pipeline Company

cc: Tim O’Shea, Esq. (PHMSA)

⁷ *In the Matter of ANR Pipeline Company*, CPF No. 1-2023-046-NOA, Region Recommendation (Sept. 9, 2024) at 6 (citing PI-18-0010); *See also, In the Matter of ANR Pipeline Company*, CPF No. 1-2023-047-NOPV, Region Recommendation (Sept. 9, 2024) at 8 (citing PI-18-0010).

⁸ *Id.*

⁹ *In the Matter of Sunoco Pipeline, LP*, CPF No. 4-2024-015-NOPV, Decision (Feb. 11, 2026) at fn. 8.

¹⁰ *In the Matter of NuStar Logistics, L.P.*, CPF No. 4-2005-5048 (Mar. 11, 2009) at 5; *In the Matter of Enterprise Products Operating LLC*, CPF No. 4-2007-5015 (Dec. 2, 2009) at 9; *In the Matter of Kinder Morgan*, CPF No. 4-2006-5003 (Oct. 13, 2010) at 2; *In the Matter of BP Pipelines*, CPF No. 4-2007-5003 (July 19, 2010) at 9; and *In the Matter of CITGO Petroleum Corp.*, CPF No. 4-2007-5010 (Apr. 14, 2011) at 5.