

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

March 19, 2024

Ms. Tina Faraca
President and Chief Executive Officer
ANR Pipeline Company
a subsidiary of TC Energy Corporation
700 Louisiana Street
Houston, Texas 77002

CPF 1-2024-014-NOA

Dear Ms. Faraca:

From March 14 to July 23, 2023, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected the construction of ANR Pipeline Co.'s (ANR) Delhi Compressor Station. This inspection included reviews of procedures for maintenance and normal operations as part of the inspection in Charleston, West Virginia.

As a result of the inspection, PHMSA has identified the apparent inadequacy found within ANR's plans or procedures. The item inspected and the inadequacy is described below:

1. § 192.303 Compliance with specifications or standards.

Each transmission line or main must be constructed in accordance with comprehensive written specifications or standards that are consistent with this part.

ANR's written specifications or standards required for constructing its pipeline in accordance with the requirements of Subpart G of 49 CFR Part 192 are inadequate to assure pipeline safety. Specifically, ANR's TC Energy Engineering Specification: TES-MA-FLGEU-GL Carbon Steel Butt-Welding Flanges, Rev. 03, 3/1/2021 (TES-MA-FLGEU-GL), failed to reference the correct edition of the Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS), Standard Practice MSS SP-44 that is required by § 192.147(a)¹ and incorporated by

¹ § 192.147 Flanges and flange accessories.

(a) Each flange or flange accessory (other than cast iron) must meet the minimum requirements of ASME/ANSI B 16.5 and MSS SP-44 (incorporated by reference, see § 192.7), or the equivalent.

reference in § 192.7(g)(1)².

During the inspection, PHMSA reviewed TES-MA-FLGEU-GL, which contained information regarding ANR's use of manufactured carbon steel butt-welding flanges with a specified outside diameter of NPS 16 (406.4 mm) and larger, and Carbon Steel Grade F42 (Grade 290) to Grade F80 (Grade 550). TES-MA-FLGEU-GL identified that it was written based on the 2019 edition of MSS SP-44. TES-MA-FLGEU-GL also required it be used in conjunction with MSS SP-44, Specification for Steel Pipeline Flanges, latest edition. However, § 192.147(a) specifies that each flange or flange accessory (other than cast iron) must meet the minimum requirements of MSS SP-44, and § 192.7(g)(1) incorporates by reference MSS SP-44-2010, Standard Practice, "Steel Pipeline Flanges," 2010 edition, (including Errata (May 20, 2011)).

Therefore, ANR's written specifications or standards pursuant to the requirements of § 192.303 as it relates to § 192.147(a) and § 192.7(g)(1) are inadequate to assure pipeline safety. ANR must revise its specification to reference and adhere to the minimum requirements of the 2010 edition of MSS SP-44 that is required and incorporated by reference.

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 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

² § 192.7 What documents are incorporated by reference partly or wholly in this part?

(a)

(g) Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS), 127 Park St. NE., Vienna, VA 22180, phone: 703-281-6613, Web site: <http://www.mss-hq.org/>.

(1) MSS SP-44-2010, Standard Practice, "Steel Pipeline Flanges," 2010 edition, (including Errata (May 20, 2011)), (MSS SP-44), IBR approved for § 192.147(a).

action will be closed.

It is requested (not mandated) that ANR Pipeline Co. 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. In correspondence concerning this matter, please refer to **CPF 1-2024-014-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*