

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

March 19, 2024

Ms. Tina Faraca
Executive Vice-President & President
U.S. Natural Gas Pipelines
ANR Pipeline Company
a subsidiary of TC Energy Corporation
700 Louisiana Street
Houston, Texas 77002

CPF 1-2024-019-NOA

Dear Ms. Faraca:

From June 13, 2023 through June 15, 2023 of the video conferenced inspection, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected ANR Pipeline Co.'s (ANR) procedures for its public awareness program.

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. § 192.616 Public awareness.

(a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see § 192.7).

ANR's written continuing public education program was inadequate to assure pipeline safety. Specifically, ANR's *Public Awareness Program (PAP) (US) Revision 19*, published on 09/05/2023, contained inaccurate information regarding pipeline mapping and therefore failed to

follow the guidance provided in American Petroleum Institute Recommended Practice 1162 (2003) (API RP 1162), Section 4.

Section 4.6.2 of API RP 1162 states transmission pipeline mapping can be an important component of an operator's Public Awareness Program and discusses details that may be provided on maps used in its messaging content, such as line size.

During the inspection, ANR presented its *PAP (US) Revision 18*, dated 7/04/2022, for PHMSA's review. After the inspection, ANR presented a newly revised *PAP (US) Revision 19*, dated 09/05/2023, to PHMSA. The revised procedures included information on how ANR shares pipeline location information in its baseline messaging to the public, which includes a generalized map and instructions for utilizing the National Pipeline Mapping System (NPMS).¹ ANR stated that the NPMS allows a viewer to review more detailed information, including pipeline sizes. However, the NPMS public map viewer does not include the line size (diameter) attribute,² as confirmed by NPMS,³ and therefore ANR's procedures and messaging content contain inaccurate information regarding the sharing of this pipeline attribute with the public.

Therefore, ANR's written public education program pursuant to the requirements of § 192.616(a) is inadequate to assure pipeline safety. ANR must revise its procedures to remove this inaccurate information.

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

¹ NPMS public map viewer is a web-based mapping application under the Department of Transportation PHMSA jurisdiction.

² The NPMS Pipeline Attribute Data Dictionary describes the pipeline attribute data available in the Public Map Viewer. "Diameter reported as nominal pipe size (NPS)" is not a required attribute in the NPMS Public Map Viewer. See National Pipeline Mapping System, About NPMS, *available at* <https://www.npms.phmsa.dot.gov/AboutPublicViewer.aspx> (last accessed March 5, 2024).

³ See NPMS E-mail Response to NPMS Public Viewer (Exhibit 3) (Nov. 14, 2023) (on file with PHMSA).

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 ANR Pipeline Company 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 1-2024-019-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*