



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

August 12, 2024

Mr. Kyle Rhoades
Chief Operating Officer
RH Energytrans, LLC
558 West 6th Street
Erie, Pennsylvania 16507

CPF 1-2024-050-NOA

Dear Mr. Rhoades:

From October 3, 2023 to October 5, 2023 and from October 31, 2023 to November 2, 2023 of the on-site 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 RH Energytrans, LLC's (RH Energytrans) procedures for the first operating inspection in Erie, Pennsylvania.

As a result of the inspection, PHMSA has identified the apparent inadequacies found within RH Energytrans' plans or procedures. The items inspected and the inadequacies are described below:

1. § 192.605 Procedural manual for operations, maintenance, and emergencies.

(a) *General.* Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

RH Energytrans' written procedures were inadequate to ensure safe operation of a pipeline facility. Specifically, RH Energytrans' POLICY AND PROCEDURE MANUAL (Pipeline Operations, Northeast Division, 9/9/2019, 15-1) was inadequate as it lacked sufficient details regarding the

requirements of § 191.15(d).¹

During the inspection, the PHMSA inspector reviewed RH Energytrans' LLC POLICY AND PROCEDURE MANUAL (Pipeline Operations, Northeast Division, 9/9/2019, 15-1) (Manual). The Manual did not include adequate details related to § 191.15(d) Supplemental report. Specifically, the Manual did not include a process of requiring preparation and filing of supplemental incident reports if additional related information is obtained after a Form PHMSA F 7100.2 is submitted.

Therefore, RH Energytrans' written procedures required by § 192.605(a) were inadequate to ensure pipeline safety. RH Energytrans must revise its procedures to address § 191.15(d).

2. § 192.605 Procedural manual for operations, maintenance, and emergencies.

(a)

(b) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

(1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and Subpart M of this part.

RH Energytrans' written procedures were inadequate to ensure safe operation of a pipeline facility. Specifically, RH Energytrans' POLICY AND PROCEDURE MANUAL (Pipeline Operations, Northeast Division, 4/28/19, 745-1) was inadequate as it lacked sufficient details regarding the requirements of § 192.745(b).²

During the inspection, the PHMSA inspector reviewed RH Energytrans' POLICY AND PROCEDURE MANUAL (Pipeline Operations, Northeast Division, 4/28/19, 745-1) (Manual). The Manual did not include adequate details related to § 192.745(b). Specifically, the Manual did not require taking remedial action promptly to correct any valve found inoperable, or promptly designating an alternative valve.

Therefore, RH Energytrans' written procedures required by § 192.605(b)(1) were inadequate to ensure pipeline safety. RH Energytrans must revise its procedures to address the requirements of § 192.745(b).

¹ § 191.15 Transmission systems; gathering systems; liquefied natural gas facilities; and underground natural gas storage facilities: Incident report.

(d) Supplemental report. Where additional related information is obtained after an operator submits a report under paragraph (a), (b), or (c) of this section, the operator must make a supplemental report as soon as practicable, with a clear reference by date to the original report.

² § 192.745 Valve maintenance: Transmission lines.

(b) Each operator must take prompt remedial action to correct any valve found inoperable, unless the operator designates an alternative valve.

3. § 192.605 Procedural manual for operations, maintenance, and emergencies.

(a)

(c) *Abnormal operation.* For transmission lines, the manual required by paragraph (a) of this section must include procedures for the following to provide safety when operating design limits have been exceeded:

(1)

(3) **Notifying responsible operator personnel when notice of an abnormal operation is received.**

RH Energytrans' written procedures were inadequate to ensure safe operation of a pipeline facility. Specifically, RH Energytrans' POLICY AND PROCEDURE MANUAL (Pipeline Operations, Northeast Division, Page 361-362) was inadequate as it lacked sufficient details regarding the requirements of § 192.605(c)(3).

During the inspection, the PHMSA inspector reviewed RH Energytrans' POLICY AND PROCEDURE MANUAL (Pipeline Operations, Northeast Division, Page 361-362) (Manual). The Manual did not include adequate details related to § 192.605(c)(3). Specifically, the Manual did not include requirements for notifying responsible operator personnel when notice of an abnormal operation was received.

Therefore, RH Energytrans' written procedures required by § 192.605(c)(3) were inadequate to ensure pipeline safety. RH Energytrans must revise its procedures to address the requirements of § 192.605(c)(3).

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 action will be closed.

It is requested (not mandated) that RH Energytrans, LLC 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 1-2024-050-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Mario Riosdon P.P.

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

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