



U.S. Department
of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

840 Bear Tavern Road, Suite 300
West Trenton, New Jersey 08628
609.771.7800

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED COMPLIANCE ORDER**

VIA EMAIL TO: david_brast@tcenergy.com

May 4, 2026

David Brast,
President, US Natural Gas Pipelines
Great Lakes Gas Transmission
700 Louisiana Street
Houston, Texas 77002

CPF 1-2026-027-NOPV

Dear Mr. Brast:

From March 18 through December 3, 2025, an inspector from the Eastern Region and an inspector from the Michigan Public Service Commission (MI-PSC), acting as an agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), Eastern Region, pursuant to Chapter 601 of Title 49 United States Code (U.S.C.), inspected Great Lakes Gas Transmission LP's (GLGT or Respondent) procedures, records, and facilities in Minnesota, Michigan, and Wisconsin.

As a result of the inspection, Eastern Region alleges that GLGT has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR) Part 192. The items inspected and the probable violations are:

1. **§ 192.203 Instrument, control, and sampling pipe and components.**
 - (a) ...
 - (b) ***Materials and design.*** All materials employed for pipe and components must be designed to meet the particular conditions of service and the following:
 - (1) ...
 - (4) **Pipe or components that may contain liquids must be protected**

by heating or other means from damage due to freezing.

GLGT failed to utilize materials employed for pipe and components that were designed to meet the particular conditions of service. Specifically, GLGT failed to protect pipe or components that may contain liquids by heating or other means from damage due to freezing in accordance with section 192.203(b)(4) in 2022 when it failed to protect valve solenoids and associated control lines from damage due to freezing at its compressor station yard in Wakefield, Michigan.

During the inspection, the PHMSA inspector reviewed findings from the *2024 Failure Investigation Report* (FIR). The FIR determined that on March 6, 2022, two valves failed in the open position, valve Y-01-DE and valve Y-02-D. Specifically, PHMSA determined that the solenoids within the valves failed due to freezing, resulting in the failure of each valve. MI-PSC observed that both solenoids and associated control lines necessary to operate the valves were exposed to the environment, with no protection from water ingress from rain or snow.

Therefore, GLGT failed to protect pipe or components that may contain liquids by heating or other means from damage due to freezing in accordance with section 192.203(b)(4).

2. § 192.617 Investigation of failures and incidents.

(a) *Post-failure and incident procedures.* Each operator must establish and follow procedures for investigating and analyzing failures and incidents as defined in § 191.3, including sending the failed pipe, component, or equipment for laboratory testing or examination, where appropriate, for the purpose of determining the causes and contributing factor(s) of the failure or incident and minimizing the possibility of a recurrence.

GLGT failed to follow its procedures for investigating and analyzing failures and incidents in accordance with section 192.617(a). Specifically, GLGT failed to photograph the failure area following an incident as required by its written procedures for investigating and analyzing failures and incidents.

During the inspection, MI-PSC reviewed GLGT's procedural manual, *TC Energy O&M Manual – U.S. Natural Gas Pipelines and Underground Natural Gas Storage Facilities, V-26* (12/20/21) (O&M Manual), which describes the procedures for failure investigation and analysis. Section 4 in the O&M Manual required that GLGT conduct a visual on-site investigation and photograph the failed facility. However, GLGT failed to photograph the failed solenoids and valves.

Therefore, GLGT failed to follow its procedures for investigating and analyzing failures and incidents in accordance with section 192.617(a).

Proposed Civil Penalty

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$272,926 per violation per day the violation persists, up to a maximum of \$2,729,245 for a related series of violations. For violations occurring on or after December 28, 2023 and before December 30, 2024, the maximum penalty may not exceed \$266,015 per violation per day the violation

persists, up to a maximum of \$2,660,135 for a related series of violations. For violations occurring on or after January 6, 2023 and before December 28, 2023, the maximum penalty may not 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 violations 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 \$2,391,412 for a related series of violations. For violations 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 violations. For violations 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 violations 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.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to propose a civil penalty assessment at this time.

Proposed Compliance Order

With respect to Item 1, pursuant to 49 U.S.C. § 60118, the Pipeline and Hazardous Materials Safety Administration proposes to issue a Compliance Order to Great Lakes Gas Transmission. Please refer to the *Proposed Compliance Order*, which is enclosed and made a part of this Notice.

Warning Item

With respect to Item 2, 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 promptly correct this item. Failure to do so may result in additional enforcement action.

Response to this Notice

This Notice is issued in accordance with 49 CFR § 190.207(c). You must respond as set forth below.

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. All material you submit in response to this enforcement action may be 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 your receipt of this Notice, you have 30 days to respond as described in the enclosed *Response Options*. 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 a Final Order. If you are responding to this Notice, we propose that you submit your correspondence to my office within 30 days from receipt of this Notice. The Region Director may extend the period for responding upon a written request timely submitted demonstrating good cause for an extension.

In your correspondence on this matter, please refer to **CPF 1-2026-027-NOPV** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

Enclosures: *Proposed Compliance Order*
Response Options for Pipeline Operators in Enforcement Proceedings

cc: Amy Willis, Director, US Regulatory Compliance, GLGT, amy_willis@tcenergy.com
Mike Murphy, Senior Manager, Pipeline Safety Compliance Governance and
Engineering, mikej_murphy@tcenergy.com

PROPOSED COMPLIANCE ORDER

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to Great Lakes Gas Transmission LP (GLGT) a Compliance Order incorporating the following remedial requirements to ensure the compliance of GLGT with the pipeline safety regulations:

- A. Regarding Item 1 of the Notice pertaining to GLGT's failure to protect its equipment from damage due to freezing, GLGT must install means to protect the solenoids and associated control lines for valve Y-01-DE and valve Y-02-D from damage due to freezing within **120 days** of receipt of the Final Order.
- B. It is requested (not mandated) that GLGT maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to Robert Burrough, Director, Eastern Region, Pipeline and Hazardous Materials Safety Administration. It is requested that these costs be reported in two categories: 1) total cost associated with preparation/revision of plans, procedures, studies and analyses, and 2) total cost associated with replacements, additions and other changes to pipeline infrastructure.