October 1, 2020

VIA ELECTRONIC MAIL TO: kenneth_grubb@kindermorgan.com

Mr. Kenneth W. Grubb
Chief Operating Officer of Gas Pipelines
Kinder Morgan
1001 Louisiana Street, Suite 1000
Houston, Texas 77002

CPF No. 2-2020-001-CAO

Dear Mr. Grubb:

Enclosed please find a Corrective Action Order (CAO) issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), in the above-referenced case. It requires Natural Gas Pipeline Company of America (NGPL or Respondent), operated by Kinder Morgan, to take certain corrective actions with respect to a rupture that occurred on the 20-inch Indian Basin pipeline located in Eddy County, New Mexico.

Service of the CAO by electronic mail is deemed complete upon transmission and acknowledgement of receipt, or as otherwise provided under 49 C.F.R. § 190.5. The terms and conditions of this Order are effective upon completion of service.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosure: CAO

cc: Ms. Linda Daugherty, Deputy Associate Administrator for Field Operations, OPS
Mr. James Urisko, Director, Southern Region, OPS
Ms. Kristin Van Der Laan, Manager - Engineering, Compliance/Codes & Standards, Kinder Morgan, kristin_vanderlaan@kindermorgan.com

CONFIRMATION OF RECEIPT REQUESTED

U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590

In the Matter of	)	
Natural Gas Pipeline Company of America, LLC,	)	**CPF No. 2-2020-001-CAO**
Respondent.	)	

CORRECTIVE ACTION ORDER

Purpose and Background

This Corrective Action Order (CAO or Order) is being issued under the authority of 49 U.S.C. § 60112 to require Natural Gas Pipeline Company of America, LLC (NGPL or Respondent), operated by Kinder Morgan,[1] to take the necessary corrective actions to protect the public, property, and the environment from potential hazards associated with the September 24, 2020 rupture from its 20-inch Indian Basin natural gas pipeline located in Eddy County, New Mexico (Incident).

At approximately 12:30am MDT on September 24, 2020, NGPL's 20-inch Indian Basin Pipeline[2] ruptured and released approximately 31,757 MCF of natural gas. The incident was discovered when Kinder Morgan's SCADA Gas Control Center in Houston, Texas detected a rapid pressure drop at an active receipt point on the Indian Basin Pipeline. It was initially determined the pressure drop was 500 pounds per square inch (psig) in 90 minutes. Prior to the rupture, the line was operating at 946 psig. NGPL dispatched personnel to the site, who, at approximately 6:00am MDT, identified the rupture location near engineering station 1895+00, approximately one mile west of a main line valve IB-2. The pipeline failure created a crater, but no pipe ejected from the ditch. There were no reports of fires, injuries, fatalities or evacuations.

Pursuant to 49 U.S.C. § 60117, PHMSA, Office of Pipeline Safety (OPS), initiated an investigation of the Incident. The preliminary findings of the agency's ongoing investigation are as follows:

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[1] NGPL has approximately 9,100 miles of pipeline and 288 billion cubic feet of natural gas storage through New Mexico, Texas, Louisiana, Arkansas, Oklahoma, Kansas, Missouri, Nebraska, Illinois, and Iowa. NGPL is jointly owned by Kinder Morgan, Inc. and Brookfield Infrastructure Partners, LP. The entity is operated by Kinder Morgan. *See* https://www kindermorgan.com/Operations/Natural-Gas/Index (last accessed September 25, 2020).

[2] NGPL also refers to this line as the Indian Basin Pipeline and Segment 7.

Preliminary Findings

- At approximately 12:30am MDT on September 24, 2020, NGPL's Indian Basin Pipeline ruptured. Kinder Morgan's SCADA Gas Control Center in Houston, Texas detected a rapid pressure drop (500 psig in 90 minutes) at an active receipt point on the Indian Basin Pipeline. NGPL dispatched personnel to the site to find the cause of the rapid pressure drop. An NGPL Artesia District technician, investigating from west to east, discovered an ice-covered regulator at a receipt point indicating a rapid natural gas expansion event downstream of the regulator due to a possible leak or rupture. An NGPL Lovington District Technician, investigating from east to west, discovered the rupture location near engineering station 1895+00, approximately one mile west of main line valve IB-2.

- NGPL initially reported the Incident to the National Response Center (NRC) at 7:53am EDT on September 24, 2020 (NRC Report No. 1288123), indicating there was a potential release of an unknown amount of natural gas from a transmission line.

- NGPL provided a follow-up report to the NRC at 12:14pm EDT on September 25, 2020 (NRC Report No. 1288243) indicating the GPS coordinates of the release location, disclosing the amount of natural gas believed to be released, advising a line rupture caused the release of natural gas, and identified the nearest city to the release as Loco Hills, New Mexico.

- There were no fires, injuries, fatalities, or evacuations associated with this incident; however, the rupture exposed approximately 81 feet of the pipeline. No pipe was ejected from the ditch.

- The volume of natural gas released was approximately 31,757 MCF. The gas was released into the air without ignition.

- Prior to the rupture, the line was operating at 946 psig. The maximum allowable operating pressure (MAOP) of the line is 1000 psig.

- The Indian Basin Pipeline was shut in at 3:19am MDT, when the NGPL technician closed the upstream mainline valve IB-3. Mainline valve IB-2, the downstream isolation valve, is a "line break" valve and automatically closed upon sensing a set pressure decrease over time. The reported pressure drop of 500 psig in 90 minutes met the criteria for IB-2 to close. At 4:40am MDT, NGPL personnel confirmed IB-2 had closed automatically as the result of the rupture.

- The Indian Basin Pipeline runs northeast from the Occidental (Oxy) Indian Basin Gas Plant to the NGPL Compressor Station 167 and is approximately 67 miles in length. Approximately 44 miles of the Indian Basin Pipeline was constructed in 1965 with a 20-inch nominal diameter, 0.235-inch wall thickness, API 5L, X-60 grade pipe that was

manufactured by Youngstown Sheet and Tube. The pipe has a direct-current electric resistance welded (DC-ERW) longitudinal seam and has an asphalt enamel coating.

- The Indian Basin Pipeline flows northeasterly and transports natural gas from various receipt points including the Oxy Indian Basin Gas Plant to the NGPL compressor station 167, where it is compressed into NGPL's two Permian pipelines.

- The failure occurred in a Class 1 location, non-high consequence area, approximately 16 miles east of Artesia, New Mexico in Eddy County.

- Preliminary indications suggest the Incident occurred due to the failure of the pipe longitudinal seam.

- On August 21, 2019, NGPL experienced a pipeline rupture on the Indian Basin Pipeline approximately five miles west of the September 24, 2020 rupture location. The portion of pipe that ruptured on August 21, 2019, was 20-inch diameter, 1965 vintage, Youngstown Sheet and Tube, API 5L, X60 grade, with a DC-ERW longitudinal seam. This is the same type of pipe that failed on September 24, 2020.

- The August 21, 2019, failure occurred at an operating pressure of 879 psig. The MAOP of the line at the time of failure was 1000 psig.

- The metallurgical evaluation of the 2019 incident determined the rupture was caused by wall thinning in the pipe's longitudinal seam due to external corrosion, in the form of selective seam weld corrosion.

- The operator performed a fitness for service hydrostatic pressure test of the Indian Basin Pipeline on January 7, 2020, following the 2019 incident. The test medium was water. The duration of the test was eight hours. The actual minimum test pressure was 1268 psig, and the actual maximum test pressure was 1347 psig.

- PHMSA has issued Advisory Bulletins on the safety risks of ERW and Flash-welded Pipe manufactured prior to 1970. It also issued Alert Notice, ALN-88-01, in January 1988, advising owners and operators of natural gas and hazardous liquids pipelines to consider the threat from ERW pipe manufactured prior to 1970. The operators were advised to determine whether their pipelines were susceptible to ERW seam failures and address the potential impact on pipeline integrity.

- PHMSA addresses Selective Seam Corrosion on its Pipeline Safety Stakeholders Communications webpage, titled, *Fact Sheet: Selective Seam Corrosion (SSC).*[3]

Determination of Necessity for Corrective Action Order and Right to Hearing

[3] *Available at* https://primis.phmsa.dot.gov/comm/FactSheets/FSSelectiveSeamCorrosion htm?nocache=717.

Section 60112 of title 49, United States Code, authorizes PHMSA to determine that a pipeline facility is or would be hazardous to life, property, or the environment and if there is a likelihood of serious harm, to expeditiously order the operator of the facility to take necessary corrective action, including suspended or restricted use of the facility, physical inspection, testing, repair, replacement, or other appropriate action. An order issued expeditiously must provide an opportunity for a hearing as soon as practicable after the order is issued.

In deciding whether to issue an order, PHMSA must consider the following, if relevant: (1) the characteristics of the pipe and other equipment used in the pipeline facility, including the age, manufacture, physical properties, and method of manufacturing, constructing, or assembling the equipment; (2) the nature of the material the pipeline facility transports, the corrosive and deteriorative qualities of the material, the sequence in which the material are transported, and the pressure required for transporting the material; (3) the aspects of the area in which the pipeline facility is located, including climatic and geologic conditions and soil characteristics; (4) the proximity of the area in which the hazardous liquid pipeline facility is located to environmentally sensitive areas; (5) the population density and population and growth patterns of the area in which the pipeline facility is located; (6) any recommendation of the National Transportation Safety Board made under another law; and (7) other factors PHMSA may considers appropriate.

After evaluating the foregoing preliminary findings of fact, and having considered the proximity of the pipeline to public roadways and populated areas, the failure history of the pipeline, the similarity in the root cause of previous failures to the potential root cause of this failure, the age of the pipeline, material properties of pipeline, including the presence of a DC-ERW longitudinal seam, hazardous nature of the product transported, and a history of known problems with this type of pipe, I find that continued operation of the pipeline without corrective measures is or would be hazardous to life, property, or the environment, and that failure to issue this Order expeditiously would result in the likelihood of serious harm.

Accordingly, this Corrective Action Order mandating immediate corrective action is issued without prior notice and opportunity for a hearing. The terms and conditions of this Order are effective upon receipt.

Within 10 days of receipt of this Order, Respondent may request a hearing, to be held as soon as practicable, by notifying the Associate Administrator for Pipeline Safety in writing, with a copy to the Director, Southern Region, PHMSA (Director). If a hearing is requested, it will be held in accordance with 49 C.F.R. § 190.211.

After receiving and analyzing additional data in the course of this investigation, PHMSA may identify other corrective measures that need to be taken. Respondent will be notified of any additional measures required and, if appropriate, PHMSA will consider amending this Order. To the extent consistent with safety, Respondent will be afforded notice and an opportunity for a hearing prior to the imposition of any additional corrective measures.

Required Corrective Actions

Definitions:

Affected Pipeline – The *"Affected Pipeline"* means the NGPL 20-inch Indian Basin Pipeline, specifically the approximately 67 miles of pipeline that generally runs northeasterly between the Oxy Indian Basin Natural Gas Plant in Eddy County, New Mexico and the Kinder Morgan/NGPL Compressor Station Number 167, located in Lea County, New Mexico.

Isolated Segment – The "*Isolated Segment*" means the 17-mile segment of NGPL 20-inch Indian Basin Pipeline from main line valve IB-3 (Sta. No. 1048+09.2) to line break valve IB-2 (Sta. No. 1945+98.9). It is the portion of the "*Affected Pipeline*" that was partially shut-in with the automatic closing of line-break valve IB-2 (downstream of the rupture), and the manual closing of main line valve IB-3 (upstream of the rupture).

Pursuant to 49 U.S.C. 60112, I hereby order NGPL to immediately take the following corrective actions:

1. ***Shutdown of the Isolated Segment.*** The *Isolated Segment* is currently out of service. Based on the pipeline configuration, the shut-in of the *Isolated Segment* has resulted in the isolation and shutdown of the *Affected Pipeline*. The *Isolated Segment* must remain shut in and may not be operated until authorized to be restarted by the Director in accordance with the terms of this Order.

2. ***Operating Pressure Restriction.*** NGPL must reduce and maintain a maximum twenty percent (20%) pressure reduction in the actual operating pressure along the entire length of the *Affected Pipeline* such that upon restart the operating pressure along the *Affected Pipeline* will not exceed eighty percent (80%) of the actual operating pressure in effect immediately prior to the failure on September 24, 2020.

    a. This pressure restriction is to remain in effect until written approval to increase the pressure or return the pipeline to its pre-failure operating pressure is obtained from the Director.

    b. Within 15 days of receipt of this Order, NGPL must provide the Director the actual operating pressures of each compressor station and each main line pressure regulating station on the *Affected Pipeline* at the time of failure and the reduced pressure restriction set-points at these same locations.

    c. This pressure restriction requires any relevant remote or local alarm limits, software programming set-points or control points, and mechanical over-pressure devices to be adjusted accordingly.

    d. When determining the pressure restriction set-points, NGPL must take into account any in-line inspection (ILI) features or anomalies present in the *Affected Pipeline* to provide for continued safe operation while further corrective actions are completed.

    e. NGPL must review the pressure restriction monthly by analyzing the operating pressure data, taking into account any ILI features or anomalies present in the *Affected Pipeline.* NGPL must immediately reduce the operating pressure further to maintain the safe operations of the *Affected Pipeline*, if warranted by the monthly review. Further, NGPL must submit the results of the monthly review to the Director

including, at a minimum, the current discharge set-points (including any additional pressure reductions), and any pressure exceedance at discharge set-points. Submittals may be made quarterly, in accordance with Item 17 below.

3. ***Restart Plan.*** Prior to resuming operation of the *Isolated Segment,* develop and submit a written *Restart Plan* to the Director for prior approval.

   a. The Director may approve the *Restart Plan* incrementally without approving the entire plan, but the *Isolated Segment* cannot resume operation until the *Restart Plan* is approved in its entirety.

   b. Once approved by the Director, the *Restart Plan* will be incorporated by reference into this Order.

   c. The *Restart Plan* must provide for adequate patrolling of the *Isolated Segment* during the restart process and must include incremental pressure increases during start up, with each increment to be held for at least two hours.

   d. The *Restart Plan* must include sufficient surveillance of the pipeline during each pressure increment to ensure that no leaks are present when operation of the line resumes.

   e. The *Restart Plan* must specify a day-light restart and include advance communications with local emergency response officials.

   f. The *Restart Plan* must provide for a review of the *Isolated Segment* for conditions similar to those of the failure including a review of construction, operating and maintenance (O&M) and integrity management records such as ILI results, hydrostatic tests, root cause failure analysis of prior failures, aerial and ground patrols, corrosion, cathodic protection, excavations and pipe replacements. NGPL must address any findings that require remedial measures to be implemented prior to restart.

   g. The *Restart Plan* must also include documentation of the completion of all mandated actions, and a management of change plan to ensure that all procedural modifications are incorporated into NGPL's O&M procedures manual.

   h. The *Restart Plan* must provide for hydrostatic pressure testing of the *Isolated Segment.*

4. ***Return to Service.*** After the Director approves the *Restart Plan*, NGPL may return the *Isolated Segment* to service but the operating pressure must not exceed the limit in accordance with Item 2 above.

5. ***Removal of Pressure Restriction***.

   a. The Director may allow the removal or modification of the pressure restriction upon a written request from NGPL demonstrating that restoring the pipeline to its pre-failure operating pressure is justified based on a reliable engineering analysis showing that the pressure increase is safe considering all known defects, anomalies, and operating parameters of the pipeline.

   b. The Director may allow the temporary removal or modification of the pressure

restrictions upon a written request from NGPL demonstrating that temporary mitigative and preventive measures are implemented prior to and during the temporary removal or modification of the pressure restriction. The Director's determination will be based on the failure cause and provision of evidence that preventative and mitigative actions taken by the operator provide for the safe operation of the *Affected Pipeline* during the temporary removal or modification of the pressure restriction. Appeals to determinations of the Director in this regard will be decided by the Associate Administrator for Pipeline Safety.

6. ***Instrumented Leakage Survey***. Within 30 days of receipt of this Order, NGPL must perform an aerial or ground instrumented leakage survey of the *Affected Pipeline.* NGPL must investigate all leak indications and remedy all leaks discovered. NGPL must submit documentation of this survey to the Director within 45 days of receipt of this Order.

7. ***Records Verification***. As recommended in PHMSA Advisory Bulletin 2012-06, NGPL must verify the records for the *Affected Pipeline* to confirm the MAOP. NGPL must submit documentation of this this record verification to the Director within 45 days of receipt of this Order.

8. ***Review of Prior Inline Inspection (ILI) Results.*** Within 30 days of receipt of this Order, NGPL must conduct a review of any previous ILI results of the *Affected Pipeline.* In its review, NGPL must re-evaluate all ILI results from the past 10 calendar years, including a review of the ILI vendors' raw data and analysis. NGPL must determine whether any features were present in the failed pipe joints from the September 24, 2020 failure, the August 21, 2019 failure, and any other pipe removed. Also, NGPL must determine if any features with similar characteristics are present elsewhere on the *Affected Pipeline.* NGPL must submit documentation of this ILI review to the Director within 60 days of receipt of this Order as follows:

   a. List all ILI tool runs, tool types, and the calendar years of the tool runs.

   b. List, describe (type, size, wall loss, etc.), and identify the specific location of all ILI features present in the failed joint and other pipe removed.

   c. List, describe (type, size, wall loss, etc.), and identify the specific location of all ILI features with similar characteristics present elsewhere on the *Affected Pipeline.*

   d. Explain the process used to review the ILI results and the results of the reevaluation.

9. ***Mechanical and Metallurgical Testing***. Within 45 days of receipt of this Order, NGPL must complete mechanical and metallurgical testing and failure analysis of the failed pipe, including an analysis of soil samples and any foreign materials. Mechanical and metallurgical testing must be conducted by an independent third-party acceptable to the Director, and must document the decision-making process and all factors contributing to the failure. NGPL must complete the testing and analysis as follows:

   a. Document the chain-of-custody when handling and transporting the failed pipe section and other evidence from the failure site.

   b. Within 10 days of receipt of this Order, develop and submit the testing protocol and the proposed testing laboratory to the Director for prior approval.

c. Prior to beginning the mechanical and metallurgical testing, provide the Director with the scheduled date, time, and location of the testing to allow for an OPS representative to witness the testing.

d. Ensure the testing laboratory distributes all reports whether draft or final in their entirety to the Director at the same time they are made available to NGPL.

10. ***Root Cause Failure Analysis.*** Within 120 days following receipt of this Order, complete a *root cause failure analysis* (RCFA) and submit a final report of this RCFA to the Director. The RCFA must be supplemented or facilitated by an independent third-party acceptable to the Director and must document the decision-making process and all factors contributing to the failure. The final report must include findings and any lessons learned and whether the findings and lessons learned are applicable to other locations within NGPL's pipeline system. Further, the lessons learned must include consideration of causal factors for the August 21, 2019 failure.

11. ***Emergency Response Plan and Training Review***. NGPL must review and assess the effectiveness of its emergency response plan with regards to the failure. Include in the review and assessment the on-scene response and support, coordination, and communication with emergency responders and public officials. Also, include a review and assessment of the effectiveness of its emergency training program. NGPL must amend its emergency response plan and emergency training, if necessary, to reflect the results of this review. Further, NGPL must review controller response to all alarms prior to, and following, confirmation of the rupture. NGPL must also review the controllers' coordination and communications with internal and external stakeholders prior to and throughout this incident response. The documentation of this *Emergency Response Plan and Training Review* must be available for inspection by OPS or provided to the Director, if requested.

12. ***Public Awareness Program Review***. NGPL must review and assess the effectiveness of its Public Awareness Program with regards to the failure. NGPL must amend its Public Awareness Program, if necessary, to reflect the results of this review. The documentation of this *Public Awareness Program Review* must be available for inspection by OPS or provided to the Director, if requested.

13. ***Remedial Work Plan (RWP).***

a. Within 120 days following receipt of this Order, NGPL must submit a *remedial work plan* (RWP) to the Director for approval.

b. The Director may approve the RWP incrementally without approving the entire RWP.

c. Once approved by the Director, the RWP will be incorporated by reference into this Order.

d. The RWP must specify the tests, inspections, assessments, evaluations, and remedial measures NGPL will use to verify the integrity of the *Affected Pipeline*. It must address all known or suspected factors and causes of the September 24, 2020 failure, as well as all known or suspected factors of the August 21, 2019 failure. NGPL must consider the risks and consequences of another failure to develop a prioritized schedule for RWP-related work along the *Affected Pipeline.*

e. The RWP must include a procedure or process to:

i. Identify pipe in the *Affected Pipeline* with characteristics similar to the contributing factors identified for the September 24, 2020 failure.

ii. Gather all data necessary to review the failure history (in service and pressure test failures) of the *Affected Pipeline* and to prepare a written report containing all the available information such as the locations, dates, and causes of leaks and failures.

iii. Integrate the results of the metallurgical testing, root cause failure analysis, and other corrective actions required by this Order with all relevant pre-existing operational and assessment data for the *Affected Pipeline.* Pre-existing operational data includes, but is not limited to, design, construction, operations, maintenance, testing, repairs, prior metallurgical analyses, and any third-party consultation information. Pre-existing assessment data includes, but is not limited to, ILI tool runs, hydrostatic pressure testing, direct assessments, close interval surveys, and DCVG/ACVG surveys.

iv. Determine if conditions similar to those contributing to the failure on September 24, 2020 are likely to exist elsewhere on the *Affected Pipeline.*

v. Conduct additional field tests, inspections, assessments, and evaluations to determine whether, and to what extent, the conditions associated with the failure on September 24, 2020, and other failures from the failure history (see (e)(ii) above) or any other integrity threats are present elsewhere on the *Affected Pipeline*. At a minimum, this process must consider all failure causes and specify the use of one or more of the following:

   1) ILI tools that are technically appropriate for assessing the pipeline system based on the cause of failure on September 24, 2020, and that can reliably detect and identify anomalies;
   2) Hydrostatic pressure testing;
   3) Close-interval surveys;
   4) Cathodic protection surveys, to include interference surveys in coordination with other utilities (e.g. underground utilities, overhead power lines, etc.) in the area;
   5) Coating surveys;
   6) Stress corrosion cracking surveys;
   7) Selective seam corrosion surveys; and
   8) Other tests, inspections, assessments, and evaluations appropriate for the failure causes.

   Note: NGPL may not use the results of previous tests, inspections, assessments, and evaluations.

vi. Describe the inspection and repair criteria NGPL will use to prioritize, excavate, evaluate, and repair anomalies, imperfections, and other identified integrity threats. Include a description of how any defects will be graded and a schedule for repairs or replacement.

vii. Based on the known history and condition of the *Affected Pipeline,* describe the methods NGPL will use to repair, replace, or take other corrective measures to remediate the conditions associated with the pipeline failure on September 24, 2020,

and to address other known integrity threats along the *Affected Pipeline*. The repair, replacement, or other corrective measures must meet the criteria specified in (e)(vi) above.

viii. Implement continuing long-term periodic testing and integrity verification measures to ensure the ongoing safe operation of the *Affected Pipeline* considering the results of the analyses, inspections, evaluations, and corrective measures undertaken pursuant to the Order.

f. Include a proposed schedule for completion of the RWP.

g. NGPL must revise the RWP as necessary to incorporate new information obtained during the failure investigation and remedial activities, to incorporate the results of actions undertaken pursuant to this Order, and to incorporate modifications required by the Director.

i. Submit any plan revisions to the Director for prior approval.

ii. The Director may approve plan revisions incrementally.

iii. All revisions to the RWP after it has been approved and incorporated by reference into this Order will be fully described and documented in the *CAO Documentation Report*.

h. Implement the RWP as it is approved by the Director, including any revisions to the plan.

14. ***CAO Documentation Report (CDR***). NGPL must create and revise, as necessary, a CAO Documentation Report (CDR). When NGPL has concluded all the items in this Order it will submit the final CDR in its entirety to the Director. This will allow the Director to complete a thorough review of all actions taken by NGPL with regards to this Order prior to approving the closure of this Order. The intent is for the CDR to summarize all activities and documentation associated with this Order in one document.

a. The Director may approve the CDR incrementally without approving the entire CDR.

b. Once approved by the Director, the CDR will be incorporated by reference into this Order.

c. The CDR must include, but is not necessarily limited to, the following:

i. Table of Contents;

ii. Summary of the pipeline failure of September 24, 2020 and the response activities;

iii. Summary of pipe data, material properties and all prior assessments of the *Affected Pipeline*;

iv. Summary of all tests, inspections, assessments, evaluations, and analysis required by the Order;

v. Summary of the Mechanical and Metallurgical Testing as required by the Order;

vi. Summary of the RCFA with all root causes as required by the Order;

vii. Documentation of all actions taken by NGPL to implement the RWP, the results of those actions, and the inspection and repair criteria used;

viii. Documentation of any revisions to the RWP including those necessary to incorporate the results of actions undertaken pursuant to this Order and whenever necessary to

incorporate new information obtained during the failure investigation and remedial activities;

ix. Lessons learned while completing this Order;

x. A path forward describing specific actions NGPL will take on its entire pipeline system as a result of the lessons learned from work on this Order; and

xi. Appendices (if required).

Other Requirements:

15. ***Approvals.*** With respect to each submission that under this Order requires the approval of the Director, the Director may: (a) approve, in whole or part, the submission; (b) approve the submission on specified conditions; (c) modify the submission to cure any deficiencies; (d) disapprove in whole or in part, the submission, directing that Respondent modify the submission, or (e) any combination of the above. In the event of approval, approval upon conditions, or modification by the Director, Respondent shall proceed to take all action required by the submission as approved or modified by the Director. If the Director disapproves all or any portion of the submission, Respondent must correct all deficiencies within the time specified by the Director, and resubmit it for approval.

16. ***Extensions of Time.*** The Director may grant an extension of time for compliance with any of the terms of this Order upon a written request timely submitted demonstrating good cause for an extension.

17. ***Reporting.*** Submit quarterly reports to the Director that: (1) include all available data and results of the testing and evaluations required by this Order; and (2) describe the progress of the repairs or other remedial actions being undertaken. The first quarterly report is due on December 31, 2020. The Director may change the interval for the submission of these reports.

18. ***Documentation of the Costs.*** It is requested but not required that Respondent maintain documentation of the costs associated with implementation of this Corrective Action Order. Include in each monthly report submitted, the to-date total costs associated with: (1) preparation and revision of procedures, studies and analyses; (2) physical changes to pipeline infrastructure, including repairs, replacements and other modifications; and (3) environmental remediation, if applicable.

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).

In your correspondence on this matter, please refer to "CPF No. 2-2020-001-CAO" and for each document you submit, please provide a copy in electronic format whenever possible. The actions required by this Order are in addition to and do not waive any requirements that apply to

Respondent's pipeline system under 49 C.F.R. Parts 190 through 199, under any other order issued to Respondent under authority of 49 U.S.C. Chapter 601, or under any other provision of Federal or State law.

Respondent may appeal any decision of the Director to the Associate Administrator for Pipeline Safety. Decisions of the Associate Administrator shall be final.

Failure to comply with this Order may result in the assessment of civil penalties and in referral to the Attorney General for appropriate relief in United States District Court pursuant to 49 U.S.C. § 60120.

The terms and conditions of this Order are effective upon service in accordance with 49 C.F.R. § 190.5.

October 1, 2020

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued