



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

901 Locust Street, Suite 480
Kansas City, MO 64106

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: MDilger@Pembina.com and bbachmeier@pembina.com

November 13, 2020

Mr. Michael Dilger
President and Chief Executive Officer
Vantage Pipeline US LP 4000, 585 8th Avenue S.W.
Calgary, AB, CANADA
T2P 1G1

CPF 3-2020-5031M

Dear Mr. Dilger:

From February 11, 2019 to March 21, 2019, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Vantage Pipeline's (Vantage) procedures for Operations and Maintenance, Public Awareness, Damage Prevention, Emergency Response, Integrity Management, Time Dependent Threats, Operator Qualification and Assessment and Repair through a series of teleconferences and videoconferences.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Vantage plans or procedures, as described below:

1. §195.401 General requirements.

(a). . .

(b) An operator must make repairs on its pipeline system according to the following requirements:

(1) Non Integrity management repairs. Whenever an operator discovers any condition that could adversely affect the safe operation of its pipeline system, it must correct the condition within a reasonable time. However, if the condition is of such a nature that it presents an immediate hazard to persons or property, the operator may not operate the affected part of the system until it has corrected the unsafe condition.

Vantage's Operation and Maintenance manual (O&M) was inadequate because it did clearly define immediate hazard to persons or property and state the operator cannot operate unsafe parts of the system. As of 6-19-2019 the US Vantage Pipeline System IMP Manual Version 3.0 May 31, 2019 Section 7.3 was satisfactorily amended to address this issue. No further action is required.

2. §195.402 Procedural manual for operations, maintenance, and emergencies.

(c) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:

(13) Periodically reviewing the work done by operator to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found.

Vantage's O&M manual was inadequate because there was no procedure covering "Periodically reviewing the work done by operator to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found." As of July 24, 2019, Vantage amended its O&M procedure VAN-OPS-012 to address this issue. No further action is required.

3. §195.446 Control room management.

(a) . . .

(b) Roles and responsibilities. Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following:

(1) A controller's authority and responsibility to make decisions and take actions during normal operations;

Vantage's Control Room Management (CRM) manual was inadequate because it did not clearly define "Physical domain of responsibility" to include both the physical pipeline assets being monitored and controlled, and SCADA/communications assets (such as desks, consoles, phones, radios, etc.) being used in support of monitor and control duties. As of July 1, 2019, Vantage amended its US Vantage Pipeline System Pipeline Control Management Program Section 1.1 and Section 1.2 to address this issue. No further action is required.

4. §195.446 Control room management.

(a) . . .

(d) Fatigue mitigation. Each operator must implement the following methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:

- (1) Establish shift lengths and schedule rotations that provide controllers off-duty time sufficient to achieve eight hours of continuous sleep;**
- (2) Educate controllers and supervisors in fatigue mitigation strategies and how off-duty activities contribute to fatigue;**
- (3) Train controllers and supervisors to recognize the effects of fatigue; and**
- (4) Establish a maximum limit on controller hours-of-service, which may provide for an emergency deviation from the maximum limit if necessary for the safe operation of a pipeline facility.**

Vantage's Fatigue Management manual (FMP) was inadequate because Section 2 of the FMP did not require a risk assessment record to be maintained. Specifically Section 2 states "The SPCC Leadership Team will review annually, not to exceed 15 months, the schedules, workspace conditions, ergonomics, training, fatigue risks, fatigue countermeasures and affected personnel to ensure the most optimal working conditions and resources are available and followed." As of July 10, 2019, Vantage amended its US Vantage Pipeline System Fatigue Risk Management Plan Section 2.1 and 2.3 to satisfactorily address this issue. No further action is required.

5. §195.505 Qualification program.

Each operator shall have and follow a written qualification program. The program shall include provisions to:

(a) . . .

(c) Allow individuals that are not qualified pursuant to this subpart to perform a covered task if directed and observed by an individual that is qualified

Vantage's Operator Qualification (OQ) manual was inadequate because hot tapping had a 1 – 1 span of control and should be a 1 – 0 span of control. Vantage's OQ manual was amended on March 7, 2019, to state that hot tapping will be a 1 – 0 span of control. No further action is required.

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). Since all the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed in 30 days unless you respond.

It is requested (not mandated) that Vantage maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Allan C. Beshore, Director, Central Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2020-5031M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Gregory A. Ochs
Director, Central Region OPS
Pipeline and Hazardous Materials Safety Administration

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

Cc: Bob Bachmeier, Senior Advisor, Regulatory, Pembina US bbachmeier@pembina.com