



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: heath.deneke@summitmidstream.com and
MStratmann@summitmidstream.com

January 3, 2022

Mr. Heath Deneke
President/CEO
Summit Midstream Partners, LLC
910 Louisiana Street, Suite 4200
Houston, TX 77002

CPF 3-2022-003-NOA

Dear Mr. Deneke:

On March 23, April 26 to 29, May 10 to 12 and June 8 to 10, 2021, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Summit Midstream Partners, LLC (SMP) procedures for public awareness, damage prevention, operator qualifications, facilities and storage, time-dependent threats, operations, maintenance, assessment and repair, integrity management, and design and construction virtually and in Epping, North Dakota.

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

- 1. § 195.202 Compliance with specifications or standards.**
Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

SMP's procedures were inadequate because section 2.4.3 of the Construction Manual incorrectly stated that truck shipments shall conform to recommendations of API RP 5L1. Section 195.207(c) requires operators to follow API RP 5LT for truck shipments, not API RP 5L1, which is relevant for railroad shipments. A July 23, 2021 submittal by SMP corrected the above issues. No further action is necessary.

2. § 195.202 Compliance with specifications or standards.

Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

SMP's procedures were inadequate because the Construction Manual Section 8.5.1 specified, in part, that "*COMPANY will specify the percentage of welds to be x-rayed if it is less than 100 %*" which does not align with § 195.234(d), and §195.234(e). On September 20, 2021 SMP submitted amendments to its procedures which comply with §§ 195.234(d) and (e). No further action is required.

3. § 195.202 Compliance with specifications or standards.

Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

SMP's procedures were inadequate because there was no procedure in the Construction Manual specifying installation of above ground components in accordance with § 195.254. On July 23, 2021 SMP submitted amendments that satisfactorily address the above issues. No further action is necessary.

4. § 195.202 Compliance with specifications or standards.

Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

SMP's procedures were inadequate because Section 16.3.3 of the Construction Manual did not comply with the test pressure and time requirements of § 195.304. Specifically, the procedure states: "*CONTRACTOR shall perform a hydrostatic test which stresses the pipe at the low point of the section being tested to a maximum of 98% of its specified minimum yield strength unless limited by flange or valve rating. The line shall hold the specified test pressure without further pumping for a minimum period of 8 hours.*" On September 20, 2021 SMP submitted amendments to its procedures which comply with § 195.304. No further action is required.

5. § 195.202 Compliance with specifications or standards.

Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

SMP's procedures were inadequate because Section 16.3.3. of the Construction Manual did not include the testing of tie-ins, as required by § 195.308. On September 20, 2021 SMP submitted amendments to its procedures which comply with § 195.308. No further action is required.

6. **§ 195.202 Compliance with specifications or standards.**
Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

SMP's procedures were inadequate because Section 16.3.3 of the Construction Manual did not include the pressure test record requirements of § 195.310. On September 20, 2021 SMP submitted amendments to its procedures which comply with § 195.310. No further action is required.

7. **§ 195.202 Compliance with specifications or standards.**
Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

SMP's procedures were inadequate because the procedure titled Engineering Standard ENG.CP-001 Above Ground Protective Coatings for Steel Surfaces did not contain procedures for transition zone wraps but only paints. SMP must amend its procedures to comply with § 195.581.

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 60 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 Summit Midstream Partners, 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 Gregory A. Ochs, Director, Central Region Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2022-003-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

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

cc: Mr. Matthew Stratmann, Senior Director, Integrity and Health & Safety, Summit Midstream Partners, LLC, 910 Louisiana Street, Suite 4200, Houston, TX 77002, (MStratmann@summitmidstream.com)