



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

901 Locust Street, Suite 480
Kansas City, MO 64106

WARNING LETTER

VIA ELECTRONIC MAIL TO: heath.deneke@summitmidstream.com and
mstratmann@summitmidstream.com

January 7, 2022

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

CPF 3-2022-009-WL

Dear Mr. Deneke:

From July 12 through July 16, 2021, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected Summit Midstream Partners, LP's (Summit) Hereford HVL pipeline west of Hereford, Colorado.

As a result of the inspection, it appears that Summit has committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation is as follows:

1. §195.436 Security of facilities.

Each operator shall provide protection for each pumping station and breakout tank area and other exposed facility (such as scraper traps) from vandalism and unauthorized entry.

As observed during the field audit, Summit failed to provide adequate security protection from vandalism and unauthorized entry at their 8-inch and 4-inch crossover trap facility. Fencing

surrounding the facility consisted of wood posts and barbed wire. The fence was presumed to have been installed around the time of the 8-inch line commissioning in June of 2019. Summit stated that the cross-over trap facility would be removed once a permit was granted to replace the remaining mile of 4-inch with 8-inch pipeline. Once removed there would be no need for security fencing. The timing of the permit, however, was unknown at the time of this inspection. Summit went ahead and installed a new security fence and signage around the crossover trap facility on September 9th, 2021. Pictures provided by Summit were reviewed and confirmed the new chain link security fencing to be adequate for unauthorized entry and vandalism.

2. §195.571 What criteria must I use to determine the adequacy of cathodic protection?

Cathodic protection required by this subpart must comply with one or more of the applicable criteria and other considerations for cathodic protection contained paragraphs 6.2.2, 6.2.3, 6.2.4, 6.2.5 and 6.3 in NACE SP 0169 (incorporated by reference, see §195.3).

Summit failed to meet the NACE -850 mV IRF criterion at approximately 15 of 39 (38%) test point locations during the 2019 annual cathodic protection survey for the 4-inch pipeline and at approximately 4 of 36 (11%) test point locations during the 2020 annual cathodic protection survey for the 8-inch pipeline.

Summit's Corrosion Supervisor stated that during the 2020 Annual Survey, they adjusted the closest rectifier to bring the OFF potentials into compliance with the NACE criterion. However, the rectifier was at its limit and was not running efficiently. Proper electrical isolation of the pipeline from grounding and gathering lines was also verified.

In 2021 Summit completed a de-polarization survey to record the native potential readings on the entire NGL pipeline. The data was used to confirm compliance with the NACE 100 mV shift criterion for cathodic protection while allowing the rectifier output to be decreased. Summit has stated that they will install an additional groundbed in order to meet the -850 mV criterion.

3. §195.505 Qualification program.

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

(a)

(b) Ensure through evaluation that individuals performing covered tasks are qualified;

(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;

Summit failed to ensure proper operator qualification or oversight of its contractor performing the qualified task of removing internal corrosion coupons from the pipeline. On May 6th, 2021 a representative from Kurita, Summit's contractor, removed internal corrosion coupons for analysis from the OPPL East and West lines. Summit acknowledged that normally their qualified tech is present at all coupon pulls but was unavailable for the May 6th coupon pull to provide the necessary oversight.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to 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 violation 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. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022.

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 correct the item(s) identified in this letter. Failure to do so will result in Dakota Midstream being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **3-2022-009-WL**. 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).

Sincerely,

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

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)