

June 6, 2022

VIA ELECTRONIC MAIL TO: scott.carter@spireenergy.com

Mr. Scott B. Carter
President
Spire Missouri East
700 Market Street
St. Louis, Missouri 63101

Re: CPF No. 3-2022-033-NOPV

Dear Mr. Carter:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation, finds that the civil penalty amount of \$31,100 has been paid in full, and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Central Region, this enforcement action will be closed. Service of the Final Order by e-mail is effective upon the date of transmission and acknowledgement of receipt as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Gregory Ochs, Director, Central Region, Office of Pipeline Safety. PHMSA
Mr. Craig Hoferlin, Vice President, Operations Services & SMS, Spire Missouri East,
craig.hoferlin@spireenergy.com
Mr. Robert Gardner, Director, Compliance & Pipeline Integrity, Spire Missouri East,
bob.gardner@spireenergy.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

**Spire Missouri Inc.,
d/b/a Spire Missouri East,**

Respondent.

CPF No. 3-2022-033-NOPV

FINAL ORDER

On March 17, 2022, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Spire Missouri Inc. d/b/a Spire Missouri East (Respondent).¹ The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195. The Notice also proposed certain measures to correct the violations. Respondent did not contest the allegations of violation or corrective measures and paid the proposed civil penalty on April 19, 2022.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.446(c)(1) **(Item 1)** — Respondent failed to implement API RP 1165 (incorporated by reference, see §195.3) whenever a SCADA system is added, expanded or replaced, unless the operator demonstrates that certain provisions of API RP 1165 are not practical for the SCADA system used.

49 C.F.R. § 195.446(e)(1) **(Item 4)** — Respondent failed to review SCADA safety-related alarm operations using a process that ensures alarms are accurate and support safe pipeline operations.

49 C.F.R. § 195.446(e)(3) **(Item 5)** — Respondent failed to verify the correct safety-related alarm set-point values and alarm descriptions when associated field instruments are calibrated or changed and at least once each calendar year, but at intervals not to exceed 15 months.

¹ US SEC Filing, Spire Inc., *available at* <https://www.sec.gov/Archives/edgar/data/1126956/000112695617000063/spire20170930-ex21.htm> (last accessed May 20, 2022).

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent. In accordance with 49 C.F.R. § 190.223, Respondent is assessed the proposed civil penalty amount of \$31,100, which Respondent has already paid in full.

Compliance Actions

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violations. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion of the ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

Warning Items

With respect to Items 2 and 3, the Notice alleged probable violations of 49 C.F.R. §§ 195.446(c)(2) and 195.446(c)(3), respectively, but did not propose a civil penalty or compliance order for these items. Therefore, these are considered to be warning items. If OPS finds a violation of any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

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

June 6, 2022

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued