



Enbridge  
915 N. Eldridge Parkway, Ste. 1100  
Houston, TX 77079

**Via Electronic Mail**

January 20, 2023

Mr. Gregory Ochs  
Director, Central Region  
Pipeline and Hazardous Materials Safety Administration  
901 Locust Street, Suite 480  
Kansas City, MO 64106

**RE: Algonquin Gas Transmission, LLC Response  
Notice of Probable Violation and Proposed Compliance Order  
CPF 3-2022-061-NOPV**

Dear Mr. Ochs,

From May 24 through December 8, 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, inspected Algonquin Gas Transmission, LLC's (AGT) natural gas pipeline facilities New Jersey, New York, Connecticut, Rhode Island, and Massachusetts (Inspection).

On December 22, 2022, PHMSA issued the above referenced Notice of Probable Violation and Proposed Compliance Order (NOPV) alleging AGT has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). In response to the NOPV, AGT respectfully requests PHMSA's consideration of the following corrective actions taken by AGT with respect to the findings of the inspection.

**PHMSA Finding**

**1. § 191.29 National Pipeline Mapping System**

Enbridge failed to submit the required information for the Medway Station pipeline lateral to NPMS within the prescribed timeframe. The pipeline lateral and station were constructed in calendar year 2017 to supply Excelon's West Medway power plant. Enbridge's GIS department submitted the new pipeline information to NPMS on 8/31/2021, approximately 4 years after installation.

**AGT Response**

AGT has captured the Medway pipeline lateral and station information in our annual NPMS reporting database and subsequently made the submittal to NPMS on August 31, 2021.

**2. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

Enbridge failed to periodically review and update its Hubline Post Construction Operations and Maintenance Plan (Hubline O&M) at intervals not exceeding 15 months, but at least once each calendar year. Enbridge confirmed that they did not have any records associated with a review of the Hubline O&M since it went into effect in November of 2003.<sup>1</sup> Enbridge provided no evidence to substantiate compliance with the requirement to review or update its Hubline O&M.

**AGT Response**

Following PHMSA's inspection in 2021, AGT incorporated the Hubline O&M plan requirements into its Integrity Management Program (IMP) and Standard Operating Procedures (SOP) which are reviewed at intervals not exceeding 15 months, but at least once each calendar year..

**3. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

Enbridge failed to follow its Hubline O&M plan. Specifically, Enbridge failed to follow its procedure titled "*Spectra Energy Transmission Procedure 1-6050, Pipeline River and Waterway Crossing Surveys*" by not performing the required inspections of its subsea pipeline located in the Boston Harbor. Section 6.1 of the procedure states that "the Manager of Technical Operations – Region or designee shall conduct an underwater inspection of all pipelines located in offshore Massachusetts waters in accordance with the Hubline Post Construction Operations & Maintenance Plan".

The Hubline O&M plan identifies specific structures to be inspected and the recommended reinspection time intervals, including:

- Depth of cover survey for the 8 Anchorage Areas listed in Table 1 (Underwater Survey Locations) Section IV.B of the Plan. Depending on initial survey findings, subsequent subsea surveys would be required at intervals of every 5 or 10 years thereafter.
- Six separate Rock/Mat Backfill structure locations also cited in Table 1 of Section IV.B of the Hubline O&M Plan. The Plan requires a subsea inspection be performed every 5 years for those 6 structures.

Enbridge failed to demonstrate that it performed inspections and/or reinspection of the locations identified above, as required by its Hubline O&M plan.

### **AGT Response**

AGT has performed the underwater surveys in accordance with the Hubline O&M Plan and has incorporated the Hubline underwater survey requirements into the IMP program and SOP to ensure completion of subsequent surveys. These surveys were completed on December 18, 2021 and September 12, 2022.

#### **4. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

Enbridge failed to comply with its own Operating Procedure SOP 1-6010 (rev. 11/15/2018), which states "for pipelines transporting odorized gas in Class 3 and 4 locations, leak surveys are completed via aerial patrol, except for areas exceeding 100 feet of non-dynamic cover such as significant paved areas or other areas where aerial patrol is ineffective. For these areas where aerial patrols would be ineffective in identifying a leak, leak surveys will be completed using a company approved alternative survey method(s), such as ground patrols (only for areas where ground vegetation surveys would effectively identify leaks), leak detection equipment or laser technology, to detect the airborne presence of natural gas." Specifically, the parking lot at the intersection of Sebeth Drive and Berlin Road., in Cromwell, Connecticut was not leak-surveyed with leak detection equipment in calendar year 2018, 2019 or 2020, despite it having met the requirements of this procedure for areas exceeding 100 feet of paved cover.

### **AGT Response**

AGT has incorporated the instrumented leak survey into AGT's work management system (WMS) for the parking lot at the intersection of Sebeth Drive and Berlin Road., in Cromwell, Connecticut. AGT's WMS establishes how the instrumented leak survey is planned, scheduled, executed, completed and documented in accordance with SOP 1-6010. The leak surveys were completed in April and October 2022 with no indication of any leak at the referenced site.

#### **5. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

Enbridge failed to provide inspection records for certain valves for calendar years 2018, 2019, and 2020. Specifically, records of inspection for calendar years 2018-2020 were noted to be missing for the following valves:

1. Valve 10146223 / 13BR-1PK2 / 402001929(2019), 402318053(2020) / Missing 2018 record - As part of SAP Data Validation effort the valve was added into SAP 1/9/2019;

2. Valve 10155040 / 14A-X3DT / 402256839(2020) / Missing 2018 and 2019 records - As part of SAP Validation effort the valve was added into SAP 10/15/2019; and
3. Valve 10155041 / 14A-X3D / 402256840(2020) / Missing 2018 and 2019 records - As part of SAP Validation effort the valve was added into SAP 10/15/2019.

After further review, it was determined that the valves were non-emergency valves. However, Enbridge's procedure SOP #5-5010 (2021-01-29) requires that all valves be inspected each calendar year.

### **AGT Response**

AGT conducted the inspections of the three (3) non-emergency valves and documented the results in the WMS. The inspections were completed in July and September 2022, and the valves operated as intended. These non-emergency valves inspections are included in our WMS and will be inspected each calendar year in accordance with SOP 5-5010. Note that these valves are considered non-emergency valves and would not be used to isolate the pipeline in the event of a pipeline emergency.

## **6. § 192.709 Transmission lines: Record keeping.**

Enbridge failed to provide records of inspection associated with certain OPP, relief, and regulator station inspections for calendar year 2020. Specifically, a record of inspection for calendar year 2020 was noted to be missing for the following pressure limiting equipment:

1. LSS – L-SYSTEM-SAM 00039-PR-1 Equipment: 10007791 Missing 2020 record
2. LSS – L-SYSTEM-SAM 00039-PR-2 Equipment: 10007790 Missing 2020 record
3. LSS – L-SYSTEM-SAM 00039-PR-3 Equipment: 0007789 Missing 2020 record
4. LSS – L-SYSTEM-SAM 00039-PR-4 Equipment: 10007807 Missing 2020 record

### **AGT Response**

AGT conducted the inspections of the four (4) pressure limiting equipment and documented the results in the WMS. The inspections were completed in June 2022, and the pressure limiting equipment operated as intended. These pressure limiting equipment are included in AGT's WMS and will be inspected in accordance with AGT's procedures.

AGT is committed to the continual improvement of its safety processes and associated documentation retention procedures. We appreciate PHMSA's consideration of the foregoing corrective actions expeditiously taken by AGT to resolve the findings from PHMSA's inspection prior to the issuance of the

NOPV and respectfully request a reduction in the civil penalty. Should you have any question or require further information, please feel free to contact me at (713) 627-5008 or [nathan.atanu@enbridge.com](mailto:nathan.atanu@enbridge.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "Nathaniel J. Atanu".

Nathan Atanu

Manager, Operational Compliance