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*Sent Via Electronic Transmission*

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

**Re: CPF 3-2023-011-NOPV**

Dear Mr. Ochs:

From March 14 through August 12, 2022, 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 Enbridge Energy, L.P.'s (Enbridge) Lakehead, Toledo, and New York pipelines and facilities in Illinois, Indiana, Michigan, Ohio, and New York.

As a result of the inspection, PHMSA alleges that Enbridge has committed probable violations of certain Pipeline Safety Regulations, Title 49, Part 195 of the Code of Federal Regulations (CFR). Enbridge's responses to the alleged violations are set forth below.

**1. § 195.402 Procedural manual for operations, maintenance, and emergencies**

**(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to ensure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Enbridge failed to follow its standard operation and maintenance procedures regarding pipeline valve labeling. Specifically, valve labels for Line 78 reference Line 6 in the valve identification string. Line 6B is a retired pipeline that runs parallel to Line 78 and is permanently enjoined from operating per EPA consent decree. Per Appendix J, Section 5.2.2. of Enbridge's Functional Tag Number Standard (FTNS) procedure DS-002 Standard – Liquids Pipelines, Version Number 20.0, dated 2022-04-27, valve identifiers should include the mile post, line number, and the functional tag number. The functional tag number for mainline valve number 709.16-6-V (emphasis added), for example, incorrectly references Line 6 in the identifier rather than Line 78.

## **Enbridge Response:**

Enbridge has initiated a comprehensive project which is currently underway to address this issue. Specifically, the project addresses equipment tagging incongruencies between engineering drawings, assets in the field, SCADA, Leak Detection systems, and Maximo. It will involve seven facilities and 39 main block valves. Due to the extensive scope of the work involved, Enbridge respectfully requests an extension of the deadline proposed in the Proposed Compliance Order up to and including December 31, 2024.

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

(a) . . . .

(b) **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:**

(1)...

**(7) Starting up and shutting down any part of the pipeline system in a manner designed to assure operation within the limits prescribed by § 195.406, consider the hazardous liquid or carbon dioxide in transportation, variations in altitude along the pipeline, and pressure monitoring and control devices.**

Enbridge failed to have sufficient procedures in place to prevent an abnormal operation on its Line 5 after the commissioning of two Emergency Flow Restrictive Devices (EFRD) at MP 1532 and MP 1621. Enbridge experienced multiple overpressure events, the highest being 124% of the maximum operating pressure (MOP), on 12/5/2018 during the restart of Line 5 after the new EFRD valve installations. The EFRD at MP 1621 was frozen and the field crew was still working to thaw it when the pipeline was restarted. The crew was not aware of a change in project scope and the decision to not commission the valve at MP 1621 and to restart the pipeline. During the line restart the field crew began moving the valve to check the valve limits which caused the overpressure events.

Enbridge conducted a follow-up investigation of the incident and issued a CCO High Value Learning Event Report (20236) dated December 2018. The investigation revealed the causes of the incident, to include failing to clearly coordinate or communicate work activity and failure to identify the risk and assess the hazards.

Enbridge implemented several actions because of its investigation, including revisions to its COPAS procedures, providing awareness to the CCO Operators and circulating the High Value Lesson Learned to staff.

**Enbridge Response:**

As reflected in PHMSA's allegation, Enbridge promptly initiated an investigation and implemented appropriate corrective measures. Enbridge does not contest this finding, nor the civil penalty associated with it.

**3. § 195.573 What must I do to monitor external corrosion control?**

**(a) Protected pipelines. You must do the following to determine whether cathodic protection required by this subpart complies with § 195.571:**

**(1) Conduct tests on the protected pipeline at least once each calendar year, but with intervals not exceeding 15 months. However, if tests at those intervals are impractical for separately protected short sections of bare or ineffectively coated pipelines, testing may be done at least once every 3 calendar years, but with intervals not exceeding 39 months.**

Enbridge failed to conduct tests to ensure cathodic protection meets the applicable criteria on Line 6B and inactive segments on Line 10 at least once each calendar year, but with intervals not exceeding 15 months for calendar years 2020 and 2021. Specifically, annual cathodic protection (CP) survey measurements were discontinued in years 2020 and 2021 as part of a Covid-19 exposure risk reduction plan. Enbridge considers pipeline 6B low risk since it has been purged from Griffith, Indiana, to Stockbridge, Michigan, and is under Consent Decree injunction of permanent enjoinder preventing Enbridge from ever restarting the line. However, the status of these lines is listed as active (unfilled) and, as such, requires operators to activities impractical comply with all applicable safety requirements, including periodic maintenance, damage prevention programs and public awareness programs. Enbridge believed it could defer the CP surveys and other certain maintenance activities based on PHMSA Bulletin ADB- 2016-05 which mentions deferring certain on purged but active pipelines, such as in-line inspection. The performance of an annual cathodic protection survey is essential to ensuring that purged but active pipelines are not corroding. Conducting annual cathodic protection surveys is also not dependent on whether the pipeline is filled or not, hence purging does not excuse timely compliance with § 195.573(a)(1).a The advisory bulletin does not state cathodic protection surveys are impractical on purged but active pipelines.

**Enbridge Response:**

PHMSA issued this Item as a Warning. Enbridge does not contest this finding and is exploring the possibility of changing the status of this line segment to abandoned.

Should you have any questions or require further information please contact me.

Sincerely,



David Stafford  
Manager, US Pipeline Compliance