

WARNING LETTER

VIA ELECTRONIC MAIL TO: cynthia.hansen@enbridge.com;
michael.koby@enbridge.com

November 21, 2023

Cynthia Hansen
EVP & President Gas Transmission and Midstream - Enbridge Inc.
TEXAS EASTERN TRANSMISSION, LP
915 N Eldridge Parkway, Suite 1100
Houston, TX 77079

CPF 3-2023-012-WL

Dear Ms. Hansen:

From March 28 through September 23, 2022, representatives 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 the Enbridge_Gas_Spectra_TX_Eastern_East inspection system, which consists of two of your subsidiaries, namely, Texas Eastern Transmission, LP (TET East) and Egan Hub Storage, LLC, across Alabama, Kentucky, Louisiana, Mississippi, Tennessee, and Texas.

As a result of the inspection, it is alleged that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violations are:

1. **§ 192.603 General provisions.**
 - (a)
 - (b) **Each operator shall keep records necessary to administer the procedures established under § 192.605.**

TET East's records to administer the procedures required by § 192.605(b)(8) were incomplete. PHMSA's review of Form 7T-298 records showed a single method was used to review the work done by operator personnel to determine the effectiveness and adequacy of the procedures used in normal operations and maintenance. TET East's "*Effectiveness Review Procedure*" included multiple methods such as, observation of work as it is performed and post-assessment with operating personnel after work

completion. On the 7T-298 forms reviewed during PHMSA's inspection these methods were not documented as being utilized; therefore, the records did not demonstrate that the *"Effectiveness Review Procedure"* was administered in its entirety.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$257,664 per violation per day the violation persists, up to a maximum of \$2,576,627 for a related series of violations. For violation occurring on or after March 21, 2022 and before January 6, 2023, the maximum penalty may not exceed \$239,142 per violation per day the violation persists, up to a maximum of \$2,391,142 for a related series of violations. For violation occurring on or after May 3, 2021 and before March 21, 2022, the maximum penalty may not exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not 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 Texas Eastern Transmission being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 3-2023-012-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, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

cc: Michael Koby, SVP & Chief Operations Officer (michael.koby@enbridge.com)