

April 5, 2024

VIA ELECTRONIC MAIL TO: mark.hewett@nngco.com

Mr. Mark Hewett
President and Chief Executive Officer
BHE Pipeline Group
1111 South 103rd Street
Omaha, Nebraska 68124

Re: CPF No. 3-2024-012-NOPV

Dear Mr. Hewett:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation, finds that the civil penalty amount of \$68,800 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
Ms. Laura Demman, President, Northern Natural Gas Co., laura.demman@nngco.com
Mr. Brian Mundt, Vice President of Operations, Northern Natural Gas Co.,
brian.mundt@nngo.com
Mr. Thomas Correll, Vice President, Pipeline Safety and Risk, Northern Natural Gas Co.,
thomas.correll@nngco.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

**Northern Natural Gas Company,
a subsidiary of Berkshire Hathaway
Energy Company,**

Respondent.

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) **CPF No. 3-2024-012-NOPV**
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FINAL ORDER

On February 6, 2024, 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 Northern Natural Gas Company (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 192. The Notice also proposed certain measures to correct the violations. Respondent did not contest the allegations of violation or corrective measures, provided additional information, and paid the proposed civil penalty on March 5, 2024.

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. § 192.5(b)(3)(ii) (**Item 1**) — Respondent failed to identify three sites (located in Sartell, MN; Houghton, MI; and Mankato, MN) as class 3 locations.

49 C.F.R. § 192.605(a) (**Item 2**) — Respondent failed to follow its manual of written procedures as required. Specifically, Respondent failed to follow its procedure 140.101, section 3.11.3 regarding four initial baseline assessment plans in moderate consequence areas.

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 \$68,800, 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 Item

With respect to Item 3, the Notice alleged a probable violation of 49 C.F.R. § 192.710(b)(1) but did not propose a civil penalty or compliance order for this item. Therefore, this is considered to be a warning item. If OPS finds a violation of this provision 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.

April 5, 2024

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued