



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

April 11, 2024

VIA ELECTRONIC MAIL TO: colin.gruending@enbridge.com

Colin K. Gruending
Executive Vice President and President, Liquids Pipelines
Enbridge, Inc.
200 Fifth Avenue Place
425 – 1st Street S.W.
Calgary, Alberta, Canada T2P 3L8

Re: CPF No. 3-2024-016-NOPV

Dear Mr. Gruending:

Enclosed please find the Final Order issued in the above-referenced case to Enbridge Pipelines (Southern Lights), LLC, a subsidiary of Enbridge, Inc. It makes a finding of violation 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,

**MASSOUD
TAHAMTANI** Digitally signed by
MASSOUD TAHAMTANI
Date: 2024.04.10
15:36:59 -04'00'

for 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. Kevin Ruffatto, Vice President, U.S. Operations, Enbridge, Inc.,
kevin.ruffatto@enbridge.com

Mr. David Stafford, Manager – U.S. Pipeline Compliance, Enbridge, Inc.,
david.stafford@enbridge.com
Mr. Bradley Salo, Senior Compliance Advisor, Enbridge, Inc.,
bradley.salo@enbridge.com

CONFIRMATION OF RECEIPT REQUESTED

	)	
In the Matter of	)	
	)	
Enbridge Pipelines (Southern Lights), LLC,	)	CPF No. 3-2024-016-NOPV
a subsidiary of Enbridge, Inc.,	)	
	)	
Respondent.	)	
	)	

On February 13, 2024, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation and Proposed Compliance Order (Notice) to Enbridge Pipelines (Southern Lights), LLC (Respondent). 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 allegation of violation or corrective measure.

49 C.F.R. § 195.426 (**Item 1**) — Respondent failed to maintain a relief device capable of safely relieving pressure in the barrel before insertion or removal of scrapers or spheres on its launcher at its Line 13 Southern Lights Manhattan Terminal near Manhattan, Illinois.

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 violation. 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.

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

**MASSOUD
TAHAMTANI**

Digitally signed by
MASSOUD TAHAMTANI
Date: 2024.04.10 15:39:59
-04'00'

for Alan K. Mayberry
Associate Administrator
for Pipeline Safety

April 11, 2024

Date Issued



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety**

901 Locust Street, Suite 480
Kansas City, MO 64106

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED COMPLIANCE ORDER**

VIA ELECTRONIC MAIL TO: Michael.Koby@Enbridge.com;
David.Stafford@Enbridge.com; Bradley.Salo@Enbridge.com

February 13, 2024

Mr. Michael Koby
Vice President, US Operations
Enbridge Pipelines (Southern Lights), L.L.C.
915 N Eldridge Parkway,
Suite 1100, Houston, TX 77079

CPF 3-2024-016-NOPV

Dear Mr. Koby:

From February 14 to July 27, 2023, 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 Pipelines (Southern Lights), L.L.C.'s ("Enbridge") Line 13 Manhattan Terminal near Manhattan, Illinois.

As a result of the inspection, it is alleged that Enbridge has committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item inspected and the probable violation is:

- 1. § 195.426 Scraper and sphere facilities.**
No operator may use a launcher or receiver that is not equipped with a relief device capable of safely relieving pressure in the barrel before insertion or removal of scrapers or spheres. The operator must use a suitable device to indicate that pressure has been relieved in the barrel or must provide a means to prevent insertion or removal of scrapers or spheres if pressure has not been relieved in the barrel.

At the time of the field inspection, the lead PHMSA inspector observed that Enbridge's launcher at the Line 13 Southern Lights Manhattan Terminal was equipped with a relief device that was not capable of safely relieving pressure in the barrel before insertion or removal of scrapers or spheres

in-service. In failing to maintain the safety relief device in a functional manner, the operator failed to comply with § 195.426.

Proposed Civil Penalty

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to propose a civil penalty assessment at this time.

Proposed Compliance Order

With respect to Item 1, pursuant to 49 U.S.C. § 60118, the Pipeline and Hazardous Materials Safety Administration proposes to issue a Compliance Order to Enbridge. Please refer to the *Proposed Compliance Order*, which is enclosed and made a part of this Notice.

Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Enforcement Proceedings*. Please refer to this document and note the response options. All material you submit in response to this enforcement action may be 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).

Following your receipt of this Notice, you have 30 days to respond as described in the enclosed *Response Options*. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order. If you are responding to this Notice, we propose that you submit your correspondence to my office within 30 days from receipt of this Notice. The Region Director may extend the period for responding upon a written request timely submitted demonstrating good cause for an extension.

In your correspondence on this matter please refer to **CPF 3-2024-016-NOPV** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Gregory A. Ochs
Director, Central Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

cc: David Stafford (David.Stafford@Enbridge.com)
Bradley Salo (Bradley.Salo@Enbridge.com)

Enclosures: *Proposed Compliance Order*
Response Options for Pipeline Operators in Enforcement Proceedings

PROPOSED COMPLIANCE ORDER

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to Enbridge a Compliance Order incorporating the following remedial requirements to ensure the compliance of Enbridge with the pipeline safety regulations:

- A. In regard to Item 1 of the Notice pertaining to Enbridge's failure to use a launcher or receiver that is equipped with a relief device capable of safely relieving pressure in the barrel before insertion or removal of scrapers or spheres, Enbridge must train their field personnel in proper use of relief devices associated with launcher and receivers and 49 C.F.R. § 195.426 and then provide documentation of this training to Central Region Director, Gregory A. Ochs, within **180** days of receipt of the Final Order.

It is requested that Enbridge maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to Gregory A. Ochs, Director, Central Region, Pipeline and Hazardous Materials Safety Administration. It is requested that these costs be reported in two categories: (1) total cost associated with preparation/revision of plans, procedures, studies and analyses, and (2) total cost associated with replacements, additions and other changes to pipeline infrastructure.