

October 10, 2024

VIA ELECTRONIC MAIL TO: tom.long@energytransfer.com

Thomas E. Long
Chief Executive Officer
Energy Transfer LP
1300 Main Street
Houston, Texas 77002

Re: CPF No. 3-2024-020-NOPV

Dear Mr. Long:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation, assesses a civil penalty of \$41,200, and specifies actions that need to be taken by Crestwood Midstream Partners LP, a subsidiary of Energy Transfer LP, to comply with the pipeline safety regulations. When the civil penalty has been paid and 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
Mr. Greg McIlwain, Executive Vice President, Operations, Energy Transfer LP,
gregory.mcilwain@energytransfer.com

Mr. Eric Amundsen, Senior Vice President, Operations, Energy Transfer LP,
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Mr. Todd Stamm, Senior Vice President, Operations, Energy Transfer LP,
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Ms. Jennifer Street, Senior Vice President, Operations Services, Energy Transfer LP,
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Mr. Keegan Pieper, Assistant General Counsel, Energy Transfer LP,
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Mr. Matthew Stork, Vice President, Technical Services, Energy Transfer Company LP,
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Mr. Todd Nardoizzi, Director of Regulatory Compliance, Energy Transfer LP,
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Ms. Susie Sjulín, Director, Regulatory Compliance, Energy Transfer LP,
susie.sjulin@energytrasnfer.com

CONFIRMATION OF RECEIPT REQUESTED

49 C.F.R. § 195.446(e)(2) (**Item 3**) – Respondent failed to demonstrate that it identified at least once each calendar month points affecting safety that had been

taken off scan in the SCADA host, had alarms inhibited, or that had forced or manual values for periods of time exceeding that required for associated maintenance or operating activities. Specifically, at the time of the inspection Respondent had not completed its review.

49 C.F.R. § 195.446(e)(3) (**Item 4**) — Respondent's alarm management plan failed to verify the correct safety-related alarm set-point values and alarm descriptions when associated field instruments are calibrated or changed and at least once each calendar year, but at intervals not to exceed 15 months. Specifically, Respondent CRMP section 507 failed to include the requirement for verifying alarm set-point values and alarm descriptions when associated field instruments are calibrated or changed; it only required the calendar year requirement.

49 C.F.R. § 195.446(e)(4) (**Item 5**) — Respondent failed to review its alarm management plan, at least once each calendar year but at intervals not exceeding 15 months, to determine the effectiveness of the plan. Specifically, Respondent failed to follow its procedure in CRMP section 508 for the 2019 and 2020 effectiveness reviews.

49 C.F.R. § 195.446(e)(5) (**Item 6**) — Respondent failed to monitor the content and volume of general activity being directed to and required of each controller, at least once each calendar year, but at intervals not exceeding 15 months, nor to assure that controllers have sufficient time to analyze and react to incoming alarms. Specifically, Respondent did not demonstrate that it examined all tasks and content directed to the controller.

49 C.F.R. § 195.446(h)(1) (**Item 8**) — Respondent's training program failed to provide content to train controllers to carry out the roles and responsibilities defined by the operator as it related to controllers responding to abnormal operating conditions likely to occur simultaneously or in sequence. Specifically, while Respondent CRMP section 803 identified the training requirement, it did not include a list of abnormal operating conditions that can occur simultaneously or in sequence and the expected response by the controller for those conditions to provide content for the training.

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, I assess Respondent a total civil penalty of **\$41,200**.

Payment of the civil penalty must be made within 20 days of service. Federal regulations (49 C.F.R. § 89.21(b)(3)) require such payment to be made by wire transfer through the Federal Reserve Communications System (Fedwire), to the account of the U.S. Treasury. Detailed instructions are contained in the enclosure. Questions concerning wire transfers should be directed to: Financial Operations Division (AMK-325), Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 S MacArthur Blvd, Oklahoma City, Oklahoma 79169. The Financial Operations Division telephone number is (405) 954-8845.

Failure to pay the \$41,200 civil penalty will result in accrual of interest at the current annual rate in accordance with 31 U.S.C. § 3717, 31 C.F.R. § 901.9 and 49 C.F.R. § 89.23. Pursuant to those same authorities, a late penalty charge of six percent (6%) per annum will be charged if payment is not made within 110 days of service. Furthermore, failure to pay the civil penalty may result in referral of the matter to the Attorney General for appropriate action in a district court of the United States.

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. Respondent previously submitted evidence to show appropriate actions have been taken to correct the violations. This evidence is currently under review by the Director. 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 7, the Notice alleged a probable violation of 49 C.F.R. § 195.446 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.

October 10, 2024

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued