

## NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: [tkarry@efgroupllc.com](mailto:tkarry@efgroupllc.com); [ppowers@efgroupllc.com](mailto:ppowers@efgroupllc.com); [iborphy@efgroupllc.com](mailto:iborphy@efgroupllc.com)

May 5, 2025

Mr. Todd Karry  
President & CEO  
Centra Pipeline Minnesota, Inc.  
33717 Woodward Ave. #600  
Birmingham, MI 48009

**CPF 3-2025-012-NOA**

Dear Mr. Karry:

From September 16 to September 19, 2024, representatives of the Minnesota Office of Pipeline Safety (MNOPS), acting as interstate agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected at MNOPS's offices in St. Paul, Minnesota, Central Pipeline Minnesota, Inc.'s (Centra) procedures for integrity management and operator qualification.

As a result of the inspection, PHMSA has identified the apparent inadequacies found within Centra's plans or procedures. The items inspected and the inadequacies identified are described below:

**1. § 192.615 Emergency plans.**

**(a) . . . .**

**(b) Each operator shall:**

**(1) . . . .**

**(2) Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.**

Centra's emergency procedure EMG-PRO-001, "Management of Gas Emergencies," did not contain guidance to assure that personnel are knowledgeable of the emergency procedures that they are responsible for conducting, in accordance with the requirements of § 192.615(b)(2). The procedures within EMG-PRO-001 were too general in nature to

adequately train the appropriate operating personnel. EMG-PRO-001 did not contain any specificity on what particular type of training personnel must receive. Therefore, Centra must revise EMG-PRO-001 in accordance with § 192.615.

**2. § 192.615 Emergency plans.**

**(a) . . . .**

**(b) Each operator shall:**

**(1) . . . .**

**(3) Review employee activities to determine whether the procedures were effectively followed in each emergency.**

Centra's emergency procedure EMG-PRO-001, "Management of Gas Emergencies," did not require the review of employee activities to determine the effectiveness of a procedure following each emergency, per the requirements of § 192.615(b)(3). Section 5 of EMG-PRO-001 did not contain any procedures on how Centra will conduct the review to assure the effectiveness of the emergency response procedures and how that review will be documented. Therefore, Centra must revise EMG-PRO-001 in accordance with § 192.615(b)(3).

**3. § 192.805 Qualification program.**

**Each operator shall have and follow a written qualification program. The program shall include provisions to:**

**(a) . . . .**

**(c) Allow individuals that are not qualified pursuant to this subpart to perform a covered task if directed and observed by an individual that is qualified;**

Centra's Operator Qualification (OQ) Plan, GEN-PRO-007, "Operator Qualification" (OQ Plan), did not contain adequate procedures to ensure that personnel that are not qualified to perform a covered task were allowed to do so if directed and observed by a qualified individual, per the requirements of § 192.805(c). Centra's OQ Plan was inadequate because it did not have any "span of control" provisions which would be used to determine how many unqualified personnel can conduct a task under the supervision of a qualified individual. Centra indicated that in practice its "span of control" did not exceed a 1-to-1 ratio; however, the regulations do not allow for an unqualified individual to perform covered tasks such as welding and making plastic pipe joints.<sup>1</sup> For these covered tasks the ratio would be 1:0; that is, "span of control" would not be allowed. Therefore, Centra must revise its OQ Plan to define the number of individuals within a "span of control" and when "span of control" may not be used, in accordance with § 192.805(c).

**4. § 192.805 Qualification program.**

**Each operator shall have and follow a written qualification program. The program shall include provisions to:**

**(a) . . . .**

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<sup>1</sup> See 49 CFR §§ 192.229(c) and 192.285(c).

**(h) After December 16, 2004, provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities;**

Centra's OQ Plan did not include procedures for providing training to ensure individuals performing covered tasks have the necessary knowledge and skills to perform the tasks, per the requirements of § 192.805(h). OQ Plan section 6 contained guidance to re-train and re-evaluate personnel, but section 6 did not contain any guidance on the initial training of individuals. Therefore, Centra must revise its OQ Plan in accordance with § 192.805(h).

**5. § 192.935 What additional preventive and mitigative measures must an operator take?**

**(a) . . . .**

**(c) *Risk analysis for gas releases and protection against ruptures.* If an operator determines, based on a risk analysis, that a rupture-mitigation valve (RMV) or alternative equivalent technology would be an efficient means of adding protection to a high-consequence area (HCA) in the event of a gas release, an operator must install the RMV or alternative equivalent technology. In making that determination, an operator must, at least, evaluate the following factors—timing of leak detection and pipe shutdown capabilities, the type of gas being transported, operating pressure, the rate of potential release, pipeline profile, the potential for ignition, and location of nearest response personnel. An RMV or alternative equivalent technology installed under this paragraph must meet all of the other applicable requirements in this part.**

Centra's procedure, INT-PRO-008, "Preventive and Mitigative Measures" (INT-PRO-008), did not contain procedures for determining, based on a risk analysis, whether a rupture-mitigation valve (RMV) or alternative equivalent technology would be an efficient means of adding protection to a high-consequence area (HCA) in the event of a gas release, per the requirements of § 192.935(c). Section 6 of INT-PRO-008 briefly mentioned the use of automatic control valve or a remote-control valve as a mitigative measure, but it did not include any requirements for determining whether to install or use those valves. INT-PRO-008 also did not include a procedure to determine whether the use of an alternative equivalent technology would be an efficient means of adding protection. Therefore, Centra must revise INT-PRO-008 in accordance with § 192.935(c).

**6. § 192.935 What additional preventive and mitigative measures must an operator take?**

**(a) . . . .**

**(f) *Periodic evaluations.* Risk analyses and assessments conducted under paragraph (c) of this section must be reviewed by the operator and certified by a senior executive of the company, for operational matters that could affect rupture-mitigation processes and procedures. Review and certification must occur once per calendar year, with the period between reviews not to exceed 15 months, and must**

**also occur within 3 months of an incident or safety-related condition, as those terms are defined at §§ 191.3 and 191.23, respectively.**

Centra's INT-PRO-008 did not contain procedures for requiring that any risk analysis and assessments conducted under § 192.935(c) be reviewed and certified by a senior executive of the company, per the requirements of § 192.935(f). INT-PRO-008 also did not contain the requirement to review and certify the analysis and assessments once a year not to exceed 15 months, and that it must occur within 3 months of a safety related condition. Therefore, Centra must revise its procedures in accordance with § 192.935(f).

**7. § 192.947 What records must an operator keep?**

**An operator must maintain, for the useful life of the pipeline, records that demonstrate compliance with the requirements of this subpart. At minimum, an operator must maintain the following records for review during an inspection.**

Centra's written procedures did not specify that records used to demonstrate compliance with the requirements of subpart O must be maintained for the useful life of the pipeline, per the requirements of § 192.947. Therefore, Centra must revise its procedures to meet the requirements of §§ 192.947(a) through (i).

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 CFR § 190.206. 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. 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).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under § 190.211. 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 an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Centra Pipeline Minnesota Inc maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Gregory A. Ochs, Director, Central Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2025-012-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: Phillip Powers, Director Pipeline Operations, [ppowers@efgroupllc.com](mailto:ppowers@efgroupllc.com)  
Joe Brophy, VP/General Manager, [jbrophy@efgroupllc.com](mailto:jbrophy@efgroupllc.com)

Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*