

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

ELECTRONIC MAIL - RETURN RECEIPT REQUESTED

October 4, 2021

Cary Watson
Vice President Technical Services
Enable Gas Transmission, LLC
499 West Sheridan, Suite 1500
Oklahoma City, Oklahoma 73102

CPF 4-2021-001-NOPV

Dear Mr. Watson:

From April 13, 2020 through October 2, 2020, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.), virtually inspected Enable Gas Transmission, LLC's (Enable) operations, maintenance, and integrity management records for its pipeline system in Louisiana, Texas, and Arkansas.

Based on the inspection, it is alleged that Enable has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violations are:

1. § 192.481 – Atmospheric corrosion control: Monitoring.

(a)...

(c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by Sec.192.479.

Enable failed to remediate damaged coating identified during its atmospheric corrosion inspections for four consecutive calendar years, 2017 through 2020. Enable's written procedure *OM-235 Pipe Inspection, Section 2.9.6* (Effective Date: 9/27/2018) states, "If coating is other than 'Good,' remove deteriorated coating sufficiently to allow for visual inspection of pipe surface." Furthermore, *Section 2.9.8* of the same procedure states, "If there are no defects visually evident...[r]ecoat the pipe in accordance with Construction Specifications (Book 2)" and "[i]nstall pipeline markers on both sides of the exposure."

PHMSA inspectors reviewed Enable's Pipe Inspection History reports from calendar years January 2017 through July 2020, and found multiple areas where the pipeline was exposed and the completed inspection report noted the condition of the coating as "Damaged,"

"Local Disbondment," or "Extensively Disbonded." PHMSA requested to review the records of any remedial actions that were taken to address the findings; however, no such records were provided by Enable.

2. § 192.739 - Pressure limiting and regulating stations: Inspection and testing.

(a) Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is-

Enable failed to inspect and test its pressure limiting stations, relief devices, and pressure regulating stations and its equipment at five (5) Compressor Station locations in accordance with § 192.739(a).

Enable's written Operations and Maintenance procedure *Engineering Standards, ES-010, Design Requirements for Pressure Protection of Gas Piping Systems* (Effective Date: 1/23/2020) and *Operating & Maintenance Plan, OM-304, Inspection and Testing of Relief and Automatic Shutdown Devices Compressor Stations* (Revisions Date: 1/23/2020) provides that unit relief devices, pressure limiting devices, and automatic shutdown devices will be inspected and tested at intervals not exceeding 15 months, but at least once at each calendar year.

During the field records review of Enable's relief and automatic shutdown devices, PHMSA inspectors found that the testing and inspection of several devices and equipment at the following compressor stations had not been performed in accordance with § 192.739(a):

1. Stateline (East Texas) Compressor Station on Line CP - relief valves, transmitters, and shutdown switches on compressor units 1, 2, and 4 were not tested or inspected in calendar years 2019 and 2020 for each of these compressor units;
2. Panola Compressor Station on Line CP - the compressor discharge transmitters on compressor units 1, 2, and 3 were not tested or inspected for calendar years 2017, 2018, and 2019 for each of these compressor units;
3. Westdale Compressor Station on Line CP - the compressor discharge transmitters on compressor units 1 and 2 were not tested or inspected for calendar years 2017, 2018, and 2019 for each of these compressor units;
4. Vernon Compressor Station on Line CP - the compressor discharge transmitters on compressor units 1, 2, and 3 were not tested or inspected for calendar years 2017, 2018, and 2019 for each of these compressor units; and

5. Alto Compressor Station on Line CP - the shutdown switch on compressor unit 1 was not tested or inspected for calendar years 2017, 2018, and 2019.
3. § 192.619 - Maximum allowable operating pressure: Steel or plastic pipelines.

(a) No person may operate a segment of steel or plastic pipeline at a pressure that exceeds a maximum allowable operating pressure determined under paragraph (c), (d), or € of this section, or the lowest of the following:

(1) The design pressure of the weakest element in the segment, determined in accordance with subparts C and D of this part. However, for steel pipe in pipelines being converted under § 192.14 or uprated under subpart K of this part, if any variable necessary to determine the design pressure under the design formula (§ 192.105) is unknown, one of the following pressures is to be used as design pressure:

- (i) Eighty percent of the first test pressure that produces yield under section N5 of Appendix N of ASME B31.8 (incorporated by reference, see § 192.7), reduced by the appropriate factor in paragraph (a)(2)(ii) of this section; or
- (ii) If the pipe is 12 3/4 inches (324 mm) or less in outside diameter and is not tested to yield under this paragraph, 200 p.s.i. (1379 kPa).

(2) The pressure obtained by dividing the pressure to which the pipeline segment was tested after construction as follows:

- (i) For plastic pipe in all locations, the test pressure is divided by a factor of 1.5.
- (ii) For steel pipe operated at 100 psi (689 kPa) gage or more, the test pressure is divided by a factor determined in accordance with the Table 1 to paragraph (a)(2)(ii):

TABLE 1 TO PARAGRAPH (a)(2)(ii)

Class location	Installed before (Nov. 12, 1970)	Factors, 1 2 segment -		
		Installed after (Nov. 11, 1970) and before July 1, 2020	Installed on or after July 1, 2020	Converted under §192.14
1	1.1	1.1	1.25	1.25
2	1.25	1.25	1.25	1.25
3	1.4	1.5	1.5	1.5
4	1.4	1.5	1.5	1.5

¹ For offshore pipeline segments installed, uprated or converted after July 31, 1977, that are not located on an offshore platform, the factor is 1.25. For pipeline segments installed, uprated or converted after July 31, 1977, that are located on an offshore platform or on a platform in inland navigable waters, including a pipe riser, the factor is 1.5.

² For a component with a design pressure established in accordance with § 192.153(a) or (b) installed after July 14, 2004, the factor is 1.3.

(3) The highest actual operating pressure to which the segment was subjected during the 5 years preceding the applicable date in the second column. This pressure restriction applies unless the segment was tested according to the requirements in paragraph (a)(2) of this section after the applicable date in the third column or the segment was uprated according to the requirements in subpart K of this part:

Pipeline segment	Pressure date	Test date
-Onshore gathering line that first became subject to this part (other than § 192.612) after April 13, 2006. -Onshore transmission line that was a gathering line not subject to this part before March 15, 2006.	March 15, 2006, or date line becomes subject to this part, whichever is later.	5 years preceding applicable date in second column.
Offshore gathering lines.	July 1, 1976	July 1, 1971.
All other pipelines.	July 1, 1970	July 1, 1965

(4) The pressure determined by the operator to be the maximum safe pressure after considering and accounting for records of material properties, including material properties verified in accordance with § 192.607, if applicable, and the history of the pipeline segment, including known corrosion and actual operating pressure.

Enable failed to establish a Maximum Allowable Operating Pressure (MAOP) and provide records to demonstrate the establishment of the MAOP for its Line ST-1 and Line AM-5 pipelines that were placed in service prior to calendar year 1970 in accordance with § 192.619(a).

According to its written procedure *Operating & Maintenance Plan, OM-210, Maximum Allowable Operating Pressure MAOP* (Revision Date: 1/23/2020), the MAOP will be established for each pipeline segment based on design, materials, pressure test, operating history, or other factors.

During the MAOP records review, PHMSA inspectors concluded that Enable's MAOP verification form for Line ST-1 (which was originally constructed circa 1954 and had segments replaced in 1959), was errantly overridden to 950 psig, instead of an actual MAOP of 632 psig.

For Line AM-5, Enable has not established the MAOP by one or more of the required methods outlined in § 192.619. Enable does not possess a pressure test per § 192.619(a)(2) or "grandfather" pressure records per § 192.619(c) to establish the MAOP.

Proposed Compliance Order

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, Enable Gas Transmission, LLC is subject to a civil penalty not to 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 violations 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 violations 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 violations 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 violations 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 propose a civil penalty assessment at this time.

With respect to Items 1, 2, and 3 pursuant to 49 U.S.C. § 60118, the Pipeline and Hazardous Materials Safety Administration proposes to issue a Compliance Order to Enable Gas Transmission, LLC. 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 Compliance 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 the receipt of this Notice, you have 30 days to submit written comments, or request a hearing under 49 CFR § 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 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. This period may be extended by written request for good cause.

In your correspondence on this matter, please refer to **CPF 4-2021-001-NOPV** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Mary L. McDaniel, P.E.
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration

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

PROPOSED COMPLIANCE ORDER

Pursuant to 49 U.S.C. § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to Enable Gas Transmission, LLC (Enable) a Compliance Order incorporating the following remedial requirements to ensure the compliance of pipeline safety regulations:

1. In regard to Item 1 of the Notice pertaining to Enable failing to remediate exposed pipe, Enable must remediate exposed pipe following its *OM-235* procedure and provide documentation of the review and any remediation records within 90 days of receipt of the Final Order to Mary L. McDaniel, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration.
2. In regard to Item 2 of the Notice pertaining to Enable failing to inspect and test relief and shutdown devices according to their procedures, Enable must review, inspect, and test its relief and shutdown devices following its procedures and provide documentation of the inspection and tests within 90 days of receipt of the Final Order to Mary L. McDaniel, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration.
3. In regard to Item 3 of the Notice pertaining to Enable failing to establish an MAOP for Lines ST-1 and AM-5 in compliance with 192.619, Enable must inspect and re-establish an appropriate MAOP for each of the lines in this item and provide documentation including the recalculated MAOP values within 90 days of receipt of the Final Order to Mary L. McDaniel, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration.

It is requested (not mandated) that Enable Gas Transmission, LLC maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to Mary L. McDaniel, Director, Southwest 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.