



March 13, 2023

Mr. Lawrence T. White
Presiding Official
Office of the Deputy Chief Counsel
Pipeline and Hazardous Materials Safety
Administration
East Building, 2nd Floor
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Via Email: Lawrence.White@dot.gov

Re: Florida Gas Transmission Company (“Respondent”)
Respondent’s Pre-Hearing Submissions
CPF No. 4-2022-032-NOPV

Dear Mr. White:

Pursuant to your letter dated November 1, 2022, please find attached Respondent’s pre-hearing submissions in this case, same related to the hearing scheduled for March 22, 2023, at the PHMSA Houston office, regarding the referenced Notice of Probable Violation and Proposed Civil Penalty (“NOPV”). Attached hereto is Appendix A which lists Respondent’s pre-hearing materials which are submitted herewith.

Respondent intends to use portions of the attached pre-hearing materials as demonstrative exhibits during the hearing. By copy of this letter, Respondent is providing said materials to Region counsel, Ian Curry, as well as the Director, Central Region, Bryan Lethcoe.

Respondent intends to have the following individuals attend the hearing:

1. Dave Shellhouse, Vice President Operations, Southeast Division, Energy Transfer (Dave.Shellhouse@energytransfer.com)
2. Chris Lason, Vice President Asset Integrity, Energy Transfer (Chris.Lason@energytransfer.com)
3. Leif Jensen, Vice President Technical Services, Energy Transfer (Leif.Jensen@energytransfer.com)
4. Todd Nardoizzi, Director Regulatory Compliance, Energy Transfer (Todd.Nardoizzi@energytransfer.com)
5. Brian Jimenez, Director Pipeline Integrity East, Energy Transfer (Brian.Jimenez@energytransfer.com)
6. David Parham, Director Operations, Florida Gas Transmission Company (David.Parham@energytransfer.com)



Know what's below.
Call before you dig.



7. Mark L. Hereth, Managing Director, The Blacksmith Group/Process Performance Improvement Consultants (mlh@p-pic.com)
8. Court Reporter (U.S. Legal Support; the individual's name will be provided prior to the hearing date)

Respondent intends to question those Office of Pipeline Safety (OPS) personnel with personal knowledge of the facts underlying the alleged violations and the proposed civil penalties set forth in the NOPV and in the underlying case file. Respondent hereby requests that OPS present a witness from the PHMSA Enforcement Division with knowledge of the facts underlying the calculation of the proposed civil penalties.

Respondent will be represented at the hearing by the undersigned and Roina Baker, Murchison Law Firm, PLLC and Heidi Slinkard, Chief Counsel, Energy Transfer.

Respondent requests, and reserves the right, pursuant to 49 C.F.R. § 190.211(g), to submit further written material after the hearing for inclusion in the record. Respondent further requests the opportunity to receive and respond to the Director's written evaluation and recommendation (49 C.F.R. § 190.209(b)(7)). Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'V. Murchison', with a long horizontal flourish extending to the right.

Vince Murchison

Counsel for Respondent

cc: Ian Curry, PHMSA (Via Email: Ian.Curry@dot.gov)
Bryan Lethcoe, OPS (Via Email: Bryan.Lethcoe@dot.gov)
Heidi Slinkard, Energy Transfer (Via Email: Heidi.Slinkard@energytransfer.com)



Florida Gas Transmission Company
Respondent's Pre-Hearing Submissions
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APPENDIX A

1. Amended and Restated Statement of Issues of Florida Gas Transmission Company; dated March 13, 2023
2. Resume of David Shellhouse
3. Resume of Chris P. Lason
4. Resume of Brian Jimenez
5. Resume of David Parham
6. Report of Mark L. Hereth
7. 49 CFR § 192.619 (2019)
8. 49 CFR § 192.624 (2020)
9. 49 CFR § 192.917 (2004)
10. 49 CFR § 192.937 (2004)
11. 36 Fed. Reg. 18194 (Sept. 10, 1971); *Extension of Time for Confirmation or Revision of Maximum Allowable Operating Pressure*
12. 61 Fed. Reg. 28770 (June 6, 1996); Final Rule, *Regulatory Review; Gas Pipeline Safety Standards*
13. Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011; Section 23
14. 76 Fed. Reg. 53086 (Aug. 25, 2011); Advance Notice of Proposed Rulemaking, *Pipeline Safety: Safety of Gas Transmission Pipelines*
15. 81 Fed. Reg. 20722 (April 8, 2016); Notice of Proposed Rulemaking, *Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines*
16. 84 Fed. Reg. 52247 (Oct. 1, 2019); Final Rule, *Pipeline Safety: Safety of Gas Transmission Pipelines: MAOP Reconfirmation, Expansion of Assessment Requirements, and Other Related Amendments*
17. PHMSA Annual Report Form F 7100.2-1 for Calendar Year 2012
18. PHMSA Annual Report Form F 7100.2-1 for Calendar Year 2023
19. Civil Penalty Summary dated May 30, 2017
20. Civil Penalty Summary dated February 25, 2019
21. Civil Penalty Summary dated February 7, 2020
22. Civil Penalty Summary dated January 1, 2022
23. Guidelines for States Participating in the Pipeline Safety Program – Revised January 2019; Appendix C
24. *In the Matter of El Paso Natural Gas Company, LLC, a subsidiary of Kinder Morgan, Inc.*, Final Order, CPF No. 4-2019-1010, 2020 WL 6870722 (DOT July 22, 2020).
25. El Paso Natural Gas Company, LLC's Written Response and Appeal; dated December 19, 2019
26. Topographic – Overview
27. Topographic of Sanford Lateral
28. Aerial of Sanford Lateral – Hybrid

29. Aerial of Sanford Lateral – 2020 HCAs
30. Aerial of Sanford Lateral – Upstream Compressor Station
31. FLBOD 12” Sanford Lateral Pipe specifications
32. Sanford Lateral Timeline
33. Sanford Lateral SAP Activities
34. 1959 Field Pressure and Test Report – Schedule No. 27
35. 1959 Hydrotest Program – Schedule No. 27
36. 1959 Hydrostatic Test Report of Florida Pipelines
37. As-Built Survey Notes Schedule #27
38. 1971 Sanford Lateral Class Locations; dated 01-26-1970
39. 1973 Work Order for Regulator Monitors on Sanford Lateral
40. 1974 Pipeline Hydrostatic Test Report
41. 1975 Sanford Lateral Class Locations; dated 01-10-1975
42. 1975 Sanford Lateral Class Locations; revised 02-17-1975
43. Sanford Lateral Alignment Sheets
44. Hydrostatic Test Report – Sanford Lateral Segment 1
45. Hydrostatic Test Report – Sanford Lateral Segment 2
46. Hydrostatic Test Report – Sanford Lateral Segment 1A
47. B.10.A MAOP Establishment
48. Email from Tom Rich to Dave Shellhouse; dated March 13, 2023
49. ASME B31.8S -2004 SCC Threat Susceptibility Review
50. Energy Transfer Pipeline Integrity Management Plan; Section 4
51. Sanford Lateral IMP SCC Threat Susceptibility Evaluation
52. Sanford Lateral IMP Manufacturing Threat Susceptibility Evaluation
53. DNV Metallurgical Report; Figure 25
54. ETWS 150 – Welded Hot Taps/In-Service Welding
55. D. 35.A Pipeline Inspection - GForm ID: 4047
56. D. 35.A Pipeline Inspection - GForm ID: 4069
57. D. 35.A Pipeline Inspection - GForm ID: 196298
58. D. 35.A Pipeline Inspection - GForm ID: 6115
59. Executive Summary of Pull Test Program