

WARNING LETTER

ELECTRONIC MAIL - RETURN RECEIPT REQUESTED

March 11, 2022

Al Langland
Vice President, Gas Operations
Avangrid Networks, Inc.
Total Peaking Services
180 Marsh Hill Road
Orange, Connecticut 06477

CPF 4-2022-044-WL

Dear Mr. Langland,

From December 6, 2021 through December 10, 2021, inspectors from the Connecticut Department of Energy and Environmental Protection (CT DEEP), acting as an Agent for Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of Title 49 of the United States Code, inspected Total Peaking Services' (TPS) records and procedures at its LNG plant located in Milford, Connecticut.

As a result of the inspection, it is alleged that TPS 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. § 193.2715 Training Security.

(a)...

(b) A written plan of continuing instruction must be conducted at intervals of not more than two years to keep all personnel having security duties current on the knowledge and skills they gained in the program of initial instruction.

TPS failed to follow a written plan of continuing instruction to ensure personnel having security duties were retrained every two years to ensure the knowledge and skills they gained in the program of initial instruction in accordance with § 193.2715. TPS's Security Manual Section 1.1.1, Personnel and Training (Revision date 11/16/2021), requires security personnel to retrain at intervals of not more than two years. This retraining consists of reviewing the security manual and the requirement to pass a knowledge test. While, it appears that the monthly procedural reviews were conducted, the knowledge tests were completed outside the two year time interval.

2. § 193.2719 Training Records.

(a) Each operator shall maintain a system of records which—

(1) Provide evidence that the training programs required by this subpart have been implemented; and

(2) Provide evidence that personnel have undergone and satisfactorily completed the required training programs.

TPS failed to maintain records to demonstrate security personnel have undergone and satisfactorily completed the required initial training. At the time of the inspection, TPS could not provide initial training checklists to demonstrate security personnel were trained in accordance with Section 8, Appendix F-1 Initial Training List of the *Milford LNG Plant Operations Manual* (Revision date 11/16/2021). TPS could only provide a spreadsheet that presented the date of "Initial SOP Training Completion Date".

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are 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. Also, for each violation involving LNG facilities, an additional penalty of not more than \$82,245 occurring on or after May 3, 2021, may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$81,284 occurring on or after January 11, 2021, and before May 3, 2021, may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$79,875 occurring on or after July 31, 2019, and before January 11, 2021, may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$77,910 occurring on or after November 27, 2018, and before July 31, 2019, may be imposed. For each violation involving LNG facilities occurring on or after November 2, 2015, and before November 27, 2018, an additional penalty of not more than \$76,352 may be imposed.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in TPS being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 4-2022-044-WL**. 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).

Sincerely,

Mary L. McDaniel, P.E.

Director, Southwest Region

Pipeline and Hazardous Materials Safety Administration

cc: Thomas Kennedy, Director LNG Plants, Total Peaking Services,
tkennedy@ctgcorp.com)

Dave Senetcen, LNG Supervisor, Total Peaking Services, dsenetcen@uinet.com

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