

## NOTICE OF AMENDMENT

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

October 18, 2023

Thomas Long  
Chief Executive Officer  
Energy Transfer Company  
8111 Westchester Drive  
Dallas, Texas 75225

**CPF 4-2023-046-NOA**

Dear Mr. Long:

From September 19, 2022, to January 12, 2023, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Enable Gas Transmission, LLC procedures for operations and maintenance in Oklahoma City, OK.

As a result of the inspection, PHMSA has identified the apparent inadequacies found within Enable Gas Transmission, LLC's procedures. The items inspected and the inadequacies are described below:

**1. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

**(a) . . . .**

**(b) *Maintenance and normal operations.*** The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

**(1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part.**

**§ 192.515 Environmental protection and safety requirements.**

**(a) In conducting tests under this subpart, each operator shall insure that every reasonable precaution is taken to protect its employees and the general public during the testing. Whenever the hoop stress of the segment of the pipeline being tested will exceed 50**

**percent of SMYS, the operator shall take all practicable steps to keep persons not working on the testing operation outside of the testing area until the pressure is reduced to or below the proposed maximum allowable operating pressure.**

Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Specifically, Enable's pressure testing procedure failed to adequately detail all reasonable precautions that may be taken to protect employees and the general public during the testing in accordance with § 192.515(a).

*C4.0105-Pressure Testing Execution*, revision date April 1, 2022, Section 4.1 Safety, failed to provide sufficient detail regarding safe distance. Enable listed a minimum distance of fifty feet, but failed to detail how much additional distance might be necessary, and the analysis required to establish a safe distance on pipelines where the listed minimum distance does not suffice in accordance with § 192.515(a).

Therefore, Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Enable must revise its procedures as specified above.

**2. § 192.607 Verification of Pipeline Material Properties and Attributes:  
Onshore steel transmission pipelines.**

**(a) . . . .**

**(c) *Verification of material properties and attributes.*** If an operator does not have traceable, verifiable, and complete records required by paragraph (b) of this section, the operator must develop and implement procedures for conducting nondestructive or destructive tests, examinations, and assessments in order to verify the material properties of aboveground line pipe and components, and of buried line pipe and components when excavations occur at the following opportunities: Anomaly direct examinations, in situ evaluations, repairs, remediations, maintenance, and excavations that are associated with replacements or relocations of pipeline segments that are removed from service. The procedures must also provide for the following:

**(1)** For nondestructive tests, at each test location, material properties for minimum yield strength and ultimate tensile strength must be determined at a minimum of 5 places in at least 2 circumferential quadrants of the pipe for a minimum total of 10 test readings at each pipe cylinder location.

**(2)** For destructive tests, at each test location, a set of material properties tests for minimum yield strength and ultimate tensile strength must be conducted on each test pipe cylinder removed from each location, in accordance with API Specification 5L.

**(3)** Tests, examinations, and assessments must be appropriate for

verifying the necessary material properties and attributes.

**(4) If toughness properties are not documented, the procedures must include accepted industry methods for verifying pipe material toughness.**

**(5) Verification of material properties and attributes for non-line pipe components must comply with paragraph (f) of this section.**

Enable's written procedures for conducting nondestructive or destructive tests, examinations, and assessments in order to verify the material properties of aboveground line pipe and components, and of buried line pipe and components when excavations occur were inadequate to assure safe operation of a pipeline facility in accordance with § 192.607(c). Specifically, Enable's procedure, *I.43 Material Verification*, (Rev. 1 - July 1, 2021), Section 7.2 Track Opportunistic Digs, failed to include sufficient details regarding opportunistic digs. The coordination between various work groups and responsibilities that groups have is not discussed with adequate specificity.

Therefore, Enable's written procedures for conducting nondestructive or destructive tests, examinations, and assessments in order to verify the material properties of aboveground line pipe and components, and of buried line pipe and components when excavations occur were inadequate to assure safe operation of a pipeline facility in accordance with § 192.607(c). Enable must revise its procedure to describe the approach used to track locations needing material verification, the methods to acquire needed data, the communication methods used to exchange needed and gathered information between work groups and safeguards in place to ensure compliance with § 192.607(c).

**3. § 192.607 Verification of Pipeline Material Properties and Attributes: Onshore steel transmission pipelines.**

**(a) . . . .**

**(f) Components.** For mainline pipeline components other than line pipe, an operator must develop and implement procedures in accordance with paragraph (c) of this section for establishing and documenting the ANSI rating or pressure rating (in accordance with ASME/ANSI B16.5 (incorporated by reference, *see* § 192.7)),

**(1) Operators are not required to test for the chemical and mechanical properties of components in compressor stations, meter stations, regulator stations, separators, river crossing headers, mainline valve assemblies, valve operator piping, or cross-connections with isolation valves from the mainline pipeline.**

**(2) Verification of material properties is required for non-line pipe components, including valves, flanges, fittings, fabricated assemblies, and other pressure retaining components and appurtenances that are:**

**(i) Larger than 2 inches in nominal outside diameter,**

**(ii) Material grades of 42,000 psi (Grade X-42) or greater, or**

**(iii) Appurtenances of any size that are directly installed on the pipeline and cannot be isolated from mainline pipeline pressures.**

Enable's written procedures for establishing and documenting the ANSI rating or pressure rating were inadequate to assure safe operation of a pipeline facility in accordance with § 192.607(f). Specifically, Enable's procedure, *I.43 Material Verification*, (Rev. 1 - July 1, 2021), Section 7.3.3 Components, failed to provide adequate details regarding the material verification of non-line pipe components. Enable failed to adequately describe how it will verify non-line components that cannot be isolated from mainline pipeline pressures and methods it will use to gather information needed in accordance with § 192.607(f).

Therefore, Enable's written procedures for establishing and documenting the ANSI rating or pressure rating were inadequate to assure safe operation of a pipeline facility in accordance with § 192.607(f). Enable must revise its procedures as specified above.

**4. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

**(a) . . . .**

**(b) *Maintenance and normal operations.*** The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

**(1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part.**

**§ 192.609 Change in class location: Required study.**

Whenever an increase in population density indicates a change in class location for a segment of an existing steel pipeline operating at hoop stress that is more than 40 percent of SMYS, or indicates that the hoop stress corresponding to the established maximum allowable operating pressure for a segment of existing pipeline is not commensurate with the present class location, the operator shall immediately make a study to determine:

**(a) The present class location for the segment involved.**

**(b) The design, construction, and testing procedures followed in the original construction, and a comparison of these procedures with those required for the present class location by the applicable provisions of this part.**

**(c) The physical condition of the segment to the extent it can be ascertained from available records;**

**(d) The operating and maintenance history of the segment;**

**(e) The maximum actual operating pressure and the corresponding operating hoop stress, taking pressure gradient into account, for the segment of pipeline involved; and**

**(f) The actual area affected by the population density increase, and physical barriers or other factors which may limit further expansion of the more densely populated area.**

Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Specifically, Enable's procedure, *B.12-Evaluating Class Location Changes*, (June 28, 2022), Section 7.1 GIS Review, failed to include adequate detail regarding incorporating updated or new GIS data into existing class locations. The procedure failed to adequately detail how Enable incorporates newly acquired pipeline assets and assets with updated pipeline and structure attributes into the GIS system to determine if a class location study is required under § 192.609.

Therefore, Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Enable must revise its procedures as specified above.

**5. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

**(a) . . . .**

**(b) *Maintenance and normal operations.*** The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

**(1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part.**

**§ 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 (MAOP) determined under paragraph (c), (d), or (e) 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 undersection 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 123/4 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)**

|   | Installed before<br>(Nov. 12, 1970) | Factors, <sup>1 2</sup> segment -                                |                                       |                             |
|---|-------------------------------------|------------------------------------------------------------------|---------------------------------------|-----------------------------|
|   |                                     | Installed after<br>(Nov. 11, 1970)<br>and before<br>July 1, 2020 | Installed on or<br>after July 1, 2020 | Converted under<br>§ 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                         |

<sup>1</sup> 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.

<sup>2</sup> 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.

Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Specifically, Enable's procedure, *B.10-Determination of MAOP*, revision date February 1, 2020, Appendix B: List of Hydro Test Factors for Class Location and Appendix C: Process Flow for Determination of MAOP, failed to include all required information and contained errors.<sup>1</sup> Appendix B failed to include column three of Table 1 from § 192.619(a)(2)(ii) and Appendix C referenced an affidavit referred to as a "Gold Sheet."

Therefore, Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Enable must revise its procedures as specified above.

**6. § 192.624 Maximum allowable operating pressure reconfirmation: Onshore steel transmission pipelines.**

(a) . . . .

(b) *Procedures and completion dates.* Operators of a pipeline subject to this section must develop and document procedures for completing all actions required by this section by July 1, 2021. These procedures must include a process for reconfirming MAOP for any pipelines that meet a condition of § 192.624(a), and for performing a spike test or material verification in accordance with §§ 192.506 and 192.607, if applicable. All actions required by this section must be completed according to the following schedule:

(1) Operators must complete all actions required by this section on

<sup>1</sup> Although Enable implemented this procedure prior to the effective date of the revisions to Table 1 § 192.619(a)(2)(ii), Enable indicated during the inspection that this version of the procedure is the most current and has been used since the changes have been in effect.

at least 50% of the pipeline mileage by July 3, 2028.

(2) Operators must complete all actions required by this section on 100% of the pipeline mileage by July 2, 2035 or as soon as practicable, but not to exceed 4 years after the pipeline segment first meets a condition of § 192.624(a) (e.g., due to a location becoming a high consequence area), whichever is later.

(3) If operational and environmental constraints limit an operator from meeting the deadlines in § 192.624, the operator may petition for an extension of the completion deadlines by up to 1 year, upon submittal of a notification in accordance with § 192.18. The notification must include an up-to-date plan for completing all actions in accordance with this section, the reason for the requested extension, current status, proposed completion date, outstanding remediation activities, and any needed temporary measures needed to mitigate the impact on safety.

Enable's written procedures for reconfirming MAOP were inadequate to assure safe operation of a pipeline facility in accordance with § 192.624(b). Specifically, Enable's procedure, *MAOP Reconfirmation Plan*, revision 1 (August 26, 2022), Section 2 MAOP Reconfirmation Committee, failed to include adequate detail regarding Reconfirmation Committee activities. Enable failed to adequately describe how the committee decides on an appropriate reconfirmation method, timing of segments, appropriate intermediate reconfirmation goals, adjustments for acquisitions and divestitures, and record keeping for associated decision making in accordance with § 192.624(b).

Therefore, Enable's written procedures for reconfirming MAOP were inadequate to assure safe operation of a pipeline facility in accordance with § 192.624(b). Enable must revise its procedures as specified above.

**7. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

(a) . . . .

(b) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

(1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part.

**§ 192.710 Transmission lines: Assessments outside of high consequence areas.**

(a) . . . .

(b) *General -*

(1) . . . .

(3) *Prior assessment.* An operator may use a prior assessment conducted before July 1, 2020 as an initial assessment for the pipeline segment, if the assessment met the subpart O requirements of part 192 for in-line inspection at the time of the assessment. If an operator uses this prior assessment as its initial assessment, the operator must

**reassess the pipeline segment according to the reassessment interval specified in paragraph (b)(2) of this section calculated from the date of the prior assessment.**

Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Specifically, Enable's procedure, *192.710 ETC Gas Plan*, revision 03 (April 15, 2022), Section 6.2 Periodic Reassessments, failed to include adequate detail regarding the use and documentation of prior assessments. The procedure failed to identify who will make the determination to use a prior assessment, the associated timelines, how this determination will be made, and what records will be generated to document this process in accordance with § 192.710(b)(3).

Therefore, Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Enable must revise its procedures as specified above.

**8. § 192.605 Procedural manual for operations, maintenance, and emergencies.**

**(a) . . . .**

**(b) *Maintenance and normal operations.*** The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

**(1)** Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part.

**§ 192.712 Analysis of predicted failure pressure.**

**(a) . . . .**

**(e) *Data.*** In performing the analyses of predicted or assumed anomalies or defects in accordance with this section, an operator must use data as follows.

**(1)** An operator must explicitly analyze and account for uncertainties in reported assessment results (including tool tolerance, detection threshold, probability of detection, probability of identification, sizing accuracy, conservative anomaly interaction criteria, location accuracy, anomaly findings, and unity chart plots or equivalent for determining uncertainties and verifying tool performance) in identifying and characterizing the type and dimensions of anomalies or defects used in the analyses, unless the defect dimensions have been verified using *in situ* direct measurements.

**(2)** The analyses performed in accordance with this section must utilize pipe and material properties that are documented in traceable, verifiable, and complete records. If documented data required for any analysis is not available, an operator must obtain the undocumented data through § 192.607. Until documented material properties are available, the operator shall use conservative assumptions as follows:

**(i) *Material toughness.*** An operator must use one of the following



for material toughness:

(A) Charpy v-notch toughness values from comparable pipe with known properties of the same vintage and from the same steel and pipe manufacturer;

(B) A conservative Charpy v-notch toughness value to determine the toughness based upon the ongoing material properties verification process specified in § 192.607;

(C) If the pipeline segment does not have a history of reportable incidents caused by cracking or crack-like defects, maximum Charpy v-notch toughness values of 13.0 ft.-lbs. for body cracks and 4.0 ft.-lbs. for cold weld, lack of fusion, and selective seam weld corrosion defects;

(D) If the pipeline segment has a history of reportable incidents caused by cracking or crack-like defects, maximum Charpy v-notch toughness values of 5.0 ft.-lbs. for body cracks and 1.0 ft.-lbs. for cold weld, lack of fusion, and selective seam weld corrosion; or

(E) Other appropriate values that an operator demonstrates can provide conservative Charpy v-notch toughness values of crack-related conditions of the pipeline segment. Operators using an assumed Charpy v-notch toughness value must notify PHMSA in advance in accordance with § 192.18 and include in the notification the bases for demonstrating that the Charpy v-notch toughness values proposed are appropriate and conservative for use in analysis of crack-related conditions.

(ii) *Material strength*. An operator must assume one of the following for material strength:

(A) Grade A pipe (30,000 psi), or

(B) The specified minimum yield strength that is the basis for the current maximum allowable operating pressure.

(iii) *Pipe dimensions and other data*. Until pipe wall thickness, diameter, or other data are determined and documented in accordance with § 192.607, the operator must use values upon which the current MAOP is based.

Enable's written procedures for conducting operations and maintenance activities were inadequate to ensure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Specifically, Enable's procedure, *D.47 Evaluation of Remaining Strength Pipeline*, revision September 1, 2022, Section 3.0 Applicability, failed to include adequate detail to conduct an accurate analysis of predicted failure pressure. The procedure failed to address measurement uncertainties such as tool tolerance, detection threshold, tool verification, and other potentially relevant data features in accordance with § 192.712(e).

Therefore, Enable's written procedures for conducting operations and maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 192.605(b)(1). Enable must revise its procedures as specified above.

9. § 192.605 Procedural manual for operations, maintenance, and emergencies.

(a) . . . .

(b) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

(1) . . . .

(4) Gathering of data needed for reporting incidents under Part 191 of this chapter in a timely and effective manner.

Enable's written procedures for the gathering of data needed for reporting incidents under Part 191 of this chapter in a timely and effective manner were inadequate to ensure safe operation of a pipeline facility in accordance with § 192.605(b)(4). Specifically, Enable's procedure *A.15 PHMSA-States-Incident Reporting* failed to detail identifying all Moderate Consequence Areas (MCAs). MCAs must be identified and included in the annual and incident reporting. Additionally, MCAs must be identified to comply with §§ 192.624 and 192.710.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. 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. 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 Enable Gas Transmission, LLC maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Bryan Lethcoe, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 4-2023-046-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Bryan Lethcoe  
Director, Southwest Region, Office of Pipeline Safety  
Pipeline and Hazardous Materials Safety Administration

Enclosure: Response Options for Pipeline Operators in Enforcement Proceedings

cc: Mr. Greg McIlwain, Executive Vice President of Operations, Energy Transfer, LP,  
gregory.mcilwain@energytransfer.com  
Mr. Eric Amundsen, Senior Vice President of Operations, Energy Transfer, LP,  
eric.amundsen@energytransfer.com  
Mr. Todd Stamm, Senior Vice President of Operations, Energy Transfer, LP,  
todd.stamm@energytransfer.com  
Ms. Jennifer Street, Senior Vice President of Operations Services, Energy Transfer, LP,  
jennifer.street@energytransfer.com  
Ms. Heidi Murchison, Chief Counsel, Energy Transfer, LP,  
heidi.murchison@energytransfer.com  
Mr. Leif Jensen, Vice President of Tech Services, Energy Transfer, LP,  
leif.jensen@energytransfer.com  
Mr. Todd Nardoizzi, Director, Regulatory Compliance, Energy Transfer, LP,  
todd.nardoizzi@energytransfer.com  
Ms. Susie Sjulín, Director, Regulatory Compliance, Energy Transfer, LP,  
susie.sjulin@energytransfer.com