



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

August 29, 2025

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

Thomas Long
Chief Executive Officer
Energy Transfer Company
8111 Westchester Drive
Dallas, Texas 75227

Re: CPF No. 4-2023-046-NOA

Dear Mr. Long:

Enclosed please find the Order Directing Amendment issued in the above-referenced case. It makes findings of inadequate procedures, finds that certain amended procedures are adequate, and requires Enable Gas Transmission, LLC, to amend certain procedures. When the amendment of procedures has been completed, as determined by the Director, Southwest Region, this enforcement action will be closed. Service of the Order Directing Amendment by e-mail is effective upon the date of transmission and acknowledgement of receipt as provided under 49 CFR § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Linda Daugherty
Acting Associate Administrator
for Pipeline Safety

Enclosure

cc: Bryan Lethcoe, Director, PHMSA Southwest Region, Office of Pipeline Safety
Heidi Murchison, Chief Counsel, Energy Transfer, LP, heidi.murchison@energytransfer.com
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CONFIRMATION OF RECEIPT REQUESTED

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

In the Matter of

Enable Gas Transmission, LLC,

Respondent.

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CPF No. 4-2023-046-NOA

ORDER DIRECTING AMENDMENT

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's (Enable or Respondent) procedures for operations and maintenance in Oklahoma City, Oklahoma.

As a result of the inspection, the Director, PHMSA Southwest Region, OPS, issued to Respondent by letter dated October 18, 2023, a Notice of Amendment (Notice). In accordance with 49 CFR § 190.206, the Notice alleged certain inadequacies in Respondent's operating and maintenance procedures and proposed that Enable amend its procedures.

Enable responded to the Notice on January 15, 2024 (Response). In its Response, Enable submitted additional documentation and contested certain allegations in the Notice. Respondent did not request a hearing and therefore waived its right to one.

FINDING OF INADEQUATE PROCEDURES

Item 1: The Notice alleged that Respondent's procedures for conducting operations and maintenance activities were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.605(b)(1). The Notice alleged specifically that Enable's pressure testing procedure failed to adequately detail all reasonable precautions that may be taken to protect employees and the public during the pressure testing pursuant to section 192.515(a).

The Notice stated that Respondent's procedure *C4.0105-Pressure Testing Execution*, revision date April 1, 2022, section 4.1, Safety, failed to provide sufficient detail regarding what constitutes a safe distance away from the testing area when performing hydrotesting. Enable's procedures listed a minimum distance of fifty feet, but failed to detail how much additional distance might be necessary where the minimum distance does not suffice.

In its Response, Enable did not contest Item 1. Enable stated that it revised its procedure to

incorporate industry guidance and include additional language for safe distance determination. Respondent provided a draft of the revised procedure with its response. In accordance with section 190.209(b)(7), the Director submitted a written evaluation of the Response and a recommendation for final action dated July 1, 2025 (hereinafter Region Recommendation), which reviewed the draft revised procedure and determined that Enable corrected the alleged procedural inadequacy.

Accordingly, based on a review of the evidence, I find that Respondent needs to take no further action regarding Item 1.

Item 2: The Notice alleged that Respondent's procedures for conducting nondestructive or destructive tests, examinations, and assessments to verify the material properties of aboveground line pipe and components, and of buried line pipe and components, when excavations occur were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.607(c). Specifically, the Notice alleged that Enable's procedure *I.43 Material Verification*, Rev. 1, July 1, 2021, section 7.2, Track Opportunistic Digs, failed to provide sufficient details regarding opportunistic digs. The coordination between various work groups and the responsibilities of each group were not discussed with adequate specificity. The Notice proposed Respondent 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 section 192.607(c).

In its Response, Enable contested the allegation. It stated that the roles of the various work groups in the coordination of work to comply with section 192.607(c) are detailed in *I.43 Material Verification*, section 5.0, Governance. Respondent then listed six bullet-points detailing specific tasks and the group responsible.

The Director reviewed Enable's Response and the procedures cited therein and, per the Region Recommendation, recommended ordering amendment of the procedure as proposed in the Notice.

Having considered the record, Enable is correct that the roles of the various work groups in the coordination of work to comply with section 192.607(c) are detailed in *I.43 Material Verification*, section 5.0, Governance. However, the Notice did not allege that Respondent's procedures did not include the roles of the various work groups in the coordination of work to comply with section 192.607(c). Rather, the Notice alleged that Enable's procedures did not adequately address the coordination between these groups – and it proposed that Respondent revise its procedures 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).” The listing of each work group's role and tasks in *I.43 Material Verification*, section 5.0, Governance, does not address the concerns expressed in the Notice regarding location tracking, data acquisition, communication methods, and safeguarding. These details are not present in Enable's *I.43 Material Verification* procedure. Enable, in its Response, did not address how its *I.43 Material Verification* procedure adequately addresses these concerns.

Accordingly, after reviewing the evidence, I find that Respondent's procedure for conducting nondestructive or destructive tests, examinations, and assessments to verify the material properties of aboveground line pipe and components, and of buried line pipe and components, when excavations occur were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.607(c). Enable is hereby ordered to revise its procedures as specified above. Finalized procedures must be provided to the Southwest Region for review and approval.

Item 3: The Notice alleged that Respondent's procedures for establishing and documenting the American National Standards Institute rating or pressure rating were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.607(f). Specifically, the Notice alleged that 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. The Notice stated that the procedure failed to adequately describe how Enable will verify non-line components that cannot be isolated from mainline pipeline pressures and methods it will use to gather needed information.

In its response, Enable contested the allegation. It stated that verification of non-line pipe components that cannot be isolated from mainline pressure is evaluated in the same manner as those that can be isolated from mainline pressure. Respondent stated this is detailed in its procedure *I.43 Material Verification*, section 7.3.3. The Director reviewed Enable's Response and the procedures cited therein and, per the Region Recommendation, determined that no further procedural revisions are necessary.

Accordingly, after reviewing the evidence, I find that Respondent needs to take no further action regarding Item 3.

Item 4: The Notice alleged that Enable's procedures for conducting operations and maintenance activities were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.605(b)(1). Specifically, the Notice stated that Respondent's procedure *B.12 Evaluating Class Location Changes* (June 28, 2022), section 7.1, GIS Review, did not include adequate detail regarding incorporating updated or new GIS data into existing class locations. The procedure failed to adequately detail how Enable incorporated newly acquired pipeline assets and assets with updated pipeline and structure attributes into the geographic information system (GIS) to determine if a class location study is required under section 192.609.

In its Response, Enable stated that it revised the GIS process for management of Class location changes and it described the new process. The Director reviewed Enable's Response and the revised process and, per the Region Recommendation, determined that no further procedural revisions are necessary.

Accordingly, after reviewing the evidence, I find that Respondent needs to take no further action regarding Item 4.

Item 5: The Notice alleged that Respondent's procedures for conducting operations and maintenance activities were inadequate to ensure safe operation of a pipeline facility in

accordance with section 192.605(b)(1). Specifically, the Notice alleged that Enable's procedure *B.10 Determination of MAOP*, revision date February 1, 20220, Appending 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. Appendix B failed to include column three of Table 1 from section 192.619(a)(2)(ii) and Appendix C referenced an affidavit referred to as a "Gold Sheet."

In its Response, Enable stated that it revised its procedures, to include revisions to Appendices B and C. The Director reviewed Enable's Response and the revised procedures and, per the Region Recommendation, determined that no further procedural revisions are necessary.

Accordingly, after reviewing the evidence, I find that Respondent needs to take no further action regarding Item 5.

Item 6: The Notice alleged that Enable's procedures for reconfirming maximum allowable operating pressure (MAOP) were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.624(b). Specifically, the Notice alleged Enable's procedure *MAOP Reconfirmation Plan*, Revision 1 (August 26, 2022), section 2, MAOP Reconfirmation Committee, did not include adequate detail regarding Reconfirmation Committee activities. The procedure did not 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 its Response, Enable contested the allegation. It asserted that it is not necessary under section 192.624 to have the details described in the Notice. Respondent further stated that in 2023 its MAOP Reconfirmation Committee approved several changes to Enable's MAOP Reconfirmation Plan. It described the details of those changes. The Director reviewed Enable's Response and the information therein and, per the Region Recommendation, determined that no further procedural revisions are necessary.

Accordingly, after reviewing the evidence, I find that Respondent needs to take no further action regarding Item 6.

Item 7: The Notice alleged that Enable's procedures for conducting operations and maintenance activities were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.605(b)(1). Specifically, the Notice alleged that procedure *192.710 ETC Gas Plan*, revision 3 (April 15, 2022), section 6.2, Periodic Reassessment, 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 section 192.710(b)(3).

In its Response, Enable did not contest the allegation and explained that it prepared redline revisions to its procedures to include who will make the determination to use a prior assessment as the initial assessment and how the determination will be made per section 192.710(b)(3). Respondent provided a copy of those redlined procedures with its Response.

The Director, per the Region Recommendation, indicated that while the draft revised procedures were reviewed, it could not be verified whether Enable has cured the alleged procedural inadequacy because Respondent did not provide the finalized version of the procedure.

Accordingly, after reviewing the evidence, I find that Respondent's procedure was inadequate to ensure safe operation of a pipeline facility in accordance with section 192.605(b)(1). Enable is hereby ordered to revise its procedures as specified above. Finalized procedures must be provided to the Southwest Region for review and approval.

Item 8: The Notice alleged that Enable's procedures for conducting operations and maintenance activities were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.605(b)(1). Specifically, the Notice alleged that procedure *D.47 Evaluation of Remaining Strength Pipeline*, revision date September 1, 2022, section 3, Applicability, did not 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 section 192.712(e).

In its Response, Enable contested the allegation. Respondent stated that its procedure is used only for in situ or in-the-ditch measurements of metal loss to determine remaining strength of the pipe. Enable noted that section 192.712(e)(1) states that an operator must account for uncertainties in reported assessment results in identifying and characterizing the defects used in predicted failure pressure analyses unless the defect dimensions have been verified using in situ direct measurements. Respondent asserted that since the procedure uses in situ or in-the-ditch measurements to determine remaining strength, uncertainties or tolerances are not required.

The Director reviewed Enable's Response and the procedures cited therein and, per the Region Recommendation, recommended ordering amendment of the procedure as proposed in the Notice.

Having considered the record, Enable is correct that if defect dimensions are verified using in situ direct measurements, uncertainties in reported assessment results in identifying and characterizing the defects used in predicted failure pressure analyses is not required. *See* section 192.712(e)(1). Had Respondent's procedures included provisions for using in-line inspection (ILI) tools to size defects, or if evidence suggested Respondent intended to use ILI tools to size defects, then the procedures would need to include processes for accounting for tool tolerances and other measurement uncertainties. However, since the procedures cited in the Notice only provide for the use of in situ measurements, provisions accounting for uncertainties in reported assessment results are not necessary. Because Enable's procedures only provide for in situ or in-the-ditch measurements of metal loss to determine remaining strength of the pipe, I find the procedures in place are not inadequate as alleged in the Notice for the currently used method. Accordingly, after reviewing the evidence, I find that no further action is required.

Item 9: The Notice alleged that Enable's procedures for the gathering of data needed for annual and incident reporting under Part 191 in a timely and effective manner were inadequate to ensure safe operation of a pipeline facility in accordance with section 192.605(b)(4). Specifically, the

Notice alleged 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. In addition, MCAs must be identified to comply with sections 192.624 and 192.710.

In its Response, Enable contested this allegation and asserted that its procedure is intended to meet the requirements of Part 191, specifically sections 191.3, 191.5, and 191.15. It stated that procedure *MAOP Reconfirmation Plan* and *192.710 Plan* also address the requirements of sections 192.624 and 192.710. In addition, Respondent stated that its procedures *A.15 PHMSA-States-Incident Reporting* and *A.16 Annual Reporting* adhere to and refer to PHMSA's reporting instructions, which address MCAs. It further stated that procedure *A.15 PHMSA-States-Incident Reporting* defines MCA. Enable provided exhibits showing this information with its Response.

The Director reviewed Enable's Response and the information provided and, per the Region Recommendation, determined that no further procedural revisions are necessary.

Accordingly, after reviewing the evidence, I find that Respondent needs to take no further action regarding Item 9.

Under 49 CFR section 190.243, Respondent may submit a Petition for Reconsideration of this Final Order to the Associate Administrator, Office of Pipeline Safety, PHMSA, 1200 New Jersey Avenue, SE, East Building, 2nd Floor, Washington, DC, 20590. The written petition must contain a statement of the issue(s) and meet all other requirements of 49 CFR § 190.243. The terms of the Order remain in effect until the Associate Administrator, upon request, grants a stay. The terms and conditions of this Order are effective upon service in accordance with 49 CFR § 190.5.

Respondent must amend its procedures, as required above, and submit them to the Director, PHMSA Southwest Region, OPS, within **30** days following receipt of this Order. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Failure to comply with this Order may result in administrative assessment of civil penalties exceeding \$200,000, as adjusted for inflation (*see* 49 CFR § 190.223 for adjusted amounts), for each violation for each day the violation continues or in referral to the Attorney General for appropriate relief in a district court of the United States.

Linda Daugherty
Acting Associate Administrator
for Pipeline Safety

Date Issued