



January 15, 2024

Mr. Bryan Lethcoe
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration
Office of Pipeline Safety
8701 S. Gessner Rd, Suite 630
Houston, Texas 77074

Via email: bryan.lethcoe@dot.gov

**Subject: Enable Gas Transmission, LLC (EGT) and Enable Mississippi River Transmission, LLC (EMRT)
Response to Notice of Probable Violation CPF 4-2023-047-NOPV**

Dear Mr. Lethcoe,

This letter constitutes the response of Enable Gas Transmission, LLC (EGT) and Enable Mississippi River Transmission, LLC (EMRT) to the Notice of Probable Violation (NOPV), CPF 4-2023-047, issued by PHMSA and received by the Companies on October 18, 2023.

Please note that the attached exhibits to this submission contain confidential business information and confidential security information that is protected from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. As such, those exhibits are marked "**Confidential**". Should PHMSA receive a FOIA request for this information, the Agency is required to notify the Company and provide it with an adequate opportunity to substantiate its claim, prepare redactions, and/or object, if warranted.

Listed below and italicized are PHMSA's Alleged Violations and Proposed Compliance Order. Following recitation of the same are the Response and Corrective Actions taken by the Company.

Alleged Probable Violations

1. *§ 192.605 Procedural manual for operations, maintenance, and emergencies.*
 - (a) *General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.*
- § 192.710 Transmission lines: Assessments outside of high consequence areas.*
 - (a) *Applicability: This section applies to onshore steel transmission pipeline segments with a maximum allowable operating pressure of greater than or equal to 30% of the specified minimum yield strength and are located in:*
 - (1) *A Class 3 or Class 4 location; or*
 - (2) *A moderate consequence area as defined in § 192.3, if the pipeline segment can accommodate inspection by means of an instrumented inline inspection tool (i.e., "smart pig").*
 - (3) *This section does not apply to a pipeline segment located in a high consequence area as defined in § 192.903.*

Enable failed to follow its manual of written procedures for conducting operations and maintenance activities and for emergency response in accordance with § 192.605(a). Specifically, Enable failed to follow sections 3 and 3.1 of Energy Transfer's Pipeline Integrity Management Plan: 192.710 ETC Gas Plan (Rev. 3; Apr. 15, 2022),¹ which required identification of Moderate Consequence Areas (MCAs) and other pipe segments subject to § 192.710.

At multiple locations, roadway and structure MCAs, as defined in § 192.3, were not identified, or were misidentified within Enable's Long Term Assessment Plan (LTAP) and Keyhole Markup Language, Zipped (KMZ) files for the provided systems.

At two locations Enable failed to identify a roadway that was within one of its pipeline's Potential Impact Radius (PIR) as an MCA.

1) Pipeline OM-1 is a 20-inch natural gas transmission pipeline that meets the requirements of § 192.710(a)(2). The pipeline goes under a roadway, labeled on mapping as US 549 HWY and Interstate 49, Northwest of Bentonville, AR. The intersected roadway is within the PIR of the pipeline, labeled as a Principle Arterial Roadway (PAR), and was not labeled as an MCA by Enable. Digital imagery confirmed the roadway met the definition of MCA (§ 192.3(1)(ii)).

2) Pipeline Line B is a 10-inch natural gas transmission pipeline that meets the requirements of § 192.710(a)(1). The line is located in a Class 3 location. The pipeline parallels and intersects a roadway, labeled on mapping as Interstate 40 in Mayflower, AR. The portion of the roadway that parallels the pipeline is within the PIR of the pipeline, labeled as a PAR, and was not labeled as an MCA by Enable. Digital imagery confirmed the roadway met the definition of MCA (§ 192.3(1)(ii)). This MCA must be identified for the annual and incident reporting requirements.

At two locations Enable failed to identify structures that were within the PIR as an MCA.

3) Pipeline JM-30 is a 10-inch natural gas transmission pipeline that meets the requirements of § 192.710(a)(2). The pipeline is south of Vilonia, AR, has 5 or more structures intended for human occupancy, and was not correctly labeled as an MCA. The existing MCA does not extend far enough south to capture all the structures meeting the definition of MCA (§ 192.3(1)(i)).

4) Pipeline JM-8 is a 6-inch natural gas transmission pipeline that meets the requirements of § 192.710(a)(1). The line is located in a Class 3 location. The pipeline is in Searcy, AR, has 5 or more structures intended for human occupancy, and was not labeled as an MCA by the operator at time of inspection. The existing High Consequence Area (HCA) to the south does not capture all the structures at location that create an MCA or HCA. Digital imagery confirmed the structure count met the definition of MCA (§ 192.3(1)(i)). This MCA must be identified for the annual and incident reporting requirements.

Therefore, Enable failed to follow its manual of written procedures for conducting operations and maintenance activities and for emergency response in accordance with § 192.605(a).

Proposed Compliance Order

With respect to Item 1 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.

Pursuant to 49 United States Code § 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 with the pipeline safety regulations:

- A. In regard to Item 1 of the Notice pertaining to follow its manual of written procedures for conducting operations and maintenance activities and for emergency response in accordance with § 192.605(a), Enable must review all processes, training, and methods of communication between work groups that are associated with the identification of Moderate Consequence Areas (MCAs) to determine how existing structure and roadway MCAs were not previously

identified and provide documentation of the review to the Director, Southwest Region within 90 days of issuance of the Final Order. Once this review is complete, Enable must ensure all MCAs and other pipe segments subject to § 192.710 are identified in its Long-Term Assessment Plan (LTAP) and submit the updated LTAP to the Director, Southwest Region within 90 days of issuance of the Final Order.

Response and Corrective Actions:

NOPV Item 1.1) OM-1 20" MCA: After discovery of the Interstate 49 expansion, MCA Y-ManSeg ID 61445 was established on 3/24/2023. The MCA segment was then extended to the north and south on 12/18/2023 based on updated data. The current MCA Y-ManSeg extends from station 482104.8 to 484255.4.

See Exhibit 1: Line OM-1 MCA Map

NOPV Item 1.2) Line B 10" MCA: Through the GIS & Operations Collaborative Review phase of the Class, HCA, and MCA MOC process, the GIS team was notified by Operations that the section of Line B for Item 2 was abandoned in 2020. Operations has since completed the necessary GForm to update the data.

See Exhibit 2: Line B Abandonment Map

See Exhibit 3: Line B PS8008 Abandonment Form 5 23 2019

NOPV Item 1.3) JM-30 10" MCA: The existing MCA Y-ManSeg ID 34990 was established on 5/28/2020 for 1080 feet. Analysis of updated structure data led to the determination of the MCA Y-ManSeg extension of 790.8 feet to the south on 12/6/2022. Additional data updates contributed to an MCA Y-ManSeg extension of 60 feet to the north on 12/15/2023.

See Exhibit 4: Line JM-30 MCA Map

NOPV Item 1.4) JM-8 6" MCA: The existing MCA Y-ManSeg ID 34895 was determined on 5/28/2020. The MCA was indicated as an MCA at the same stationing in the historical database. There have not been any changes to the HCA or MCA in this area.

See Exhibit 5: Line JM-8 MCA Map

See Exhibit 6: Line JM-8 Historical Data

Proposed Compliance Order Item A) The GIS Class, HCA and MCA MOC process currently includes the requirement that Operations review updated data and acknowledge any changes in Class, HCA or MCA areas. The GIS MOC team has conducted training on the Class, HCA and MCA MOC process and the purpose of the B.13.C GForm for continued surveillance of Class and HCA/MCA determination. The GIS MOC team currently holds monthly trainings covering various topics to assist Operations in maintaining and reviewing updated data on the pipelines.

All MCAs and other pipe segments subject to § 192.710 were reviewed. Relevant changes and updates were completed in the Company's 710 IAP (formerly the Long-Term Assessment Plan (LTAP)). The current 710 IAP is included as an exhibit.

See Exhibit 7: 710 IAP (Initial Assessment Plan - Appendix C)

Mr. Bryan Lethcoe

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With the actions taken and supporting documentation provided herein, the Companies believe they have fulfilled the requirements of this NOPV and PCO. Should you have any questions in this regard, please contact Jimmy Cross at 405-576-8230 or at Jimmy.Cross@EnergyTransfer.com.

Respectfully,



Eric Amundsen
Senior VP, Operations

Exhibits:

1. Line OM-1 MCA Map
2. Line B MCA Map
3. Line B PS8008 Abandonment Form 5 23 2019
4. Line JM-30 MCA Map
5. Line JM-8 MCA Map
6. Line JM-8 Historical Data
7. 710 IAP (Initial Assessment Plan - Appendix C)

cc: Leif Jensen, Energy Transfer
Susie Sjulín, Energy Transfer
Jimmy Cross, Energy Transfer
Heidi Murchison, Energy Transfer