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July 12, 2023

Via email, confirmed by nationally recognized overnight courier.

Mr. Bryan Lethcoe
Director, Southwest Region PHMSA
Pipeline and Hazardous Materials Safety Administration
8701 S. Gessner Ste. 1110
Houston, Texas 77074

RE: CPF 4-2023-053 NOPV ; Notice of Probable Violation and Proposed Compliance Order

Dear Mr. Lethcoe;

On June 13, 2023, Navigator Borger Express LLC received a Notice of Probable Violation (NOPV) and Proposed Compliance Order from your office relating to a series of PHMSA inspections that were conducted on Navigator Borger Express facilities located in Oklahoma and Texas from January 24, 2022, through May 20, 2022. In that letter PHMSA outlines one (1) area of possible violation to 49 CFR 195 regulations. Navigator would like to respond to the alleged violations cited in the NOPV. The allegation is first repeated below, and the Navigator response immediately follows in bold text.

NOPV Alleged Violation:

1. § 195.202 Compliance with specifications or standards.

Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

Navigator failed to construct each pipeline system in accordance with comprehensive written specifications or standards that are consistent with the requirements of Part 195 in accordance with § 195.202. Specifically, Navigator failed to follow its written procedure, Flanged Pipe and Equipment Bolting (Revision A; 1/7/2019), Section 3.0 Bolting Materials, which stated that “a minimum of three threads shall protrude beyond the nut face after the nut is completely torqued” and Section 6.0 Gasket Installation and Bolt Torquing Procedure which stated that Navigator must “[u]se rotational tightening until all nuts do not move under 100% torque. There shall not be less than three threads showing on the outside of each nut after they are completely torqued.”

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During the field inspection on March 10, 2022, PHMSA observed that Navigator used the incorrect length of bolts (studs and nuts) at the Ruby and Marshall pump stations resulting in less than three threads showing on multiple flange fittings and on multiple valves. At these locations, PHMSA observed multiple bolts with less than three threads protruding beyond the nut faces as required by Navigator’s procedure. Navigator failed to ensure that a minimum of three threads protruded beyond the nut face.

Therefore, Navigator failed to construct each pipeline system in accordance with comprehensive written specifications or standard that are consistent with the requirements of Part 195 in accordance with § 195.202.

Navigator Borger Express Response:

Effective April 25, 2022, Navigator revised the NES Construction Standards for Pipeline Construction, document number NES-CONST-2003 Flanged Pipe and Equipment Bolting Section 3.2 to reflect the change of bolts requiring a full thread engagement as defined by the minimum of two (2) complete threads extending beyond the outer bounds of the nuts on each end of the stud bolt. Navigator followed its written procedures under NES-CONST-2003 rev B, and the correct bolts (studs and nuts) were used at the Ruby and Marshall pump stations to result in no less than two (2) threads protruding beyond the nut face on all flange fittings and valves after using rotational tightening until all nuts did not move under 100% torque. The revised construction standard in NES-CONST-2003 rev B Flanged Pipe and Equipment Bolting, including the revision to Section 3.2, are comprehensive and consistent with the requirements of Part 195 in accordance with § 195.202.

During the PSSR, operations and engineering reviewed the facilities at Marshall Station and Ruby Station on associated equipment to ensure the bolting met NES-CONST-2003 rev B requirements. Navigator respectfully submits (1) Photos of equipment and a copy of each of (2) NES-CONST-2003 rev B and (3) the Construction Specification Revision/Variance Request Form with an approval date of April 25, 2022, as supporting documentation.

The foregoing demonstrates that Navigator constructed each pipeline system in accordance with comprehensive written specifications or standards that are consistent with the requirements of Part 195 in accordance with § 195.202.

Sincerely,

NAVIGATOR BORGER EXPRESS LLC



Vidal Rosa
Sr. Vice President of Operations
Navigator Energy Services

Attachments: Equipment Photos
NES-CONST-2003 rev B
Construction Specification Revision/Variance Request Form