

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: vrosa@nesmidstream.com

October 30, 2024

Vidal Rosa
Executive Vice President of Operations
Navigator Energy Services
2807 Allen Street #833
Dallas, Texas 75204

CPF 4-2024-051-NOA

Dear Mr. Rosa:

From March 4 to 8, March 11 to 14, and May 13 to 17, 2024 of the on-site inspection, 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 Navigator Borger Express, LLC's¹ (Navigator) procedures for its crude oil pipeline facilities in Oklahoma and Texas.

As a result of the inspection, PHMSA has identified an apparent inadequacy within Navigator's plans or procedures. The item inspected and the inadequacy is described below:

1. § 195.402 Procedural manual for operations, maintenance, and emergencies.

(a) *General.* Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

(b)

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

¹ Navigator Borger Express, LLC is an affiliate of Navigator Energy Services, LLC.

(1)

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

§ 195.420: Valve Maintenance

(a)

(f) **Each operator must implement remedial measures as follows to correct any valve installed on an onshore pipeline in accordance with § 195.258(c), or an RMV or alternative equivalent technology installed in accordance with § 195.418, that is indicated to be inoperable or unable to maintain effective shut-off:**

(1) Repair or replace the valve as soon as practicable but no later than 12 months after finding that the valve is inoperable or unable to maintain shut-off. An operator may request an extension of the compliance deadline requirements of this section if it can demonstrate to PHMSA, in accordance with the notification procedures in § 195.18, that repairing or replacing a valve within 12 months would be economically, technically, or operationally infeasible; and

Navigator's written procedures for conducting operations and maintenance activities were inadequate to provide for the safe operation of a pipeline facility in accordance with § 195.402(c)(3). Specifically, Navigator's procedure, *Liquid Operations Manual Procedure, P-195.420*, failed to state that Navigator will repair or replace the valve as soon as practicable, but no later than 12 months after finding that the valve is inoperable or unable to maintain shut-off.

Following the PHMSA inspection, Navigator revised *Liquid Operations Manual Procedure, P-195.420* in July 2024 and submitted an updated version to PHMSA on August 30, 2024. The updated procedure corrected the inadequacy. No further revisions are required.

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 Enforcement 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. As mentioned above, Navigator has already submitted amended procedures to PHMSA which reflect the amendments required by this Notice. These amended procedures were reviewed and found to be adequate by PHMSA, therefore, no further action or response is required. If no additional response is received within 30 days of receipt of this Notice, this enforcement will be automatically closed.

It is requested (not mandated) that Navigator 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. Administration.

In correspondence concerning this matter, please refer to **CPF 4-2024-051-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

cc: Vanessa Romero, EHS Regulatory Manager, Navigator Energy Services,
vromero@nesmidstream.com

Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*