



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

1200 New Jersey Avenue, SE
Washington, DC 20590

November 24, 2025

VIA ELECTRONIC MAIL TO: cynthia.hansen@enbridge.com

Cynthia Hansen
Executive Vice President and President
Gas Transmission and Midstream
Enbridge, Inc.
915 North Eldridge Parkway
Suite 1100
Houston, Texas 77079

Re: CPF No. 4-2025-039-NOPV

Dear Ms. Hansen:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and specifies actions that need to be taken by Enbridge, Inc., to comply with the pipeline safety regulations. When the terms of the compliance order have been completed, as determined by the Director, Southwest Region, this enforcement action will be closed. Service of the Final Order 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 GAIL
DAUGHERTY**
Linda Daugherty
Acting Associate Administrator
for Pipeline Safety

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GAIL DAUGHERTY
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Enclosure

cc: Bryan Jeffrey Lethcoe, Director, Southwest Region, Office of Pipeline Safety, PHMSA
Peter Seydewitz, Director, Operational Excellence, Enbridge, Inc.,
peter.seydewitz@enbridge.com
Andrew Kohout, Director, Division of LNG Facility Reviews and Inspections Office of
Energy Products, Federal Energy Regulatory Commission, Andrew.kohout@ferc.gov

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	)	
	)	
East Tennessee Natural Gas, LLC,	)	CPF No. 4-2025-039-NOPV
a subsidiary of Enbridge, Inc.,	)	
	)	
Respondent.	)	
	)	

FINAL ORDER

From June 4 through June 6, 2024, pursuant to Chapter 601 of 49 United States Code (U.S.C.), a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), inspected East Tennessee Natural Gas, LLC's (ETNG) Kingsport LNG facility in Kingsport, Tennessee. ETNG is a subsidiary of Enbridge, Inc (Enbridge).¹

As a result of the inspection, the Director, Southwest Region, OPS (Director), issued to Respondent, by letter dated July 3, 2025, a Notice of Probable Violation (NOPV) and Proposed Compliance Order (PCO) (collectively, "Notice"). In accordance with 49 CFR § 190.207, the Notice proposed finding that Enbridge committed one violation of 49 CFR Part 193 and proposed ordering Respondent to take certain measures to correct the alleged violation.

Enbridge responded to the Notice by letter dated July 31, 2025 (Response). Respondent did not request a hearing and therefore has waived its right to one.

FINDING OF VIOLATION

The Notice alleged that Respondent violated 49 CFR Part 193, as follows:

Item 1: The Notice alleged that Respondent violated 49 CFR § 193.2441(c), which states:

§ 193.2441 Pipeline integrity management in high consequence areas.
Each LNG plant must have a control center from which operations and warning devices are monitored as required by this part. A control center must have the following capabilities and characteristics:

¹ See Natural gas transmission, midstream and LNG, ENBRIDGE <https://www.enbridge.com/About-Us/Natural-Gas-Transmission-Midstream-and-LNG> (last accessed September 26, 2025).

(a)

(c) Each control center must have personnel in continuous attendance while any of the components under its control are in operation, unless the control is being performed from another control center which has personnel in continuous attendance.

The Notice alleged that Enbridge violated 49 CFR § 193.2441(c) by failing to have personnel in continuous attendance in its control center or alternate control center while any of the components under its control were in operation. Specifically, the Notice alleged that at ETNG's Kingsport LNG facility, between the hours of 4:00 p.m. and 8:00 a.m. Monday through Friday, and for the entirety of Saturday and Sunday, only one control room operator was required to be in attendance in the control room. The Notice further alleged that during these shifts the controller was required to perform roving patrols every two hours, during which time there was no primary or alternate control room coverage by personnel. During the PHMSA inspection, ETNG personnel stated that continuous attendance in the control room was not in effect overnight or during weekend shifts.

In its Response, Enbridge stated that it implemented a "mobile solution" at the Kingsport LNG facility after receiving the Notice, and that the mobile solution "provides for the on-duty control center operator, via a mobile human interface (HMI) device, the necessary monitoring and control functionality of the onsite control center's SCADA while absent from the control center." Enbridge claimed this solution "allows for continuous monitoring and control...as well as immediate response capabilities... for any operational issue or emergency that may arise while the operator is briefly absent from the control center." In addition, Enbridge noted that in an advance notice of proposed rulemaking (ANRPM) issued on May 5, 2025, PHMSA requested comments on updating Part 193 to incorporate the requirements in NFPA 59A-2023 by reference.² Enbridge stated that the provisions in NFPA 59A-2023, section 18.6.1.1, align with the practices being employed at the Kingsport LNG facility at the time of the inspection. Finally, Enbridge requested that this Item be changed to a Notice of Amendment (NOA) or Warning, asserting that previous agency enforcement actions with similar facts were not brought via an NOPV.

In the Region Recommendation (Recommendation), the Southwest Region Director recommended that the allegation of violation in Item 1 of the Notice be sustained. The Director acknowledged the ANPRM cited by Enbridge but noted that it is the language of § 193.2441(c) that is currently in effect. Regarding Enbridge's HMI device, the Director noted the Response did not include a description of how the device will be used when immediate intervention is required due to sudden changes in operating conditions or potential failures of components during operations. Updated procedures demonstrating the use of the HMI device in operations monitoring and the training of control room operators to use the devices were not provided in the Response.

After considering all of the evidence, I find that Enbridge violated 49 CFR § 193.2441(c) as alleged in Item 1 of the Notice. Enbridge does not dispute that ETNG failed to have personnel in continuous attendance in its control center or at an alternate control center while any of the

² See Pipeline Safety: Amendments to Liquefied Natural Gas Facilities, 90 Fed. Reg. 18949 (May 5, 2025).

components under its control were in operation at the Kingsport LNG facility. Nor does Enbridge dispute that ETNG had an obligation to ensure such continuous personnel attendance under § 193.2441(c).

Rather, Enbridge requests relief based on the mobile solution that ETNG implemented after receiving the Notice, and by pointing to the provisions in NFPA 59A-2023, which are not incorporated by reference in Part 193. Neither of these arguments provides grounds for excusing ETNG's failure to comply with the requirements in § 193.2441(c).

As for Enbridge's request to convert the alleged violation to an NOA or Warning, PHMSA has discretion in determining the types of enforcement actions that should be brought under Part 190. PHMSA has issued three prior enforcement actions addressing § 193.2441(c). One was brought as an NOPV,³ one was brought as an NOA,⁴ and one was brought as a Warning.⁵ An NOPV, which alleges that a person has not complied with 49 U.S.C. § 60101 *et seq.*, 33 U.S.C. 1321(j), or any regulation or order issued thereunder, is an appropriate enforcement action to use in this case.⁶

For these reasons, I find that Enbridge committed the violation alleged in Item 1 of the Notice.

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to Items 1 in the Notice for violation of 49 CFR § 193.2241(c). Under 49 U.S.C. § 60118(a), each person owning or operating a pipeline facility is required to comply with the applicable safety standards established under chapter 601.

In its Response, Enbridge described the HMI device that it implemented at the Kingsport LNG facility to "allow[] for continuous monitoring and control...as well as immediate response capabilities... for any operational issue or emergency that may arise while the operator is briefly absent from the control center." This remedial action may be sufficient. However, as noted by the Director in his Recommendation, the Response did not include a description of how the device will be used when immediate intervention is required due to sudden changes in operating conditions or potential failures of components during operations. Updated procedures demonstrating the use of the HMI device in operations monitoring and the training of control room operators to use the devices were not provided in the Response. Therefore, I cannot conclude that Enbridge has satisfied the proposed compliance order and met its regulatory requirement.

Therefore, pursuant to the authority of 49 U.S.C. § 60118(b) and 49 CFR § 190.217, Respondent is ordered to take the following actions to ensure compliance with the pipeline safety regulations applicable to its operations:

³ *In re Interior Gas Utility*, CPF 4-2023-006-NOPV (May 8, 2023).

⁴ *In re Eagle LNG Partners*, CPF 4-2024-041-NOA (August 28, 2024).

⁵ *In re Chesapeake Utilities Corp.*, CPF 4-2024-050-WL (October 22, 2024).

⁶ 49 CFR 190.207(a).

1. With respect to the violation of § 193.2441(c) (**Item 1**), Enbridge must develop and implement an operations procedure requiring personnel to be in continuous attendance in its Kingsport LNG facility Control Room in accordance with § 193.2441(c) within **45** days of receipt of the Final 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.

PHMSA requests that Respondent maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to the Director. It is requested that these costs be reported in two categories: (1) total cost associated with preparation/revision of plans, procedures, studies and analyses; and (2) total cost associated with replacements, additions and other changes to pipeline infrastructure.

Failure to comply with this Order may result in the 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.

Under 49 CFR § 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, with a copy sent to the Office of Chief Counsel, PHMSA, at the same address. The written petition must be received no later than 20 days after receipt of the Final Order by Respondent. Any petition submitted must contain a statement of the issue(s) and meet all other requirements of 49 CFR § 190.243. The terms of the order, including corrective action, remain in effect unless the Associate Administrator, upon request, grants a stay. The terms and conditions of this Final Order are effective upon service in accordance with 49 CFR § 190.5.

LINDA GAIL
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Linda Daugherty
Acting Associate Administrator
for Pipeline Safety

November 24, 2025

Date Issued