

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED COMPLIANCE ORDER**

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

July 3, 2025

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

CPF 4-2025-039-NOPV

Dear Ms. Hansen:

From June 4 through 6, 2024 of the on-site inspection, a representative 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 East Tennessee Natural Gas, LLC's (ETNG) Kingsport facility in Kingsport, TN.¹

As a result of the inspections, it is alleged that ETNG has committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item inspected and the probable violation is:

1. § 193.2441 Control center.

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:

(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.

¹ ETNG is a subsidiary of Enbridge, Inc.

ETNG failed 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 in accordance with § 193.2441(c). Specifically, ETNG failed to maintain personnel in continuous attendance at its Kingsport LNG facility control center.

During the inspection, PHMSA reviewed the work shifts for ETNG's Kingsport LNG facility control room operators and interviewed the Area Supervisor, and discovered that 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 is required to be in attendance in the control room, and that during these shifts the controller is required to perform roving patrols every two hours, during which time there is no primary or alternate control room coverage by personnel.

Therefore, ETNG failed 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 in accordance with § 193.2441(c).

Proposed Civil Penalty

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$272,926 per violation per day the violation persists, up to a maximum of \$2,729,245 for a related series of violations. For violation occurring on or after December 28, 2023 and before December 30, 2024, the maximum penalty may not exceed \$266,015 per violation per day the violation persists, up to a maximum of \$2,660,135 for a related series of violations. For violation occurring on or after January 6, 2023 and before December 28, 2023, the maximum penalty may not exceed \$257,664 per violation per day the violation persists, up to a maximum of \$2,576,627 for a related series of violations. For violation occurring on or after March 21, 2022 and before January 6, 2023, the maximum penalty may not exceed \$239,142 per violation per day the violation persists, up to a maximum of \$2,391,412 for a related series of violations. For violation occurring on or after May 3, 2021 and before March 21, 2022, the maximum penalty may not exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations.

Also, for each violation involving LNG facilities, an additional penalty of not more than \$99,704 occurring on or after December 30, 2024 may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$97,179 occurring on or after December 28, 2023 and before December 30, 2024 may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$94,128 occurring on or after January 6, 2023 and before December 28, 2023 may be imposed. For each violation involving LNG facilities, an additional

penalty of not more than \$87,362 occurring on or after March 21, 2022 and before January 6, 2023 may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$82,245 occurring on or after May 3, 2021 and before March 21, 2022 may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$81,284 occurring on or after January 11, 2021 and before May 3, 2021 may be imposed. For each violation involving LNG facilities, an additional penalty of not more than \$79,875 occurring on or after July 31, 2019 and before January 11, 2021 may be imposed.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to propose a civil penalty assessment at this time.

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 East Tennessee Natural Gas, LLC. Please refer to the *Proposed Compliance Order*, which is enclosed and made a part of this Notice.

Response to this Notice

This amended Notice is issued in accordance with 49 C.F.R. § 190.207(c). Any response you may have submitted to the original Notice is no longer applicable. You must respond as set forth below.

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. All material you submit in response to this enforcement action may be 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 your receipt of this Notice, you have 30 days to respond as described in the enclosed *Response Options*. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order. If you are responding to this Notice, we propose that you submit your correspondence to my office within 30 days from receipt of this Notice. The Region Director may extend the period for responding upon a written request timely submitted demonstrating good cause for an extension.

In your correspondence on this matter, please refer to **CPF 4-2025-039-NOPV** 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

Enclosures: *Proposed Compliance Order*
Response Options for Pipeline Operators in Enforcement Proceedings

cc: Peter Seydewitz, Director, Operational Excellence, Enbridge, Inc.,
peter.seydewitz@enbridge.com
Andrew Kohout, Director, Division of LNG Facility Reviews and Inspections
Office of Energy Projects, Federal Energy Regulatory Commission
andrew.Kohout@ferc.gov

PROPOSED COMPLIANCE ORDER

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to East Tennessee Natural Gas, LLC (ETNG) a Compliance Order incorporating the following remedial requirements to ensure the compliance of ETNG with the pipeline safety regulations:

- A. In regard to Item 1 of the Notice pertaining to ETNG's failure to have personnel in continuous attendance in its control center while any of the components under its control are in operation, ETNG 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.
- B. It is requested (not mandated) that ETNG maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to Bryan Lethcoe, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. 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.