

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

VIA ELECTRONIC MAIL TO: ross.turrini@nationalgrid.com

August 28, 2025

Ross Turrini
Chief Operating Officer, NY Gas Business
National Grid USA
25 Hub Drive
Melville, NY 11747

CPF 4-2025-040-NOPV

Dear Mr. Turrini:

From August 13 through 15, 2024 of the onsite 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 Niagara Mohawk Power Corporation's¹ (Niagara) liquefied natural gas (LNG) facility in Providence, Rhode Island.

As a result of the inspection, it is alleged that you have 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 Niagara Mohawk Power Corporation is a subsidiary of National Grid USA.

1. § 193.2629 External corrosion control: buried or submerged components.

(a) Each buried or submerged component that is subject to external corrosive attack must be protected from external corrosion by—

(1) ...

(2) The following means:

(i) ...;

(ii) A cathodic protection system designed to protect components in their entirety in accordance with the requirements of § 192.463 of this chapter and placed in operation before October 23, 1981, or within 1 year after the component is constructed or installed, whichever is later.

Niagara failed to protect its buried components subjected to external corrosive attack from external corrosion by maintaining its method of cathodic protection, for its steel, cast iron and ductile iron structures, as required by Appendix D of Part 192 in accordance with § 193.2629. Specifically, Niagara failed to repair its cathodic protection after two consecutive annual cathodic protection surveys at its Providence LNG facility yielded unacceptable anode readings.

A third party inspector performed cathodic protection inspections at Niagara's Providence LNG facility on November 10, 2022 and October 3, 2023. Both inspections included pipe-to-soil voltage readings at installed anodes on the grounds of each facility using the -0.85 volt criteria, as specified in Appendix D to Part 192, I.A.(1). The November 2022 inspection found the pipe-to-soil reading at anode A004 was -0.50 volts. The October 2023 inspection found the pipe-to-soil reading at the same location, A004, was -0.46 volts. However, Niagara took no remedial or corrective action to repair the cathodic protection that anode A004 denotes and control corrosion in accordance with Providence LNG's procedure, *US LNG Policy, Operations & Maintenance, Corrosion Control & Monitoring* (Doc. # OM11) (Rev. 4.0; August 2024).

Subsequent investigation revealed that Providence LNG has a Corrosion Control Department that is meant to work in conjunction with each facility under the National Grid management to enact corrective actions when required. However, because that team's personnel expected Providence LNG management to address the unacceptable Pipe-to-Soil reading, no one from the Team initiated corrective actions. Consequently, the Corrosion Department team also failed to respond properly to the unacceptable voltage reading for anode A004 by initiating remedial or corrective actions, for both 2022 and 2023 inspections. As a result, Providence allowed two years to lapse before attention was drawn to the unacceptable readings. This lapse was identified by the PHMSA inspection team during the review of the External Corrosion inspection records

Therefore, Niagara failed to protect its buried components subjected to external corrosive attack from external corrosion by maintaining its method of cathodic protection, for its steel, cast iron and ductile iron structures, as required by Appendix D of Part 192 in accordance with § 193.2629.

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 Niagara. Please refer to the *Proposed Compliance Order*, which is enclosed and made a part of this Notice.

Response to this Notice

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 4-2025-040-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: Corinne Byrnes, Principal Program Manager – Federal Programs,
corinne.byrnes@nationalgrid.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 Niagara Mohawk Power Corporation (Niagara), a Compliance Order incorporating the following remedial requirements to ensure the compliance of Niagara with the pipeline safety regulations:

- A. In regard to Item 1 of the Notice pertaining to Niagara's failure to protect its buried components subjected to external corrosive attack from external corrosion by maintaining its method of cathodic protection, for its steel, cast iron and ductile iron structures, as required by Appendix D of Part 192 in accordance with § 193.2629, Niagara must take remedial action to maintain its method of cathodic protection for its steel, cast iron and ductile iron structures at its Providence LNG facility to correct the deficiencies noted by PHMSA, and provide records documenting remedial and corrective actions taken to the Director, Southwest Region, within **45** days of receipt of the Final Order.

- B. It is requested (not mandated) that Niagara maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to Bryan Lethcoe, Director, Southwest Region, Office of Pipeline Safety, 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.