

NOTICE OF AMENDMENT

VIA E-MAIL TO MR. MICHAEL SOLOMON

December 1, 2022

Mr. Michael Solomon
Vice President & Chief Operating Officer
Elevation Midstream
1200 Larimer St., Suite 750
Denver, CO 80202

CPF 5-2022-051-NOA

Dear Mr. Solomon:

From April 11 through 15, 2022, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected Elevation Midstream's (Elevation) procedures for control room management in Brighton, Colorado.

On the basis of the inspection, PHMSA has identified apparent inadequacies found within Elevation's plans or procedures, as described below:

1. **§ 195.446 Control room management.**
 - (a) ...
 - (b) ***Roles and responsibilities.*** Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following:
 - (1) ...
 - (3) A controller's role during an emergency, even if the controller is not the first to detect the emergency, including the controller's responsibility to take specific actions and to communicate with others;

Elevation's procedures are inadequate to assure safe operation of a pipeline facility. Specifically, Elevation's written procedures fail to define a controller's role during an emergency, even if the controller is not the first to detect the emergency, including the controller's responsibility to take specific actions and to communicate with others. Although Elevation's Control Room Management (CRM) Plan Section 2.13 Appendix H refers to the 3 Bear Emergency Response Plan (ERP) to provide guidance to the controller in the event the control room must be evacuated, the ERP fails to define how a long-term evacuation of the control room will be managed. Elevation must amend the ERP to provide procedures for the long-term evacuation of the control room, including defining the controller's responsibility to take specific actions and to communicate with others during this extended period of time.

2. § 192.631 Control room management.

(a)...

(e) Alarm management. Each operator using a SCADA system must have a written alarm management plan to provide for effective controller response to alarms. An operator's plan must include provisions to:

(1) ...

(3) Verify the correct safety-related alarm set-point values and alarm descriptions at least once each calendar year, but at intervals not to exceed 15 months;

Elevation's procedures are inadequate to assure safe operation of a pipeline facility. Specifically, Elevation's CRM plan does not contain a written procedure describing how safety-related alarm descriptions are designated. Consequently, it is unclear how Elevation verifies correct alarm descriptions pursuant to the requirements set forth in § 192.631(e)(3). Elevation must amend its procedures to identify the method and procedure by which safety-related alarm descriptions are established.

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 Compliance 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. 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 an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 30 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

Operator Response

After the inspection, but prior to the issuance of this Notice, Elevation submitted its amended procedures on September 21, 2022. My staff reviewed the amended procedures, and it appears that the inadequacies outlined in this Notice of Amendment have been corrected. No further action is necessary and this case will close after 30 days if you choose to not submit a further response to this Notice. Thank you for your cooperation.

It is requested (not mandated) that Elevation Midstream maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Dustin Hubbard, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2022-051-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Dustin Hubbard
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

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

cc: PHP-60 Compliance Registry
PHP-500 J. Dunphy (#22-232653)