

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

VIA ELECTRONIC MAIL TO: Lauren.Gilliland@xcelenergy.com

July 29, 2025

Ms. Lauren Gilliland
VP Gas Operations
Westgas Interstate, Inc.
1800 Larimer St.
Denver, CO 80202

CPF 5-2025-026-NOPV

Dear Ms. Gilliland:

From October 28, 2024 to October 31, 2024, 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 Westgas Interstate, Inc.'s (Westgas) natural gas system in northern Colorado and southern Wyoming.

As a result of the inspection, it is alleged that Westgas has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violations are:

- 1. § 192.739 Pressure limiting and regulating stations: Inspection and testing.**
 - (a) Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is--**
 - (1) In good mechanical condition;**

- (2) Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;**
- (3) Except as provided in paragraph (b) of this section, set to control or relieve at the correct pressure consistent with the pressure limits of § 192.201(a); and**
- (4) Properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation.**

Westgas failed to inspect and test its pressure limiting devices at least once a calendar year, at intervals not to exceed 15 months, to determine if they are in good mechanical condition, adequate from the standpoint of capacity and reliability of operation for the service in which they are employed, set to control or relieve at the correct pressure consistent with the pressure limits of § 192.201(a), and properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation as required. Specifically, during inspection, Westgas could not establish through documentation that it had inspected the pressure limiting slam-shut valves at the Chalk Bluff station for the calendar years of 2020, 2021, 2022, 2023 and 2024.

Section 192.739(a) requires operators to inspect each pressure limiting station, relief device, and pressure regulating station and its equipment each calendar year at intervals not exceeding 15 months. However, during the inspection Westgas could not provide to the PHMSA inspectors any records such as inspection reports, test results, or other documentation to demonstrate that the required inspections and tests had been conducted during the calendar years of 2020, 2021, 2022, 2023, and 2024.

In addition, during the inspection, the PHMSA inspectors asked the Westgas personnel to conduct a test of the slam-shut valves at the Chalk Bluff station. It was noted that the Westgas system's MAOP is 1000 psig with the slam-shut valves set to close at 950 psig. During the field test, the valves were found to not be in reliable working condition as one valve failed to close and the other closed at 1040 psig.

Therefore, Westgas failed to inspect and test its pressure limiting devices to determine if they were in good mechanical condition, of adequate capacity, and in reliable operating condition, as required by § 192.739(a).

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.

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 Westgas. 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 5-2025-026-NOPV** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

cc: PHP-60 Compliance Registry
PHP-500 L. Salvador (#24-297246)
Mr. Nathan Gonzales, Senior Engineer - Nathan.A.Gonzales@xcelenergy.com

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

PROPOSED COMPLIANCE ORDER

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to Westgas Interstate, Inc. (Westgas) a Compliance Order incorporating the following remedial requirements to ensure the compliance of Westgas with the pipeline safety regulations:

- A. In regard to **Item 1** of the Notice pertaining to the annual inspection of each pressure limiting station, relief device, and pressure regulating station and its equipment, Westgas must inspect and test, and repair if necessary, the two slam-shut valves intended to protect against accidental over pressuring at the Chalk Bluff station to determine that they are in good mechanical condition, adequate from the standpoint of capacity and reliability of operation for the service in which they are employed, set to control at the correct pressure consistent with the pressure limits of § 192.201(a), and properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation, and send documentation of the completed inspection and testing, including any required repairs, to the Director, Western Region within **60** days of receipt of the Final Order.
- B. It is requested (not mandated) that Westgas maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to Dustin Hubbard, Director, Western 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.