

January 25, 2021

**VIA ELECTRONIC MAIL TO: stanley\_chapman\_iii@tcenergy.com**

Mr. Stanley G. Chapman, III  
EVP and President of U.S. and Mexico Natural Gas Pipelines  
Great Lakes Gas Transmission Ltd. Partnership  
TC Energy Corporation  
700 Louisiana Street  
Houston, Texas 77002

**Re: CPF No. 3-2019-1003**

Dear Mr. Chapman:

Enclosed please find the Final Order issued in the above-referenced case. It withdraws two of the allegations of violation, makes other findings of violation, assesses a reduced civil penalty of \$96,600, and specifies actions that need to be taken by Great Lakes Gas Transmission, LP, a subsidiary of TC Energy Corporation, to comply with the pipeline safety regulations. The penalty payment terms are set forth in the Final Order. When the civil penalty has been paid and the terms of the compliance order completed, as determined by the Director, Central Region, this enforcement action will be closed. Service of the Final Order by electronic mail is effective upon the date of transmission, as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

Enclosure

cc: Mr. Gregory Ochs, Director, Central Region, Office of Pipeline Safety, PHMSA  
Ms. Wendy West, Vice President, Pipeline Safety & Compliance, TC Energy Corp.,  
wendy\_west@tcenergy.com  
Mr. H. Lee Romack, Director, U.S. Regulatory Compliance, TC Energy Corp.,  
lee\_romack@tcenergy.com

**CONFIRMATION OF RECEIPT REQUESTED**

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<b>In the Matter of</b>	)	
	)	
<b>Great Lakes Gas Transmission, LP,</b>	)	<b>CPF No. 3-2019-1003</b>
<b>a subsidiary of TC Energy Corporation,</b>	)	
	)	
<b>Respondent.</b>	)	
	)	

From April 16th through August 24, 2018, pursuant to 49 U.S.C. §§ 60106 and § 60117, representatives of the Michigan Public Service Commission and the Minnesota Department of Public Safety, as agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of the facilities and records of Great Lakes Gas Transmission, LP (GLGT or Respondent), in Michigan, Minnesota, and Wisconsin. GLGT, a subsidiary of TC Energy Corporation (TC Energy), operates a 2,115-mile natural gas transmission pipeline system across Michigan, Minnesota, and Wisconsin.<sup>1</sup>

As a result of the inspection, the Director, Central Region, OPS (Director), issued to Respondent, by letter dated June 25, 2019, a Notice of Probable Violation, Proposed Civil Penalty, and Proposed Compliance Order (Notice), which also included warning items pursuant to 49 C.F.R. § 190.205. In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that GLGT had committed five violations of 49 C.F.R. Part 192 and proposed assessing a civil penalty of \$152,800 for the alleged violations. The Notice also proposed ordering Respondent to take certain measures to correct one of the alleged violations. The warning items required no further action but warned the operator to correct the probable violations or face possible future enforcement action.

After requesting and receiving an extension of time to respond, TC Energy, on behalf of GLGT, responded to the Notice by letter dated August 30, 2019 (Response). Respondent contested several of the allegations and associated penalties, and requested a hearing. GLGT also requested to meet informally with OPS to discuss the case. On January 7, 2020, representatives from OPS Central Region and GLGT met in PHMSA's Central Region office in Chicago, Illinois. During that discussion, Respondent provided a supplemental response to the Notice (Supplemental Response). By letter dated February 5, 2020, Respondent withdrew its request for a hearing and thereby authorized the entry of this Final Order without further notice.

<sup>1</sup> Pipeline Safety Violation Report (Violation Report), at 1 (June 20, 2019) (on file with PHMSA).

### **FINDINGS OF VIOLATION**

The Notice alleged that Respondent violated 49 C.F.R. Part 192, as follows:

**Item 1:** The Notice alleged that Respondent violated 49 C.F.R. § 192.709(c), which states:

**§ 192.709 Transmission lines: Record keeping.**

Each operator shall maintain the following records for transmission lines for the periods specified:

(a) . . .

(c) A record of each patrol, survey, inspection, and test required by subparts L and M of this part must be retained for at least 5 years or until the next patrol, survey, inspection, or test is completed, whichever is longer.

The Notice alleged that Respondent violated 49 C.F.R. § 192.709(c) by failing to retain a record of each patrol, survey, inspection and test required under subparts L and M for at least five years, or until the next patrol, survey, inspection or test is completed, whichever is longer. Specifically, the Notice alleged that GLGT did not maintain testing records for each pressure-relief device required under § 192.731, which is contained within subpart M of Part 192. During the inspection, GLGT informed PHMSA that testing records could not be located for pressure transmitters PT802, PT902, PT101, and PT103.

In its Response, GLGT contested the allegation of violation and requested that the civil penalty be reduced or withdrawn. In its Supplemental Response, GLGT provided the missing testing records and confirmed that the tests had been properly completed.<sup>2</sup> GLGT explained that the records were not produced during the inspection because its supervisor was new and not familiar with its electronic record-keeping system.<sup>3</sup> GLGT further explained that the records did not include As-Found/As-Left (AFAL) values because the technician conducting the tests failed to record this information in the database.<sup>4</sup> As a result, the records that GLGT provided to PHMSA were incomplete.

Maintaining complete records is critical to pipeline safety. In the absence of complete records, an operator cannot perform effective oversight to confirm compliance with its regulatory requirements. Thus, maintaining incomplete records constitutes a failure to maintain all required records.<sup>5</sup> Accordingly, after considering all of the evidence, I find that Respondent violated 49 C.F.R. § 192.709(c) by failing to retain testing records for each transmitter required under § 192.731 for at least five years or until the next test, whichever is longer.

**Item 2:** The Notice alleged that Respondent violated 49 C.F.R. § 192.731(c), which states:

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<sup>2</sup> Supplemental Response, at 7.

<sup>3</sup> *Id.*, at 6.

<sup>4</sup> *Id.*

<sup>5</sup> *In re Buckeye Partners, LP*, CPF No. 3-2007-5026, Final Order, (Dec. 30, 2010), at 2.

**§ 192.731 Compressor stations: Inspection and testing of relief devices.**

(a) . . .

(c) Each remote control shutdown device must be inspected and tested at intervals not exceeding 15 months, but at least once each calendar year, to determine that it functions properly.

The Notice alleged that Respondent violated 49 C.F.R. § 192.731(c) by failing to inspect and test each remote-control shutdown device at intervals not exceeding 15 months, but at least once each calendar year, to determine that it functions properly. Specifically, the Notice alleged that GLGT did not inspect pipeline suction transmitters EQ# 10019330 and EQ#10019331 at the Boyne Falls Compressor Station at the requisite intervals. The Notice alleged that because of the bi-directional flow of the station, the transmitters protect the discharge side of the pipeline during reverse-flow operations. As a result, the suction transmitters act as relief devices and should be tested once each calendar year, not to exceed 15 months, pursuant to the requirements in § 192.731(c).

In its Response, GLGT contested the allegation of violation and requested that the civil penalty be reduced or withdrawn. At the January 7, 2020 meeting and in its Supplemental Response, GLGT explained that the primary overpressure protection (OPP) device at the Boyne Falls Compressor Station is the pressure transmitter on the compressor unit and that the field transmitters on the suction and discharge pipes are secondary.<sup>6</sup> GLGT also provided records demonstrating that the pressure transmitters were inspected once each calendar year, as required by § 192.731(c).<sup>7</sup>

In his Region Recommendation, the Director accepted GLGT's explanation that the primary OPP device at the Boyne Falls Compressor Station is the pressure transmitter on the unit, which is inspected annually pursuant to § 192.731(c) and that the suction transmitters were secondary OPP for the station.<sup>8</sup> As a result, the Director recommended withdrawal of the allegation of violation.<sup>9</sup> Accordingly, after considering all of the evidence, I find that GLGT complied with the requirements set forth in § 192.731(c) because it inspected and tested each remote-control shutdown device at intervals not exceeding 15 months, but at least once each calendar year, to determine that it functions properly. Based upon the foregoing, I hereby order that Item 2 of the Notice and its associated penalty be withdrawn.

**Item 4:** The Notice alleged that Respondent violated 49 C.F.R. § 192.609, which states:

**§ 192.609 Change in class location: Required study.**

Whenever an increase in population density indicates a change in class

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<sup>6</sup> Supplemental Response, at 9-10.

<sup>7</sup> Region Recommendation, at 4.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

location for a segment of an existing steel pipeline operating at hoop stress that is more than 40 percent of [Specified Minimum Yield Strength (SMYS)], or indicates that the hoop stress corresponding to the established maximum allowable operating pressure for a segment of existing pipeline is not commensurate with the present class location, the operator shall immediately make a study to determine:

- (a) The present class location for the segment involved.
- (b) The design, construction, and testing procedures followed in the original construction, and a comparison of these procedures with those required for the present class location by the applicable provisions of this part.
- (c) The physical condition of the segment to the extent it can be ascertained from available records;
- (d) The operating and maintenance history of the segment;
- (e) The maximum actual operating pressure and the corresponding operating hoop stress, taking pressure gradient into account, for the segment of pipeline involved; and
- (f) The actual area affected by the population density increase, and physical barriers or other factors which may limit further expansion of the more densely populated area

The Notice alleged that Respondent violated 49 C.F.R. § 192.609 by failing to conduct a study when it experienced an increase in population density at three locations along its pipeline that were indicative of a change in class location for a segment of an existing steel pipeline operating at a hoop stress greater than 40 percent of SMYS.

Respondent did not contest this allegation of violation. Accordingly, based upon a review of all of the evidence, I find that Respondent violated 49 C.F.R. § 192.609 by failing to conduct a study when it experienced an increase in population density at three locations along its pipeline that were indicative of a change in class location for a segment of an existing steel pipeline operating at a hoop stress greater than 40 percent of SMYS.

**Item 6:** The Notice alleged that Respondent violated 49 C.F.R. § 192.739(a)(3), which states:

**§ 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) . . .

(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); . . .

The Notice alleged that Respondent violated 49 C.F.R. § 192.739(a)(3) by failing to inspect and

test each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment to determine that it is set to control or relieve at the correct pressure consistent with the pressure limits of § 192.201(a), at intervals not exceeding 15 months but at least once each calendar year. Specifically, the Notice alleged that during the inspection of the Shelvin Compressor Station, GLGT could not verify the calibration date of the pressure gauge used to test various pressure-relieving equipment, which had last been calibrated in 2015. The Notice alleged that without an accurate pressure gauge, GLGT could not properly inspect and test its relief devices to determine that they were set to control or relieve at the correct pressure consistent with the pressure limits of § 192.201(a).

In its Response, GLGT contested the allegation of violation and requested that the civil penalty be reduced or withdrawn. In its Supplemental Response, GLGT explained that the gauge was not calibrated because its supervisor was demonstrating a covered task during the inspection, and that if he/she were performing the annual inspection required under § 192.739(a)(3), then he/she would use a calibrated pressure gauge.<sup>10</sup>

The burden of proof is on OPS to establish that GLGT failed to inspect and test its relief device to determine that it is set to control or relieve at the correct pressure consistent with the pressure limits of § 192.201(a).<sup>11</sup> It is unclear from the record if the annual inspection and test of the relief device at the Shelvin Compression Station was performed using an uncalibrated gauge. Having an uncalibrated gauge at the station during the state inspection is not determinative; another pressure gauge could have been used to perform the required inspection and test of the relief device. There are no calibration records or other documents in the record to determine whether the pressure gauge actually used during these tests and inspections was calibrated.

In his Region Recommendation, the Director noted that after the state inspection, GLGT performed a calibration test of gauge S/N 2197 ID 823 in May 2018, and that the calibration test failed.<sup>12</sup> A failed calibration test performed post-state inspection, however, is not indicative of a violation of § 192.739(a)(3). OPS did not offer any additional evidence to demonstrate that GLGT actually used an uncalibrated gauge to perform the cited pressure tests. Accordingly, after considering all of the evidence I find that OPS has not met its burden of proof in establishing that GLGT failed to inspect and test each relief device annually, but not to exceed 15 months, to determine that it is set to control or relieve at the correct pressure consistent with the pressure limits of § 192.201(a). Based upon the foregoing, I hereby order that Item 6 be withdrawn.

**Item 12:** The Notice alleged that Respondent violated 49 C.F.R. § 192.167(a)(4):

**§ 192.167 Compressor stations: Emergency shutdown.**

(a) Except for unattended field compressor stations of 1,000 horsepower (746 kilowatts) or less, each compressor station must have an

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<sup>10</sup> Supplemental Response, at 12.

<sup>11</sup> *In re Golden Pass Pipeline, LLC*, CPF No. 4-2008-1017, Final Order, (Mar. 22, 2011) at fn 25.

<sup>12</sup> Region Recommendation, at 7.

emergency shutdown system that meets the following:

- (1) . . .
- (4) It must be operable from at least two locations, each of which is:
  - (i) Outside the gas area of the station;
  - (ii) Near the exit gates, if the station is fenced or near emergency exits, if not fenced; and
  - (iii) Not more than 500 feet (153 meters) from the limits of the station.

The Notice alleged that Respondent violated 49 C.F.R. § 192.167(a)(4) by failing to ensure each compressor station had an emergency shutdown system that is operable from at least two locations that are located outside the gas area of the station, near the exit gates or emergency exits, and not more than 500 feet from the limits of the station. Specifically, the Notice alleged that GLGT had nine compressor stations that failed to have an emergency shutdown system operable from at least two locations that are located near the exit gates or emergency exits.

In its Response, GLGT contested this allegation of violation and requested that the civil penalty be reduced or withdrawn. In its Supplemental Response, GLGT provided information concerning the corrective actions it had taken to complete the proposed compliance actions for this item.<sup>13</sup> Specifically, GLGT explained that in 2019 it had modified its emergency shutdown systems at four compressor stations to come into compliance with § 192.167(a)(4), and had scheduled the remaining five compressor stations for corrective action in 2020.<sup>14</sup> It did not offer any evidence to rebut the allegation that these nine compressor stations were out of compliance during the inspection. Accordingly, based upon a review of all of the evidence, I find that Respondent violated 49 C.F.R. § 192.167(a)(4) by failing to ensure each compressor station had an emergency shutdown system that is operable from at least two locations that are located near the exit gates or emergency exits.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

### **ASSESSMENT OF PENALTY**

Under 49 U.S.C. § 60122, Respondent is subject to an administrative civil penalty not to exceed \$200,000 per violation for each day of the violation, up to a maximum of \$2,000,000 for any related series of violations.<sup>15</sup> In determining the amount of a civil penalty under 49 U.S.C. § 60122 and 49 C.F.R. § 190.225, I must consider the following criteria: the nature, circumstances, and gravity of the violation, including adverse impact on the environment; the degree of Respondent's culpability; the history of Respondent's prior offenses; any effect that the penalty may have on its ability to continue doing business; and the good faith of Respondent in attempting to comply with the pipeline safety regulations. In addition, I may consider the

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<sup>13</sup> Supplemental Response, at 14.

<sup>14</sup> *Id.*

<sup>15</sup> These amounts are adjusted annually for inflation. See 49 C.F.R. § 190.223.

economic benefit gained from the violation without any reduction because of subsequent damages, and such other matters as justice may require. The Notice proposed a total civil penalty of \$152,800 for the violations cited above.

**Item 1:** The Notice proposed a civil penalty of \$25,200 for Respondent's violation of 49 C.F.R. § 192.709(c), for failing to retain a record of each patrol, survey, inspection and test required under subparts L and M of Part 192 for at least five years, or until the next patrol, survey, inspection or test is completed, whichever is longer. In its Supplemental Response, GLGT requested that the penalty be reduced or withdrawn due to certain extenuating circumstances.<sup>16</sup> GLGT did not clarify what specific extenuating circumstances warranted a reduction in or elimination of the penalty. Therefore, I will assume the company is referring to the fact that its supervisor was not familiar with its document database and did not produce the requested documents during the inspection.

Although the requested records were eventually produced by GLGT during the January 7, 2020 meeting, they were still incomplete because they were missing AFAL values. The Violation Report accurately notes that this was a records-keeping violation that minimally impacted pipeline safety.<sup>17</sup> GLGT did not provide a reasonable justification for its noncompliance that would warrant a credit under Part E8-Good Faith in the Violation Report. GLGT did not fail to achieve compliance due to unforeseeable circumstances outside of its control; instead, its technician simply forgot to completely record the test and inspection results. Accordingly, having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$25,200 for violation of 49 C.F.R. § 192.709(c).

**Item 2:** The Notice proposed a civil penalty of \$ 28,600 for Respondent's violation of 49 C.F.R. § 192.731(c), for failing to inspect and test each remote-control shutdown device at intervals not exceeding 15 months, but at least once each calendar year, to determine that it functions properly. For the reasons discussed above, I find that the Respondent did not violate this regulation. Accordingly, I hereby withdraw the proposed penalty for violation of 49 C.F.R. § 192.731(c).

**Item 4:** The Notice proposed a civil penalty of \$37,600 for Respondent's violation of 49 C.F.R. § 192.609, for failing to conduct a study when it experienced an increase in population density at three locations along its pipeline that were indicative of a change in class location for a segment of an existing steel pipeline operating at hoop stress greater than 40 percent of SMYS. GLGT neither contested the allegation nor presented any evidence or argument justifying a reduction in the proposed penalty. After GLGT discovered the non-compliance, it took documented action to complete the class location studies prior to the inspection and the proposed penalty was therefore reduced to the lowest level of culpability. However, the operator did not self-report the violation, and the violation occurred in an HCA or HCA could-affect area. Accordingly, having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$37,600 for violation of 49 C.F.R. § 192.609.

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<sup>16</sup> Supplemental Response, at 6.

<sup>17</sup> *Id.*, at 6, 8.



**Item 6:** The Notice proposed a civil penalty of \$27,600 for Respondent's violation of 49 C.F.R. § 192.739(a)(3), for failing to inspect and test each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment, at intervals not exceeding 15 months but at least once each calendar year, to determine that it is set to control or relieve at the correct pressure consistent with the pressure limits of § 192.201(a). For the reasons discussed above, I find that the Respondent did not violate this regulation. Accordingly, I hereby withdraw the proposed penalty.

**Item 12:** The Notice proposed a civil penalty of \$33,800 for Respondent's violation of 49 C.F.R. § 192.167(a)(4), for failing to ensure each compressor station had an emergency shutdown system that is operable from at least two locations that are near the exit gates or emergency exits. In its Supplemental Response, GLGT requested that the penalty be reduced or withdrawn because it was based on an erroneous determination in the Violation Report that this was a repeat offense rather than a singular violation applying to multiple locations.<sup>18</sup>

After reviewing the Violation Report for Item 12, I disagree.<sup>19</sup> Under Part E2 - Repeat Violation, the Violation Report correctly indicated that this was not a repeat violation.<sup>20</sup> Further, Part E6 - Gravity accurately notes that this was a singular violation applying to multiple locations.<sup>21</sup> Because the violation was found at 9 different compressor stations, it has 9 instances of violation. Accordingly, having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$33,800 for violation of 49 C.F.R. § 192.167(a)(4).

In summary, having reviewed the record and considered the assessment criteria for each of the Items cited above, I assess Respondent a total civil penalty of **\$96,600**.

Payment of the civil penalty must be made within 20 days of service. Federal regulations (49 C.F.R. § 89.21(b)(3)) require such payment to be made by wire transfer through the Federal Reserve Communications System (Fedwire), to the account of the U.S. Treasury. Detailed instructions are contained in the enclosure. Questions concerning wire transfers should be directed to: Financial Operations Division (AMK-325), Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 S MacArthur Blvd, Oklahoma City, Oklahoma 79169. The Financial Operations Division telephone number is (405) 954-8845.

Failure to pay the \$96,600 civil penalty will result in accrual of interest at the current annual rate in accordance with 31 U.S.C. § 3717, 31 C.F.R. § 901.9 and 49 C.F.R. § 89.23. Pursuant to those same authorities, a late penalty charge of six percent (6%) per annum will be charged if payment is not made within 110 days of service. Furthermore, failure to pay the civil penalty may result in referral of the matter to the Attorney General for appropriate action in a district court of the United States.

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<sup>18</sup> Supplemental Response, at 14.

<sup>19</sup> The Violation Report erroneously labeled Item 12 as "Item 6" on page 81.

<sup>20</sup> Violation Report, at 83.

<sup>21</sup> *Id.*, at 85.

### **COMPLIANCE ORDER**

The Notice proposed a compliance order with respect to Item 12 in the Notice for violation of 49 C.F.R. § 192.167(a)(4). Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. Pursuant to the authority of 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the following actions to ensure compliance with the pipeline safety regulations applicable to its operations:

1. With respect to the violation of § 192.167(a)(4) (**Item 12**), Respondent must modify its emergency shutdown systems to provide a minimum of two locations operable from outside of the gas areas near the exit gates or emergency exits at the following compressor stations:

1. Thief River Falls Compressor Station;
2. Shevlin Compressor Station;
3. Cloquet Compressor Station;
4. Iron River Compressor Station;
5. Wakefield Compressor Station;
6. Crystal Falls Compressor Station;
7. Naubinway Compressor Station;
8. Boyne Falls Compressor Station; and
9. Otisville Compressor Station.

Each compressor station listed above must be completed within six months of issuance of this Final Order and documentation sent to the Director.

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.

It is requested (not mandated) 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 not to exceed \$200,000, as adjusted for inflation (49 C.F.R. § 190.223), 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.

### **WARNING ITEMS**

With respect to Items 3, 5, 7, 8, 9, 10, and 11, the Notice alleged probable violations of Part 192, but identified them as warning items pursuant to § 190.205. The warnings were for:

49 C.F.R. § 192.473(a) **(Item 3)** — Respondent's alleged failure to have in effect a continuing program to minimize the detrimental effects of stray currents;

49 C.F.R. § 192.745(a) **(Item 5)** — Respondent's alleged failure to inspect and partially operate, at intervals not exceeding 15 months but at least once each calendar year, each transmission line valve that might be required during an emergency;

49 C.F.R. § 192.739(a)(4) **(Item 7)** — Respondent's alleged failure to test and inspect each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment to determine it is properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation at intervals not exceeding 15 months, but at least once each calendar year;

49 C.F.R. § 192.935(c) **(Item 8)** — Respondent's alleged failure to determine, based on a risk analysis that considers all the factors listed in § 192.935(c), that an ASV or RCV would be an efficient means of adding protection to a high consequence area in the event of a gas release, and to install the ASV or RCV as necessary;

49 C.F.R. § 192.909(b) **(Item 9)** — Respondent's alleged failure to notify OPS, in accordance with § 192.949, or the applicable State or local pipeline safety authority, of any change to its integrity management program that might substantially affect the program's implementation or significantly modify the program or schedule for carrying out the program elements;

49 C.F.R. § 192.481(b) **(Item 10)** — Respondent's alleged failure, during atmospheric corrosion inspections, to give particular attention to pipe at the soil-to-air interfaces, under thermal insulation, under disbonded coatings, at pipe supports in splash zones, at deck penetrations, and in spans over water; and

49 C.F.R. § 192.605(a) **(Item 11)** — Respondent's alleged failure to prepare and follow for each pipeline a manual of written procedures for conducting operations and maintenance activities in accordance with each of the requirements of subpart L and subpart M of Part 192.

GLGT presented information in its Response showing that it had taken certain actions to address the cited items. If OPS finds a violation of any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

Under 49 C.F.R. § 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, 2<sup>nd</sup> Floor, Washington, DC 20590, with a copy sent to the Office of Chief Counsel, PHMSA, at the same address, no later than 20 days after receipt of service of this Final Order by Respondent. Any petition submitted must contain a statement of the issue(s) and meet all other requirements of 49 C.F.R. § 190.243. The filing of a petition automatically stays the payment of any civil penalty assessed. The other 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 C.F.R. § 190.5.

January 25, 2021

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued