

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Liberty Midstream Solutions, LLC
Pipeline Safety Enforcement

Case No. GS-20-461

ORDER ON NOTICE OF PROBABLE VIOLATION

June 23, 2021

Preliminary Statement

On July 1, 2020, Public Service Commission (Commission) Gas Pipeline Safety Staff (Staff) completed a Biennial Operations & Maintenance (O&M) Records Inspection of Liberty Midstream Solutions, LLC (Liberty). The inspection was conducted remotely due to COVID-19 travel restrictions, with Liberty providing follow-up information through October 27, 2020.

On January 27, 2021, the Gas Pipeline Safety Program Manager (Program Manager) issued a Notice of Probable Violation (NOPV) to Liberty.

On February 19, 2021, the Commission received the \$5,500 civil penalty payment from Liberty.

Discussion

An O&M Records Inspection of Liberty was completed on July 1, 2020, with Liberty providing follow-up information through October 27, 2020. The inspection was conducted remotely due to COVID-19 travel restrictions.

During the O&M Records Inspection, Staff identified the following probable violations of Pipeline Safety Regulations:

1. Liberty failed to conduct patrolling on their regulated transmission pipeline at the frequency required by 49 Code of Federal Regulations (CFR) § 192.705(b).
2. Liberty failed to conduct leakage surveys on their regulated transmission pipeline at the frequency required by 49 CFR § 192.706.
3. Liberty failed to submit a National Pipeline Mapping System (NPMS) Notification or an NPMS No Change Notification regarding their regulated transmission pipeline at the frequency required by 49 CFR § 191.29.

4. Liberty failed to conduct atmospheric corrosion inspections on their regulated transmission pipeline at the frequency required by 49 CFR § 192.481.
5. Liberty failed to inspect each cathodic protection rectifier or other impressed current power source on their regulated transmission pipeline at the frequency required by 49 CFR § 192.465.

On January 27, 2021, the Program Manager issued an NOPV outlining and alleging the probable violations and proposed a civil penalty in the amount of \$5,500.

On February 19, 2021, Liberty provided a response indicating they are not contesting the allegation of the probable violations and subsequently issued payment to the Commission for the civil penalty in the amount of \$5,500.

Pursuant to Title 49 CFR Part 190 section 190.208, by Liberty not contesting the NOPV, paying the proposed penalty and advising the Commission of the payment, Liberty has admitted to the probable violations and authorized the Commission to make a finding of violations and issue an order.

Order

The Commission orders:

1. Liberty violated Title 49 Code of Federal Regulations Part 192 section 192.705(b) by failing to conduct patrolling on their regulated transmission pipeline at the frequency required.
2. Liberty violated Title 49 Code of Federal Regulations Part 192 section 192.706 by failing to conduct leakage surveys on their regulated transmission pipeline at the frequency required.
3. Liberty violated Title 49 Code of Federal Regulations Part 191 section 191.29 by failing to submit an NPMS Notification or an NPMS No Change Notification regarding their regulated transmission pipeline at the frequency required.
4. Liberty violated Title 49 Code of Federal Regulations Part 192 section 192.481 by failing to conduct atmospheric corrosion inspections on their regulated transmission pipeline at the frequency required.
5. Liberty violated Title 49 Code of Federal Regulations Part 192 section 192.465 by failing to inspect each cathodic protection rectifier or other impressed current power source on their regulated transmission pipeline at the frequency required.

6. The Commission accepts Liberty's payment of \$5,500 in full satisfaction of the civil penalty.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Redorchak
Chair



Brian Kroshus
Commissioner