

October 5, 2023



Mr. Caleb Simburger
Program Manager Pipeline Safety Program
600 East Boulevard Avenue Dept 408 Bismarck, ND 58805-0480

Re: Aux Sable Midstream LLC Payment of the Proposed Civil Penalty to Notice of Probable Violation Case No. GS-23-242

Dear Mr. Simburger, Aux Sable Midstream LLC (Aux Sable) values the collaboration it has with the State of North Dakota Public Service Commission (NDPSC) in assuring public safety and regulatory compliance. Aux Sable continues to maintain plans, procedures, and standards that meet or exceed PHMSA regulations while maintaining a safety culture that proactively promotes and recognizes operational compliance as a top priority.

This letter is confirming Aux Sable's payment of the Proposed Civil Penalty for the "Notice of Probable Violation".

Response to NOPV # No. GS-23-242:

Aux Sable did not contest the Notice of Probable Violation and is including a \$500 check with this letter for payment of the Proposed Civil Penalty regarding apparent inadequacies found by NDPSC representatives during the NDPSC's Biennial Operations & Maintenance Records Inspection completed between May 5, 2023, and June 23, 2023.

Regarding the update to Aux Sable's Plan, Procedure, Forms and/or Policies to ensure compliance with a completion date of no later than November 30th, 2023. Aux Sable has included the section within their O&M that addresses the compliance issue (see below).

13.20 Pressure Limiting and Regulating Stations: Capacity of Relief Devices (192.743)

- (a) Pressure relief devices at pressure limiting stations and pressure regulating stations must have sufficient capacity to protect the facilities to which they are connected. Except as provided in §192.739(b), the capacity must be consistent with the pressure limits of §192.201(a). This capacity must be determined at intervals not exceeding 15 months, but at least once each calendar year, by testing the devices in place or by review and calculations.

- CAPACITY DETERMINATION BY IN-PLACE TESTING
 1. *Determination of actual flow.*

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- i. The capacity of the relief valve system can be determined by direct measurement under full flow conditions or by determining a coefficient through limited flow tests that can be used in calculating the full capacity. References for performing the appropriate tests include the following.
 - UG-131 of the ASME Boiler and Pressure Vessel Code, Section VIII (see §192.7).
 - API RP 525, "Testing Procedure for Pressure-Relieving Devices Discharging Against Variable Back Pressure" (Revised 1960; Discontinued).

2. *Demonstrating adequate capacity.*

- i. A test may be conducted by simulating conditions of maximum pressure and supply volume conditions for the pressure control source of the protected segment and minimum flow conditions on the discharge side of the source. Under these conditions the pressure control source should be wide open. Adequate capacity is determined if the relief device prevents the downstream pressure from exceeding that permitted by §192.201.
- ii. When conducting such a test, care must be taken to maintain service and to prevent overpressuring any components in the system.

- CAPACITY DETERMINATION BY CALCULATION

1. *Determination of required relief capacity.*

- i. The maximum possible flow through the source supplying the system being protected should be determined.
 - When the source is controlled by Aux Sable (Pembina), recognized engineering formulas may be used to make the calculations based on data published by, or otherwise obtained from, the manufacturer of the equipment used as a pressure source or pressure control component.
 - A lesser capacity than calculated above is acceptable if calculations of flow in the piping on the inlet or outlet of the equipment show a lesser throughput to be the maximum.



- Data used in these calculations should be selected so that the capacity calculated will represent the maximum throughput in actual operations, including emergencies. Minimum demand may be considered.
 - When Aux Sable (Pembina) does not have control of the source, information should be obtained to adequately determine the maximum flow and pressure capacity of that source. This information may then be used as the basis for relief capacity requirements.
 - ii. When more than one pressure regulating or compressor station feeds a pipeline, relief capacity based on complete failure of the largest capacity regulator or compressor should be adequate. Aux Sable (Pembina) should consider subsequent failures that may be caused by an initial failure.
2. *Determination of relief device capacity.*
- i. When installed in accordance with the provisions of §192.199(f):
 - Relief devices stamped by the manufacturer with a capacity certified under the rules of the ASME Boiler and Pressure Vessel Code, Section VII (see §192.7), including recertification stampings, may be considered capable of relieving the capacity stamped. An adjustment should be made to determine the capacity at actual operating conditions.
 - Capacities listed in information published by the manufacturer may be used to identify the capacity of the relief device under the stated conditions.
 - The use of published data or data otherwise obtained from the manufacturer, and data calculated using recognized formulas, is acceptable.
 - ii. Relief device capacities as set out above are normally based on the pressure measured at the inlet to the relief device with discharge to atmosphere without vent stack piping. Therefore, when the installation is not in accordance with the provisions of §192.199(f), consideration should be given to the pressure loss in the inlet piping to the relief device, the control piping location and back pressure on the discharge side caused by vent stack piping.
 - iii. References include the following.



- For the calculations in 2(a)(3) above, UG-131 of the ASME Boiler and Pressure Vessel Code, Section VIII. It is not the intent herein that the capacity be limited to 90% of the actual capacity as set out in Section VIII rules, but only that this information is useful in calculating the actual capacity of a relief device.
- For data on relief devices which have been certified by the NBBI, "Relieving Capacities of Safety Valves and Relief Valves Approved by the National Board" (Discontinued).
- For the effect of backpressure on relief device discharge, Figure D-1 of API RP 520 P2, "Sizing, Selection and Installation of Pressure-Relieving Devices in Refineries, Part 2 Installation."

(b) If review and calculations are used to determine if a device has sufficient capacity, the calculated capacity must be compared with the rated or experimentally determined relieving capacity of the device for the conditions under which it operates. After the initial calculations, subsequent calculations need not be made if the annual review documents that parameters have not changed to cause the rated or experimentally determined relieving capacity to be insufficient.

- Each Calendar year not to exceed 15 months, the Pipeline Engineer will review and document any changes, or note if there has been no changes to any of the relief valves capacities.
- REDETERMINATION
 - A redetermination of the required relief capacity should be made whenever there are changes in the system that could increase the supply of gas from the source, the capacity of the control device, or the ability of the relief device to handle the required flow.

(c) If a relief device is of insufficient capacity, a new or additional device must be installed to provide the capacity required by paragraph (a) of this section.

If you need further information or clarification regarding this matter, please contact Bob Bachmeier at (701) 509-1626.

Sincerely,

Bob Bachmeier



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