

Simburger, Caleb

From: Bob Bachmeier <Bob.Bachmeier@AuxSable.com>
Sent: Thursday, October 5, 2023 3:17 PM
To: Simburger, Caleb
Cc: Scott Seibert; Jeffery Finch; Crockford, Konrad S.; Pete Marquart
Subject: Re: Aux Sable Midstream LLC response to Notice of Probable Violation Case No. GS-23-242
Attachments: Aux Sable Midstream LLC Response to Case No. GS-23-242_05Oct2023 (003).pdf
Importance: High
Follow Up Flag: Follow up
Flag Status: Flagged

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Caleb,

Please find attached Aux Sable Midstream LLC's response to Notice of Probable Violation Case No. GS-23-242. Please let us know if you have any questions or concerns.

Thank You,
Bob



Bob Bachmeier – Specialist, Regulatory US
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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 response 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 the receipt of the "Notice of Probable Violation" 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. Aux Sable appreciates the NDPSC's efforts during the audit and the valuable input regarding areas to improve our plans, procedures, and records. We find this process useful to further refining our Pipeline Safety Programs.

NOPV # Case No. GS-23-242 Inspection Findings: Aux Sable O&M records indicate that the capacity of pressure relief devices at pressure limiting stations and pressure regulating stations was not determined at the frequency required by 49 CFR Part 192.743(a) which states capacity must be determined at intervals not exceeding 15 months, but at least once each calendar year. Records indicate that capacity was determined on May 31, 2023, which exceeded the code required interval by one month and four days (the preceding determination was conducted on January 27, 2022). Aux Sable stated that this oversight was corrected upon discovery and was due to the reassignment of responsibilities after internal personnel role changes.

Response to NOPV # No. GS-23-242: Aux Sable is not contesting the Notice of Probable Violation and will pay the proposed civil penalty. Aux Sable will be amending our Plan, Procedure, Forms and/or Policies to ensure compliance. Aux Sable is in the process of addressing the violation and is anticipating a completion date of no later than November 30th, 2023.



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

Sincerely,

Bob Bachmeier

Bob Bachmeier
Specialist, Regulatory Pembina U.S.
Pembina Pipeline Corporation
BBachmeier@Pembina.com

CC:

Scott Seibert, Manager, Environment, Operations & Compliance U.S.
Jeff Finch, Advisor, Regulatory Pembina U.S.