



**PAPUC**

# **NC Letters & Enforcement**

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# Enforcement Of Safety Regulations Via NC Letters

Overview of pipeline safety enforcement and findings in NC (Non-Compliance) letters.



# Regulatory Framework

Minimum Safety Requirements For Pipeline Facilities:

## **US DOT Regulations**

(49 CFR 190, 191, 192, 193, 195, 199 & 40)

## **PA State Regulations**

(Title 52 PA Code, Chapters 59, 61 and 67); Act 127 of 2011.





# Role of Enforcement

- Inform operators of non-compliance
- Establish legal record of violations
- Require corrective actions to prevent recurrence.



# NC Letter Structure

- Date, reference number, addressee
- Cited code sections
- Inspector findings
- Corrective measures required.

# Follow-up Process

- NC Follow-up Inspection: Verify corrective actions.
- Additional follow-ups for complex cases.
- Escalation to complaints when disagreements occur.





# Inspection Activities

- Inspections in 2024:
  - Gas: 2,525
  - HL: 58
  - UNGS: 22
  - Drug and Alcohol: 27
- Focused on operator types, risk, complaints, and incidents.
- 18 inspectors and 4 supervisors in 2024.

## 49 CFR §40

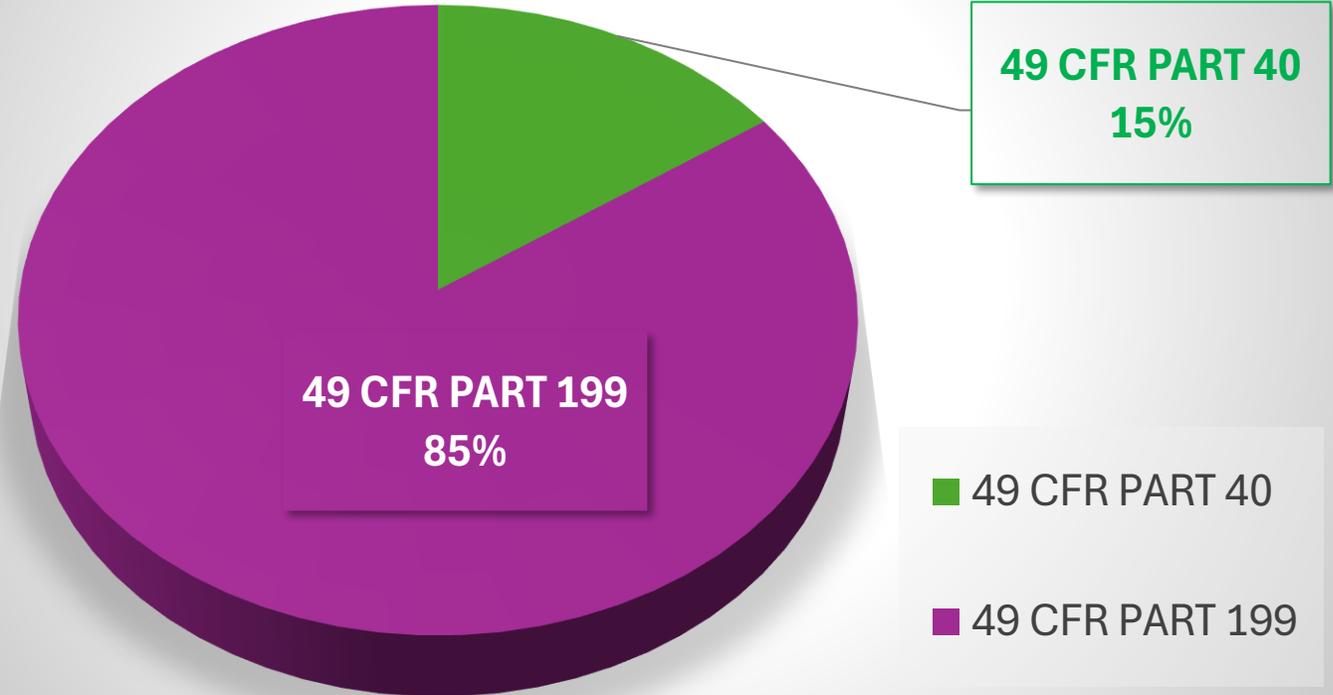
- Who conducts D&A tests?
- How to conduct D&A tests?
- D&A testing procedures.

## 49 CFR §199

- Who gets tested;
- When are tests;
- Why are tests required.

### PERCENT D&A VIOLATIONS (2021 - 2024)

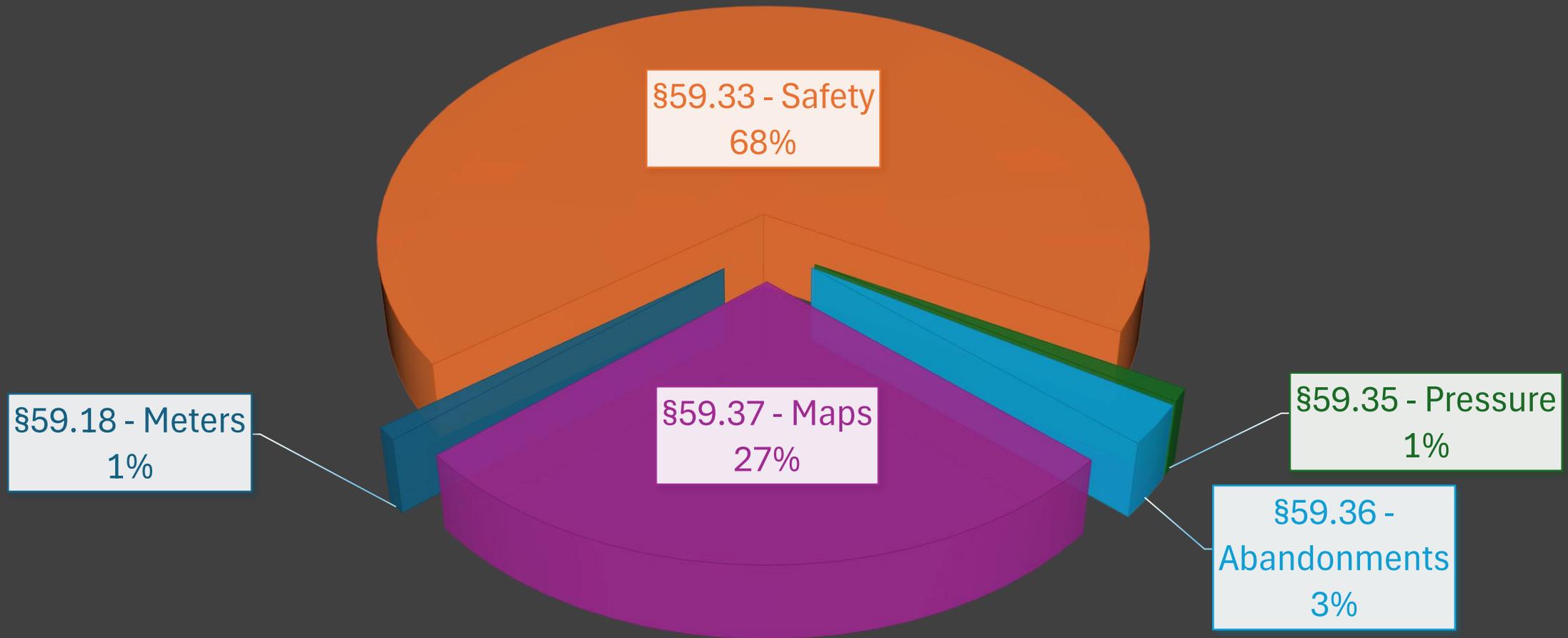
#### PER CFR PART 40 & 199



### **§199.2 Applicability.**

Does not apply to master meter systems or to pipeline systems that transport only petroleum gas or petroleum gas/air mixtures.

# 52 PA CODE (GAS SERVICE) PERCENT VIOLATIONS (2021 - 2024) PER PARAGRAPH OF PA CODE



Pennsylvania Code  
Title 52 (Public Utilities)  
Part I (Public Utility Commission)  
SubPart C (Fixed Service Utilities)  
Chapter 59 (Gas Service)

### **§59.33 - Safety**

(a) *Responsibility.* Each public utility shall at all times use every reasonable effort to properly warn and protect the public from danger, and shall exercise reasonable care to reduce the hazards to which employees, customers and others may be subjected to by reason of its equipment and facilities.



Pennsylvania Code  
Title 52 (Public Utilities)  
Part I (Public Utility Commission)  
SubPart C (Fixed Service Utilities)  
Chapter 59 (Gas Service)

### **§59.37 - Maps, plans and records.**

Each public utility shall keep complete maps, plans, and records of its entire distribution and other system showing the size, character, and location of each main, district regulator, street valve and drip, and each service connection, together with such other information as may be necessary. The maps, plans, and records required by the provisions of this section shall be kept up to date so that the utility may promptly and accurately furnish any information regarding its facilities, or copies of its maps, upon request by the Commission.



Code Of Federal Regulations  
Title 49 (Transportation)  
Subtitle B (Other Regulations Relating To Transportation)  
Chapter I (PHMSA, DOT)  
Subchapter D (Pipeline Safety)  
Part 190 (Pipeline Safety Enforcement & Regulatory Procedures)  
SubPart B - Enforcement

***§190.203 – Inspections & Investigations***

(a) Officers, employees, or agents authorized by the Associate Administrator for Pipeline Safety, PHMSA, upon presenting appropriate credentials, are authorized to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties are relevant to determining the compliance of such persons with the requirements of 49 U.S.C. 60101 et seq., or regulations or orders issued thereunder.

Code Of Federal Regulations

Title 49 (Transportation)

Subtitle B (Other Regulations Relating To Transportation)

Chapter I (PHMSA, DOT)

Subchapter D (Pipeline Safety)

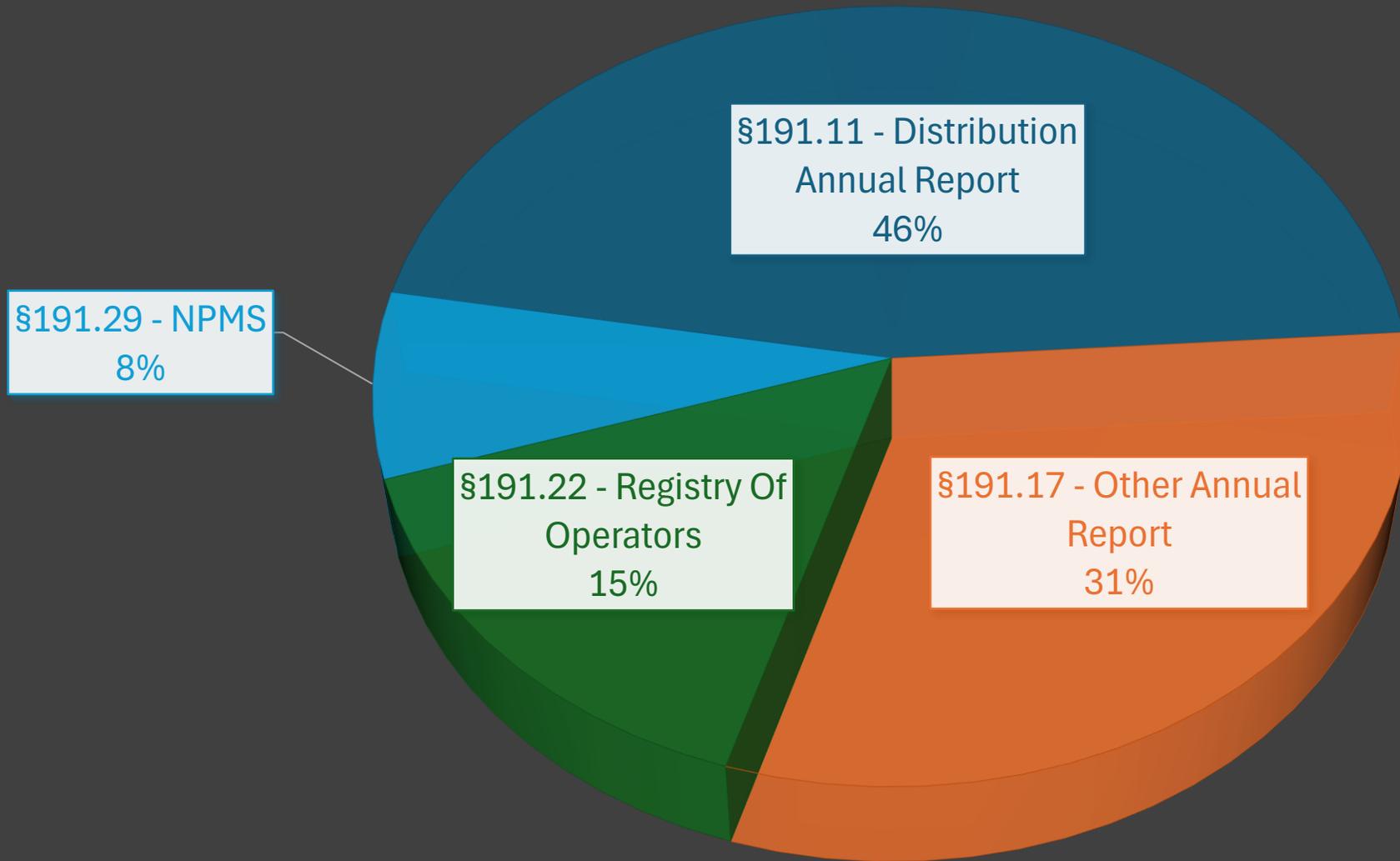
Part 190 (Pipeline Safety Enforcement & Regulatory Procedures)

SubPart B - Enforcement

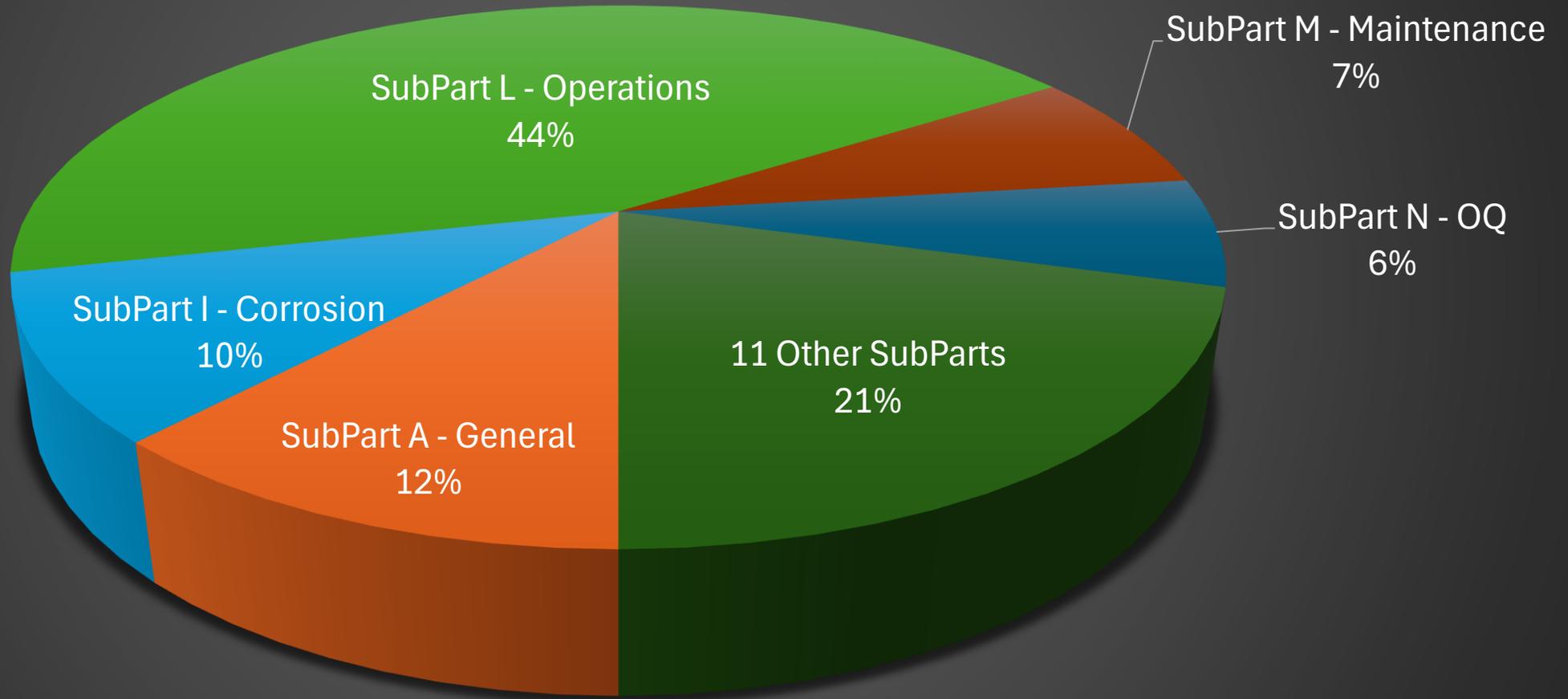
***§190.203 – Inspections & Investigations***

(e) If a representative of the U.S. Department of Transportation inspects or investigates an accident or incident involving a pipeline facility, the operator must make available to the representative all records and information that pertain to the event in any way, including integrity management plans and test results. The operator must provide all reasonable assistance in the investigation. Any person who obstructs an inspection or investigation by taking actions that were known or reasonably should have been known to prevent, hinder, or impede an investigation without good cause will be subject to administrative civil penalties under this subpart.

# 49 CFR 191 (REPORTING) PERCENT VIOLATIONS (2021 - 2024) PER PARAGRAPH OF FEDERAL CODE



# 49 CFR 192 (GAS) PERCENT VIOLATIONS (2021 - 2024) PER SUBPART OF FEDERAL CODE



Code Of Federal Regulations  
Title 49 (Transportation)  
Subtitle B (Other Regulations Relating To Transportation)  
Chapter I (PHMSA, DOT)  
Subchapter D (Pipeline Safety)  
Part 192 (Transportation Of Natural & Other Gas By Pipeline: Minimum  
Federal Safety Standards)  
SubPart A - General

***§192.13 – What General Requirements Apply To Pipelines  
Regulated Under This Part?***

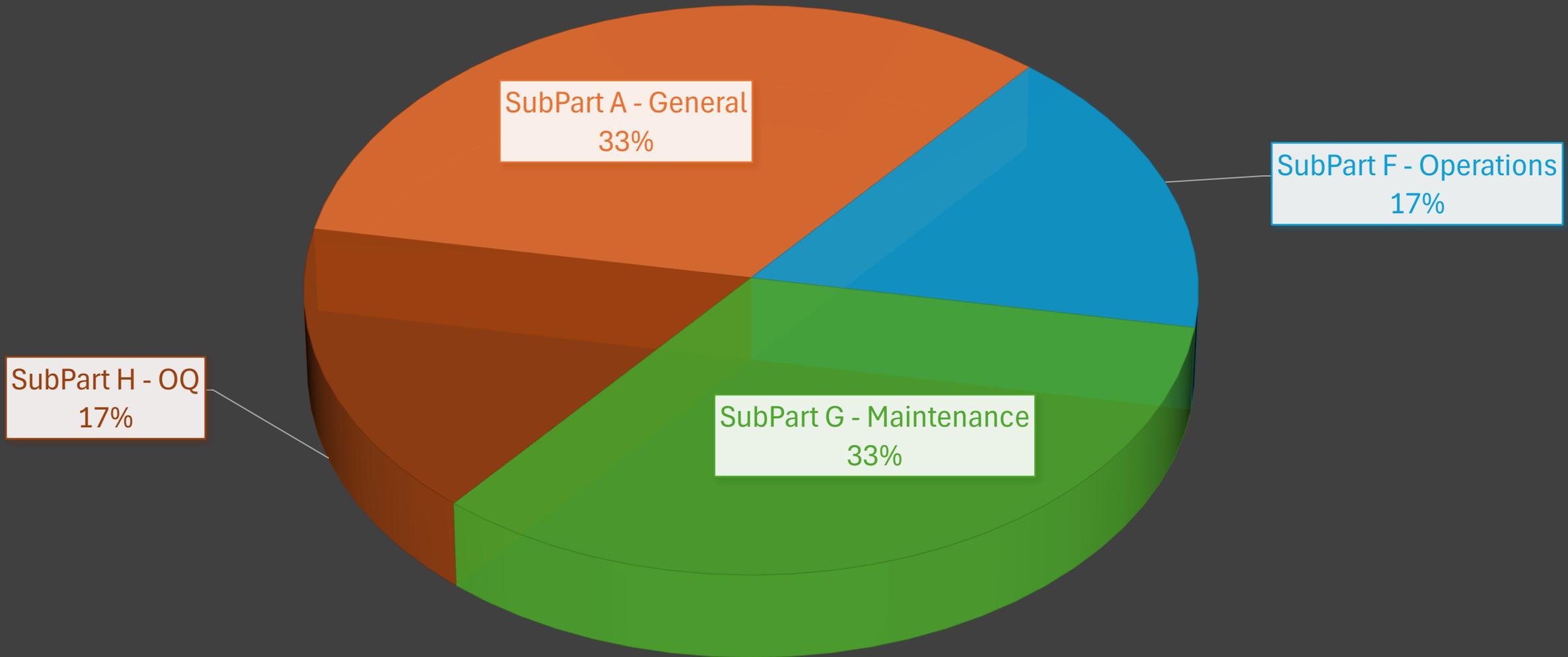
(c) Each operator shall maintain, modify as appropriate, and follow the plans, procedures, and programs that it is required to establish under this part.



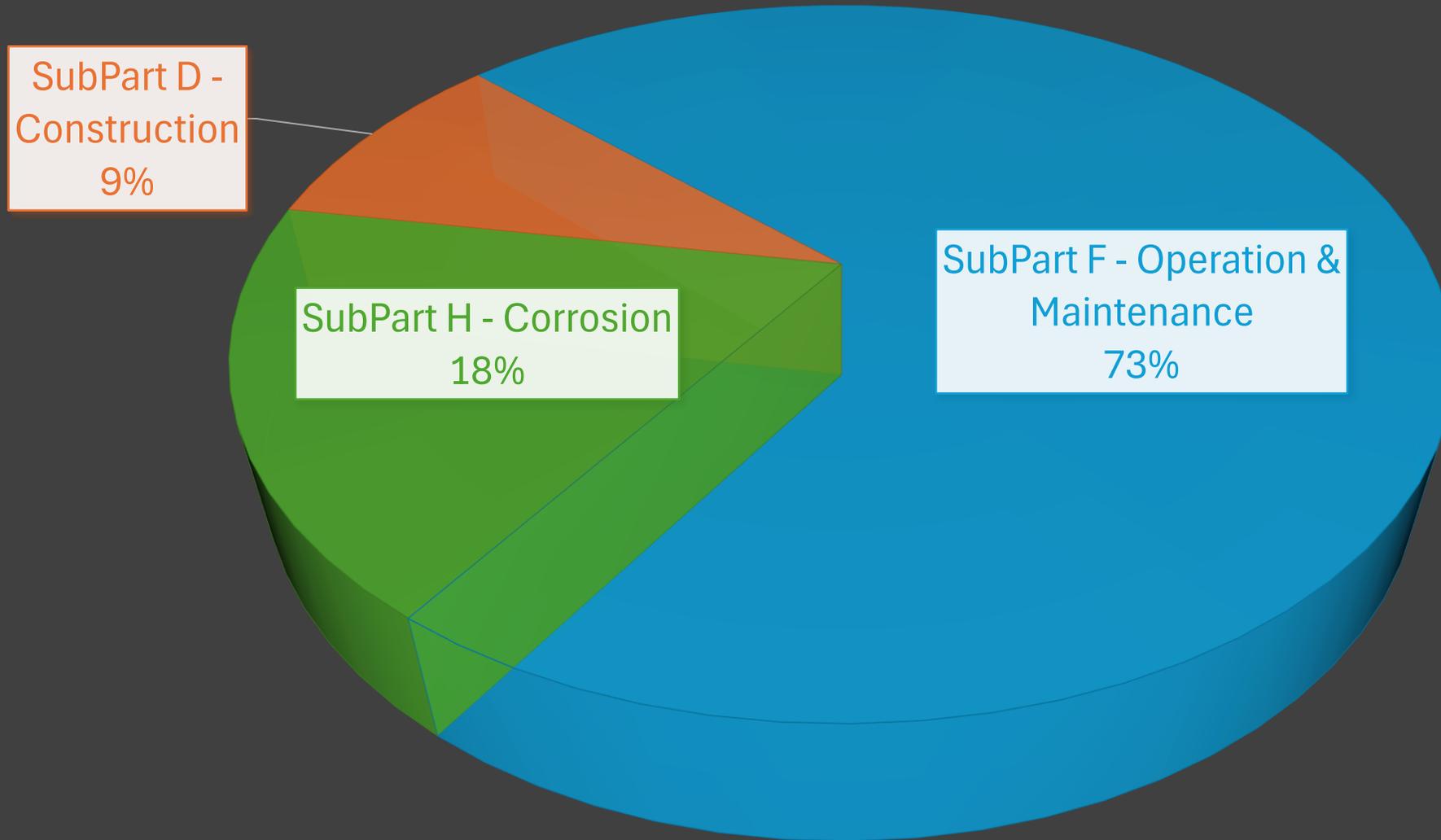
# Violations From Other 192 Subparts

- SubPart F - Joining of Materials Other Than by Welding (21 Violations)
- SubPart G - General Construction Requirements for Transmission Lines & Mains (21 Violations)
- SubPart O - Gas Transmission Pipeline Integrity Management (17 Violations)
- SubPart P - Gas Distribution Pipeline Integrity Management (19 Violations)

# 49 CFR 193 (LNG) PERCENT VIOLATIONS (2021 - 2024) PER SUBPART OF THE FEDERAL CODE



# 49 CFR 195 (HAZARDOUS LIQUIDS) PERCENT VIOLATIONS (2021 - 2024) PER SUBPART OF THE FEDERAL CODE





# Conclusion

## Enforcement Promotes Compliance & Safety

- NC letters serve as accountability tools.
- Goal: **Proactive** operator compliance to prevent future risks.

# Questions??

# Thank You!!!



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