



U.S. Department
Of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.989.2171

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS MAIL

December 13, 2011

Mr. Terry L. Hurlburt
Senior Vice President-Operations
Enterprise Products Partners LP
1100 Louisiana Street
Houston, Texas 77002-5227

CPF 1-2011-5012M

Dear Mr. Hurlburt:

On December 21, 2010, an inspector from the New York State Department of Public Service (NYSDPS), acting as agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code conducted a field inspection of Enterprise Products Partners LP(Enterprise) line P41 remediation activities in Blenheim, NY.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within Enterprise's plans or procedures, as described below:

1. 195.402(c)(11) Maintenance and normal operations.

(c) The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:

(11) - Procedural manual for operations, maintenance, and emergencies - requires procedures for "Minimizing the likelihood of accidental ignition of vapors in areas near facilities identified under paragraph (c)(4) of this section where the potential exists for the presence of flammable liquids or gases".

The Enterprise Safety Policy Manual, Section 3.12.8 - Hot Work Requirements -does not provide guidance on minimizing the likelihood of accidental ignition of vapors while working on non-pressurized lines.

The operators procedures are inadequate in that they do not provide details on minimizing the likelihood of accidental ignition of vapors in areas near facilities identified under paragraph (c)(4) of this section where the potential exists for the presence of flammable liquids or gases.

NYSDPS witnessed work on an unpressurized line in an area that would require an immediate response by the operator to prevent hazards to the public if the facilities failed or malfunctioned. The inspector noticed that while precautions such as air movers and bonding clamps were being utilized, the operating procedures did not provide any guidance for minimizing the likelihood of accidental ignition of vapors while working on a non-pressurized line.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b). If you do not respond within **30** days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within **30** days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Enterprise maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total, as well as any correspondence relating to this Notice, to: Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628. Please refer to **CPF 120115012M** on each document you submit, and please provide a (signed) copy in electronic format whenever possible. Smaller files may be emailed to Byron.Coy@dot.gov. Larger files should be sent on a CD and accompanied by the original (signed) paper copy to Byron Coy at the address above.

Sincerely,

Byron E. Coy
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*