



November 30, 2011

Via Federal Express

Mr. Wayne T. Lemoi  
Director, Office of Pipeline Safety, Southern Region  
Pipeline and Hazardous Materials Safety Administration  
233 Peachtree Street, Suite 600  
Atlanta, GA 30303

**RE: NOTICE OF PROBABLE VIOLATION PROPOSED CIVIL PENALTY AND  
PROPOSED COMPLIANCE ORDER  
CPF No. 2-2011-5009**

Dear Mr. Lemoi:

On November 1, 2011, Kinder Morgan Energy Partners, L.P. received your Notice of Probable Violation (NOPV) and Proposed Civil Penalty, CPF No. 2-2011-5009, dated October 20, 2011. The Notice resulted from the August 15-18, 2011 inspection of the Plantation Pipe Line's 8KX pipeline from Bremen, GA to Knoxville, TN. The Notice alleges Plantation Pipe Line (PPL) did not properly establish the maximum operating pressure (MOP) on the Bremen-Knoxville Line (Line 8KX) because the MOP provided PPL at the time of the inspection exceeded the design pressure of pipeline components. The components in question are mainline block valves with an American National Standards Institute (ANSI) rating class determination class of 600.

Kinder Morgan will document in this transmittal that the MOP was correctly established for the 8KX pipeline and therefore, respectfully contest the previously mentioned allegation. Based on the attached information substantiating the MOP was established correctly as required by §195.406 Maximum Operating Pressure (MOP), Kinder Morgan requests your agency withdraw the NOPV and Proposed Civil Penalty.

In a Pipeline Safety Regulatory Interpretation (enclosed) dated June 17, 1981 regarding Maximum Operating Pressure of Valves, your agency clarified the intent of regulation §195.406 (a)(2). In summary, the regulation intended "operators" be responsible for complying with Part 195 provisions governing design pressure of "components." Also, the "design requirements do not limit the design of a component to the manufacturer's pressure rating." The interpretation further states "'Maximum operating pressure" means a pressure not more than the 'internal design pressure' that is the maximum pressure established by the carrier (emphasis added) for the safe operation of a pipeline..."Thus, the intent of §195.406(a)(2) was to allow the pipeline operator to determine design pressure".

From April 29, 1989 through June 4, 1989, a hydrostatic test was conducted on the 8KX pipeline. The hydrostatic test was performed in eight (8) test sections. Documents substantiating the test for test Section

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No. 5 (Jersey Station to Cleveland Station) are included with this response for your review. All mainline block valves on the 8KX pipeline were included in the hydrostatic test and they were all tested in the "open" position. During this hydrostatic testing period on the 8KX line, each section was tested, including all block valves, to a sufficient pressure which allows all ANSI 600 flanged pipe fittings and valves to operate at the current ANSI 600 pressure rating of 1480 psi (Instead of the old rating of 1440 psi). Enclosed are the MOP determination calculations used to substantiate the MOP of 1480 psi for the mainline block valves.

Kinder Morgan documentation clearly shows that the manufacturer's ID plate on the mainline block valves incorrectly states the MOP as 1440 psi. This information will be corrected or removed from these mainline valves at the Cleveland Station. Additionally, we will examine the other mainline block valves on the 8KX pipeline to ensure no incorrect reference to MOP of 1440 psi is stated on the valves.

Kinder Morgan trusts that the referenced NOPV and Civil Penalties will be rescinded after reconsideration and agrees that this information demonstrates the established the MOP of the 8KX pipeline of 1480 psi. However, if PHMSA does not agree, we reserve the right to request a hearing.

Should you have any questions or concerns, please call Quintin Frazier at 770-751-4240, Buzz Fant at 713-369-9454 or me at 713-369-9152.

Sincerely,



Ron McClain

Vice-President Engineering and Operations  
Products Pipelines

Enclosures

DOT Interpretation Letter

8KX hydrostatic test records (excluding charts)

8KX MOP Calculations