



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 South Gessner, Suite 1110  
Houston, TX 77074

**NOTICE OF PROBABLE VIOLATION  
PROPOSED CIVIL PENALTY  
and  
PROPOSED COMPLIANCE ORDER**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

August 9, 2007

Mr. Jeryl Mohn  
Vice President  
Sea Robin Pipeline Company, LLC  
5444 Westheimer Rd  
Houston TX 77056-5306

**CPF 4-2007-2004**

Dear Mr. Mohn:

Between October 31 to November 3, 2006, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your Sea Robin pipeline in Erath, LA.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation(s) are:

1. **§192.612 Underwater inspection and reburial of pipelines in the Gulf of Mexico and its inlets.**
  - (a) **Each operator shall prepare and follow a procedure to identify its pipelines in the Gulf of Mexico and its inlets in waters less than 15 feet (4.6 meters) deep as measured from mean low water that are at risk of being an exposed underwater pipeline or a hazard to navigation. The procedures must be in effect August 10, 2005.**

Trunkline Gas Co/Sea Robin procedures in effect were looked at during the August 2006 inspection in Centerville. These showed that the underwater inspection was to begin November 1, 2006 for Sea Robin.

By October/November 2006, the inspection had been changed to November 1, 2007, due to "lack of resources" no other reason or hazard analysis was provided.

If the required inspection schedule was determined by a risk analysis this schedule should not be changed without a risk based decision. The "resources" is not sufficient as a stand alone justification.

**2. §192.727 Abandonment or inactivation of facilities.**

**(g) For each abandoned offshore pipeline facility or each abandoned onshore pipeline facility that crosses over, under or through a commercially navigable waterway, the last operator of that facility must file a report upon abandonment of that facility.**

**(1) The preferred method to submit data on pipeline facilities abandoned after October 10, 2000, is to the National Pipeline Mapping System (NPMS) in accordance with the NPMS "Standards for Pipeline and Liquefied Natural Gas Operator Submissions." To obtain a copy of the NPMS Standards, please refer to the NPMS homepage at [www.npms.rspa.dot.gov](http://www.npms.rspa.dot.gov) or contact the NPMS National Repository at 703-317-3073. A digital data format is preferred, but hard copy submissions are acceptable if they comply with the NPMS Standards. In addition to the NPMS-required attributes, operators must submit the date of abandonment, diameter, method of abandonment, and certification that, to the best of the operator's knowledge, all of the reasonably available information requested was provided and, to the best of the operator's knowledge, the abandonment was completed in accordance with applicable laws. Refer to the NPMS Standards for details in preparing your data for submission. The NPMS Standards also include details of how to submit data. Alternatively, operators may submit reports by mail, fax or e-mail to the Information Officer, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Room 7128, 400 Seventh Street, SW, Washington DC 20590; fax (202) 366-4566; e-mail: [roger.little@dot.gov](mailto:roger.little@dot.gov). The information in the report must contain all reasonably available information related to the facility, including information in the possession of a third party. The report must contain the location, size, date, method of abandonment, and a certification that the facility has been abandoned in accordance with all applicable laws.**

Sea Robin has abandoned several offshore pipeline segments, including Line 709-6 10" Eugene Island 260 to 262 abandoned May 2004 and Line 702-5 8" South Marsh Island 27 abandoned November 2004, without submitting an offshore pipeline abandonment report to PHMSA in accordance with the parameters outlined in the regulation.

Proposed Civil Penalty

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. The Compliance Officer has reviewed the circumstances

and supporting documentation involved in the above probable violation(s) and has recommended that you be preliminarily assessed a civil penalty of \$37,000 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$26,000
2	\$11,000

Proposed Compliance Order

With respect to items 1 and 2 pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration proposes to issue a Compliance Order to Sea Robin Pipeline Company. Please refer to the *Proposed Compliance Order*, which is enclosed and made a part of this Notice.

Response to this Notice

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.

In your correspondence on this matter, please refer to **CPF 4-2007-2004** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



R. M. Seeley  
Director, Southwest Region  
Pipeline and Hazardous  
Materials Safety Administration

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

## PROPOSED COMPLIANCE ORDER

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to Sea Robin Pipeline Company a Compliance Order incorporating the following remedial requirements to ensure the compliance of Sea Robin Pipeline Company with the pipeline safety regulations:

1. In regard to Item Number 1 of the Notice pertaining to the postponement of required underwater inspections, Sea Robin Pipeline Company should perform these inspections without further delay.
2. In regard to Item Number 2 of the Notice pertaining to the failure to properly submit offshore pipeline abandonment reports to the NPMS, Sea Robin Pipeline Company should submit these reports without further delay.
3. Sea Robin Pipeline Company must address the issues within this compliance order within 90 days after receipt of a Final Order and submit to R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration.
4. Sea Robin Pipeline Company shall maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. Costs shall be reported in two categories: 1) total cost associated with preparation/revision of plans, procedures, studies and analyses, and 2) total cost associated with replacements, additions and other changes to pipeline infrastructure.