



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 South Gessner, Suite 1110  
Houston, TX 77074

## NOTICE OF AMENDMENT

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 12, 2008

Mr. John Earley,  
Senior Vice President, Operations  
Boardwalk Pipeline Partners  
9 Greenway Plaza, Suite 2800  
Houston, Texas 77046

**CPF 4-2008-1001M**

Dear Mr. Earley:

On December 10-13, 2007, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code inspected Boardwalk Pipeline Partners (Boardwalk) procedures for operations and maintenance (O&M) in Houston, Texas

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

**1. §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.**

**§192.503 General requirements.**

**(a) No person may operate a new segment of pipeline, or return to service a segment of pipeline that has been relocated or replaced, until-**

**(1) It has been tested in accordance with this subpart and §192.619 to substantiate the maximum allowable operating pressure; and**

**(2) Each potentially hazardous leak has been located and eliminated.**

Boardwalk's O&M procedures need to specify pressure testing requirements or reference their Design Manual.

**2. §192.605 Procedural manual for operations, maintenance, and emergencies**

**Each operator shall include the following in its operating and maintenance plan:**

**(a) General.** Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least one each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

**A. §191.27 Filing offshore pipeline condition reports**

**(a)** Each operator shall, within 60 days after completion of the inspection of all its underwater pipelines subject to §192.612(a), report the following information:

**(1)** Name and principal address of operator.

**(2)** Date of report.

**(3)** Name, job title, and business telephone number of person submitting the report.

**(4)** Total length of pipeline inspected.

**(5)** Length and date of installation of each exposed pipeline segment, and location, including, if available, the location according to the Minerals Management Service or state Offshore area and block number tract.

**(6)** Length and date of installation of each pipeline segment, if different from a pipeline segment identified under paragraph (a)(5) of this section, that is a hazard to navigation, and the location, including, if available, the location according to the Minerals Management Service or state offshore area and block number tract.

**(b)** The report shall be mailed to the Information Officer, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

Boardwalk's O&M procedures need to specify filing requirements when underwater pipelines subject to §192.612 inspections have been completed.

**B. §192.615 Emergency plans.**

**(a)** Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:

**(9)** Safely restoring any service outage.

Boardwalk's O&M procedures need to specify requirements for restoring service outages after an emergency has been rendered safe.

**3. §192.605 Procedural manual for operations, maintenance, and emergencies**

**(b) Maintenance and normal operations.** The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

**(1)** Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and Subpart M of this part.

**A. §192.609 Change in class location: Required study.**

Whenever an increase in population density indicates a change in class location for a segment of an existing steel pipeline operating at a hoop stress that is more than 40 percent of SMYS, or indicates that the hoop stress corresponding to the established maximum allowable operating pressure for a segment of existing

pipeline is not commensurate with the present class location, the operator shall immediately make a study to determine;

- (a) The present class location for the segment involved.
- (b) The design, construction, and testing procedures followed in the original construction, and a comparison of these procedures with those required for the present class location by the applicable provisions of this part.
- (c) The physical condition of the segment to the extent it can be ascertained from available records;
- (d) The operating and maintenance history of the segment;
- (e) The maximum actual operating pressure and the corresponding operating hoop stress, taking pressure gradient into account, for the segment of pipeline involved; and,
- (f) The actual area affected by the population density increase, and physical barriers or other factors which may limit further expansion of the more densely populated area.

Boardwalk's O&M procedures need to specify or reference requirements for performing a class location study.

**B. §192.613 Continuing Surveillance.**

- (a) Each operator shall have a procedure for continuing surveillance of its facilities to determine and take appropriate action concerning changes in class location, failures, leakage history, corrosion, substantial changes in cathodic protection requirements, and other unusual operating and maintenance conditions.

Boardwalk's O&M procedures need to include or reference requirements for performing continuing surveillance activities.

**C. §192.703 General.**

- (c) Hazardous leaks must be repaired promptly.

Boardwalk's O&M procedures need to define a hazardous leak and specify that hazardous leaks will be repaired promptly.

**D. §192.727 Abandonment or deactivation of facilities.**

- (d) Whenever service to a customer is discontinued, one of the following must be complied with:
  - (1) The valve that is closed to prevent the flow of gas to the customer must be provided with a locking device or other means designed to prevent the opening of the valve by persons other than those authorized by the operator.

Boardwalk's O&M procedures need to specify actions taken when service to customers are discontinued.

**E. §192.745 Valve maintenance: Transmission lines.**

- (a) Each transmission line valve that might be required during any emergency must be inspected and partially operated at intervals not exceeding 15 months, but at least once each calendar year.
- (b) Each operator must take prompt remedial action to correct any valve found inoperable, unless the operator designates an alternative valve.

Boardwalk's O&M procedures need to specify or reference requirements for inspecting emergency valves. Additionally, the procedures need to specify requirements for designating alternate valves.

**F. §192.751 Prevention of accidental ignition.**

**Each operator shall take steps to minimize the danger of accidental ignition of gas in any structure or area where the presence of gas constitutes a hazard of fire or explosion, including the following:**

**(a) When a hazardous amount of gas is being vented into open air, each potential source of ignition must be removed from the area and a fire extinguisher must be provided.**

Boardwalk's O&M procedures need to specify requirements insuring that non-intrinsically safe devices are not used in an area with gas accumulations.

**G. §192.751 Prevention of accidental ignition.**

**Each operator shall take steps to minimize the danger of accidental ignition of gas in any structure or area where the presence of gas constitutes a hazard of fire or explosion, including the following:**

**(c) Post warning signs, where appropriate.**

Boardwalk's O&M procedures need to specify requirements for posting of warning signs.

**4. §192.605 Procedural manual for operations, maintenance, and emergencies**

**(b) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.**

**(2) Controlling corrosion in accordance with the operations and maintenance requirements of Subpart I of this part.**

**A. §192.469 External corrosion control: Test stations.**

**Each pipeline under cathodic protection required by this subpart must have sufficient test stations or other contact points for electrical measurement to determine the adequacy of cathodic protection.**

Boardwalk's O&M procedures need to reference or include requirements for placement of test stations to determine the adequacy of CP.

**B. §192.479 Atmospheric corrosion control; General.**

**(c) Except portions of pipelines in offshore splash zones or soil-to-air interfaces, the operator need not protect from atmospheric corrosion any pipeline for which the operator demonstrates by test, investigation, or experience appropriate to the environment of the pipeline that corrosion will—**

**(1) Only be a light surface oxide; or**

**(2) Not affect the safe operation of the pipeline before the next scheduled inspection.**

Boardwalk's O&M procedures need to reference or include requirements for inspection and coating of offshore splash zones and soil to air interfaces.

5. **§192.605 Procedural manual for operations, maintenance, and emergencies**

**(b) Maintenance and normal operations.** The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

**(6) Maintaining compressor stations, including provisions for isolating units or sections of pipe and for purging before returning to service.**

Boardwalk's O&M procedures need to include or reference requirements for purging compressor station piping before returning to service.

6. **§192.605 Procedural manual for operations, maintenance, and emergencies**

**(b) Maintenance and normal operations.** The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.

**(8) Periodically reviewing the work done by operator personnel to determine the effectiveness and adequacy of the procedures used in normal operation and maintenance and modifying the procedure when deficiencies are found.**

Boardwalk's O&M procedures need to specify a timeframe for reviewing personnel activities during normal operations to ensure effective and adequate procedures.

7. **§192.605 Procedural manual for operations, maintenance, and emergencies**

**(c) Abnormal operation.** For transmission lines, the manual required by paragraph (a) of this section must include procedures for the following to provide safety when operating design limits have been exceeded:

**(4) Periodically reviewing the response of operator personnel to determine the effectiveness of the procedures controlling abnormal operation and taking corrective action where deficiencies are found.**

Boardwalk's O&M procedures need to specify a time frame for reviewing personnel activities and procedures after abnormal operations.

Boardwalk submitted its amended procedures to this office on December 13, 2007, prior to the delivery of this Notice. My staff reviewed the amended procedures, and it appears that the inadequacies outlined in this Notice of Amendment have been corrected.

This letter is to inform you no further action is necessary and this case is now closed. Thank you for your cooperation.

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.

In correspondence concerning this matter, please refer to **CPF 4-2008-1001M** 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*