



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 South Gessner, Suite 1110  
Houston, TX 77074

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 17, 2015

Terry Hurlburt  
Enterprise Products Operating LLC  
1100 Louisiana Street  
Houston, TX 77002

**CPF 4-2015-5003W**

Dear Mr. Hurlburt:

On January 28, 2015, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your construction yard for Phase I of the Aegis Ethane Pipeline in Orange, Texas.

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

**1. §195.222 Welders: Qualification of welders.**

**(a) Each welder must be qualified in accordance with section 6 of API 1104 (ibr, see § 195.3 or section IX of the ASME Boiler and Pressure Vessel Code, (ibr, see § 195.3) except that a welder qualified under an earlier edition than listed in § 195.3 may weld but may not re-qualify under that earlier edition.**

Enterprise, via its construction contractor and third party contracted welding inspection service, had failed to properly qualify seven (7) welders according to the requirements of 195.222 and the incorporated standard, API 1104, Section 6. The welders were not required to make complete welds according to the qualified procedure (*Enterprise WPS 5-11-02 Rev 0.0* dated 13-Aug-10) in qualifying the welders

During the inspection, samples of previous welder qualification testing material were evident in the construction yard. Of particular notice were branch welding samples from previous welder qualification testing performed using Enterprise's WPS 5-11-02 procedure. These samples were remarkable because they were observed as "finished" testing remnants yet exhibited only partially completed welds. The welder qualification testing had required the welder to fully complete the root bead and hot pass of this branch welding procedure, but subsequently the welder only completed the filler and capping passes in the areas from which the four (4) destructively tested weld coupons would be cut for welder qualification. This essentially had the welder completing just weld coupons versus making a "complete" weld, as required under Section 6 of API 1104 and the qualified welding procedure.

Welding only the locations, where the test coupons will be cut is NOT the same as welding to the qualified welding procedure, as required by API 1104, Section 6.

PHMSA's inspection of Enterprise's welding records for the Aegis Ethane Pipeline construction did not find where those seven (7) welders had made any production welds on your pipeline using Enterprise's procedure *WPS 5-11-02*. Enterprise also has provided PHMSA records and sample material evidence, that all seven welders were re-qualified by testing under the branch procedure according to API 1104 requirements (fully welded to the written procedure) and that all seven passed the re-testing.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a related series of violations.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item(s) identified in this letter. Failure to do so will result in Enterprise Products Operating LLC being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to CPF 4-2015-5003W. 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).

Sincerely,



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