

## WARNING LETTER

### **CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

September 10, 2014

Ms. Kimberly Watson  
President, Gas Pipeline  
Tennessee Gas Pipeline Company  
1001 Louisiana Street, Suite 1000  
Houston, Texas 77002

**CPF 2-2014-1003W**

Dear Ms. Watson:

On September 5, 2014, Tennessee Gas Pipeline Company (TGP) submitted an “*Operator Registry Notification*” (Form PHMSA F 1000.2) to the Pipeline and Hazardous Materials Safety Administration (PHMSA) electronically through the *National Registry of Pipeline and LNG Operators* at <http://opsweb.phmsa.dot.gov>. The notification advised PHMSA of TGP’s intent to modify TGP 200 Station piping for reverse flow conditions. TGP 200 Station is located in Greenup, Kentucky.

As a result of this late submittal, it appears that TGP has committed a probable violation of the Pipeline Safety Regulations, in Title 49 of the Code of Federal Regulations. The probable violation is as follows:

1. **§ 191.22 National Registry of Pipeline and LNG Operators.**
  - ... (c) **Changes. Each operator must notify PHMSA electronically through the National Registry of Pipeline and LNG Operators at <http://opsweb.phmsa.dot.gov>, of certain events.**
    - (1) **An operator must notify PHMSA of any of the following events not later than 60 days before the event occurs:**
      - (i) **Construction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs \$10 million or more. If 60 day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable;...**

TGP did not notify PHMSA of a planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs \$10 million or more not later than 60 days before the event occurs.

TGP notified PHMSA electronically on September 5, 2014, through the *National Registry of Pipeline and LNG Operators* at <http://opsweb.phmsa.dot.gov>, of its intent to modify the TGP 200 Station at a cost of \$12 million. The notification stated that the field work activities started on August 1, 2014. This notification was required not later than 60 days before the event was to occur; i.e. not later than June 1, 2014. TGP's failure to properly notify PHMSA not later than 60 days prior to August 1, 2014, deprived PHMSA of its ability to properly plan for the inspection of this construction related activity.

Under 49 United States Code, § 60122, TGP is 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 identified in this letter. Failure to do so will result in the TGP 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 2-2014-1003W**. 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,

Wayne T. Lemoi  
Director, Office of Pipeline Safety  
PHMSA Southern Region