



Southern Gulf LNG
Company, L.L.C.
a Kinder Morgan company

April 5, 2022

Mary L. McDaniel, P.E.
Director, Southwest Region
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
8701 S. Gessner, Suite 630
Houston, TX 77074

Re: CPF 4-2022-035-NOPV

Dear Ms. McDaniel:

Southern Gulf LNG Company, L.L.C. ("SGLNG") acknowledges receipt of the Pipeline and Hazardous Materials Safety Administration's ("PHMSA") above-referenced Notice of Probable Violation and Proposed Compliance Order dated March 7, 2022 (the "NOPV"). In the NOPV, PHMSA identified the following probable violation:

1. **§ 193.2801 Fire Protection.**

Each operator must provide and maintain fire protection at LNG plants according to sections 9.1 through 9.7 and section 9.9 of NFPA-59A-2001 (incorporated by reference, see § 193.2013). However, LNG plants existing on March 31, 2000, need not comply with provisions on emergency shutdown systems, water delivery systems, detection systems, and personnel qualification and training until September 12, 2005.

NFPA-59A-2001

Chapter 9 Fire Protection, Safety, and Security

9.1 ...

9.1.2 Fire protection shall be provided for all LNG facilities. The extent of such protection shall be determined by an evaluation based on sound fire protection engineering principles, analysis of local conditions, hazards within the facility, and exposure to or from other property. The evaluation shall determine the following, as a minimum:

- (1) The type, quantity, and location of equipment necessary for the detection and control of fires, leaks, and spills of LNG, flammable refrigerants, or flammable gases**
- (2) The type, quantity, and location of equipment necessary for the detection and control of potential nonprocess and electrical fires**



SGLNG failed to provide and maintain fire protection at its LNG plant according to section 9.1.2 of NFPA-59A-2001, as required by § 193.2801. Specifically, SGLNG failed to perform an evaluation to determine the type, quantity, and location of equipment necessary for the detection and control of fires, leaks, and spills of LNG, flammable refrigerants, or flammable gases, and potential non-process and electrical fires in accordance with section 9.1.2 of NFPA-59A-2001.

Response: SGLNG respectfully disagrees that SGLNG failed to provide and maintain fire protection at its LNG plant and that its existing documentation does not meet the requirements of the cited regulation. SGLNG's fire safety evaluation under NFPA-59A-2001 was reviewed and approved by the Federal Energy Regulatory Commission (FERC) during construction and its fire study, with the required evaluation, was provided to PHMSA. SGLNG understands from discussions with PHMSA that PHMSA wants a drawing that represents the area of coverage for each detector with a cone drawing similar to what PHMSA has seen at another facility. Quite simply, the quoted regulation and the adopted industry standard do not require the cone drawing that PHMSA is requesting and lack of such a drawing does not equate to a probable violation and does not constitute a failure to provide and maintain fire protection at the SGLNG plant. Nevertheless, in the spirit of cooperation with PHMSA, SGLNG will comply with the request and provide the drawing within 30 days after receipt of the Final Order.

SGLNG appreciates the opportunity to respond to PHMSA NOPV. Should you have questions or concerns, please contact me by phone (713-369-8763) or by email at Kenneth.Grubb@kindermorgan.com, or you may contact Jaime Hernandez (713-369-9443) or by email at Jaime.Hernandez@kindermorgan.com.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth W. Grubb".

Kenneth W. Grubb
Chief Operating Officer

cc: Carla Roark, Compliance Manager
Jaime Hernandez, Director of Engineering
Andrew Kohout, P.E., Director, Division of LNG Facility Reviews and Inspections,
Office of Energy Projects, Federal Energy Regulatory Commission
(Andrew.kohout@ferc.gov)