



**Tennessee Gas Pipeline  
Company, L.L.C.**  
a Kinder Morgan company

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December 4, 2012

Mr. Byron Coy  
Director, Eastern Region  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
820 Bear Tavern Road, Suite 103  
West Trenton, NJ 08628

RE: CPF 1-2012-1022M

Dear Mr. Coy:

On August 20, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) inspected a Tennessee Gas Pipeline LLC (TGP) facility located in Hopkinton, Massachusetts. During this inspection, the Kinder Morgan Operating Procedures for natural gas pipelines were reviewed. Based upon this review, PHMSA has identified an apparent inadequacy with these Operating Procedures as noted in the referenced Notice of Amendment, CPF 1-2012-1022M and as described below:

**ITEM 1:**

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

According to the Notice of Amendment, "Kinder Morgan's emergency plans were inadequate in that they failed to provide clear guidance on the need to perform a training effectiveness review after conducting a mock emergency drill, as prescribed in §192.615(b)(2)".

**§192.615(b)(2) Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.**

### **TGP's Response to Item 1:**

As an initial matter, Tennessee Gas Pipeline Company, L.L.C. (TGP) and several other El Paso companies were purchased by Kinder Morgan in May of this year. TGP is in the process of adopting the Kinder Morgan O&M Procedures. Those not already adopted will be completed and published by December 31, 2012. The December 31 date includes O&M Procedure 1900, Emergency Response. The plan to implement Procedure 1900 includes the completion of the local Emergency Response Plan (ERP) to coincide with the publication of O&M Procedure 1900 on December 31, 2012 and the full implementation of the ERP upon the completion of each location's emergency response training, no later than March 31, 2013.

TGP and Kinder Morgan recognize the training requirements as identified in the referenced Notice of Amendment (NOA) and believe that PHMSA's concerns regarding the need for reviewing the training effectiveness have been addressed. The current Kinder Morgan emergency procedures training and review process will be discussed in more detail in this response. The specific procedures are identified and provided below:

O&M Procedure 1900 (Emergency Response), Section 3.10 Emergency Response Manual Reviews/Drills states: "Area/facility managers will schedule annual area/facility training reviews and/or drills to determine effectiveness of the site-specific Emergency Response Manual. Reviews and drills will be defined in the site-specific ERP."

Section 4 - Training of that same O&M Procedure states:

"Area/facility management will ensure that the ERP is reviewed annually with each employee to verify emergency training is effective per the Company's Training Matrix. New employee orientation shall include training on the ERP.

Document the individual employee review and training verification. A recommended verification method is to conduct discussions of employees' emergency response to scenarios specific to each area/facility."

Based upon the above O&M Procedure sections, Kinder Morgan believes that their current Procedures, those that will be adopted on December 31 2012 and fully implemented by March 31, 2013 by TGP, adequately address the regulatory requirements as noted in the Notice of Amendment. The referenced sections of the Procedure specifically address the training and review process for an emergency response. The type of reviews and training required are necessarily site specific as outlined in the reference to the local ERP. The requirement for a "mock emergency drill" would only be necessary when the response to an actual emergency is not available for review and is included as part of the Kinder Morgan Procedure.

Based on the information provided above, Kinder Morgan believes that their current O&M Procedures already address the regulatory requirements noted in the Notice of Amendment, Kinder Morgan is contesting this Notice and requests that it be rescinded. If any further

documentation or clarification is needed regarding this response, please feel free to contact Reji George at 713-420-5433.

Sincerely,  
  
Jorge Torres  
Vice President of Engineering

Cc: Dwayne Burton  
Reji George  
Gary Buchler

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**1. Applicability**

- Gathering
- Processing
- Transmission/Regulated Onshore Gathering

**2. Scope**

This procedure provides guidelines for developing an Emergency Response Manual and Incident Command System (ICS) to manage the emergency and return operations to normal. The Emergency Response Manual gives specific instruction about responding to events on or near a facility and provides for communications with employees, government agencies and the public to minimize any hazard resulting from a facility emergency.

**3. Core Information and Requirements**

Every Company gathering, processing and transmission area/facility must have a current Emergency Response Manual that contains procedures specific to that area/facility.

Emergencies are usually reported to Gas Control by a private citizen, a public emergency response officer or a field employee.

When informed of an emergency by a private citizen, Gas Control personnel will obtain as much detail as possible and call a designated field employee to investigate the status. Employees on being notified by Gas Control will respond to the emergency immediately.

When design or operational limits have been exceeded but the occurrence does not meet the level of an emergency situation, it shall be referred to as an Abnormal Operation. Refer to **O&M Procedure 1902 – Abnormal Operation**.

When Company facilities are involved in an emergency, Company personnel shall take the appropriate action to safeguard human life first and then protect Company and private property and maintain or restore operations, if possible.

Field personnel shall immediately communicate information about the emergency to a supervisor, who will promptly call the appropriate Gas Control Center. In the event the supervisor cannot be reached immediately, field personnel will contact the appropriate Gas Control Center. Gas Control will initiate the appropriate notification system following the ERL or ERL+ process (refer to **O&M Procedure 159 – Emergency Reporting and Investigation**).

### **3.1. Incident Command System**

The ICS is an organized, coordinated management system established to respond to an emergency and is typically comprised of personnel assigned to perform the functions listed below (titles may vary). These functions depend on available personnel, facility size and emergency event level:

- The Incident Commander will designate a qualified individual (example: EHS or Operations personnel) to ensure site, public and employee safety; establish the site safety plan; coordinate environmental response; maintain contact with the area/region EHS Project Manager and other EHS personnel as required; maintain contact with local, state and federal emergency response organizations or other agencies as necessary
- The On-Site Coordinator handles on-site activities
- The Logistics/Planning Coordinator obtains necessary response equipment, materials, contractors, other company personnel, etc.
- Financial/Administration arranges for humanitarian assistance, lodging, meals, etc. and manages purchase orders, contacts, etc.

### **3.2. Roles and Procedural Duties**

#### **3.2.1. Incident Commander**

The Incident Commander is responsible for managing the emergency response and will coordinate these activities:

- Establishing a command post, assembling the ICS team and assigning team member responsibilities
- Assessing priorities: safety first, stabilization second
- Accounting for locations of all personnel who were in the area/facility at the beginning of the emergency
- Implementing the site-specific Emergency Response Plan (ERP)
- Providing on-site supervision of response activities
- Assessing and deploying needed resources and coordinating activities
- Serving as or providing for an emergency event safety officer to be responsible for preventing injuries and/or death
- Maintaining communications with the Regional Director, Gas Control, Crisis Management Team (CMT) and EHS throughout the response
- Coordinating activities of and responding to outside agencies, the CMT (represented by the Emergency Response Coordinator) and the Accident Investigation Team
- Coordinating response to initial contacts with local press and governmental agencies
- Returning the facility to normal service
- Completing all reports associated with the emergency
- Ensuring an investigation is conducted to determine the event's root cause and to develop corrective actions to prevent recurrence
- Coordinating the emergency response critique with the post-investigation team

#### **3.2.2. Employee Detecting or Receiving Emergency Notification**

The first employee detecting or notified of an emergency is responsible for:

- Actuating an Emergency Shutdown (ESD) if warranted (some emergencies don't require ESD)
- Notifying emergency personnel
- Notifying the person in charge or Gas Control, depending upon the site-specific ERP requirements
- Initiating the site-specific ERP
- Initiating defensive measures to control the emergency if these measures can be taken safely and only if the employee has been trained in emergency response, including the Incident Command System or has completed eight-hour Hazardous Waste Operations and Emergency Response (Hazwoper) operations level training

- If the first employee has not completed emergency response training, including the training listed above, he/she shall not initiate defensive measures but shall complete notification procedures
- Reporting all emergencies described in **O&M Procedure 159 – Emergency Reporting and Investigation** to a supervisor or, if the supervisor cannot be reached immediately, Gas Control

### 3.2.3. Person in Charge

The person in charge is any employee with operational responsibility (a supervisor, crew leader operations coordinator, foreman, manager, engineer, etc.) who has received training in the ICS, emergency response or local training per the site-specific ERP. The person in charge must:

- Have access to this procedure and the site-specific ERP
- Immediately initiate the site-specific ERP and notify the Supervisor or Gas Control
- Gather information on the emergency
- Implement actions to stabilize the situation, coordinate and document all telephone calls, conversations, pressures, etc. pertinent to the emergency until relieved of the responsibility by a higher level of management

### 3.2.4. Area/Facility Manager

The Area/Facility Manager can be the Incident Commander in the action plans for the three types of emergencies or can delegate the responsibility to another trained individual.

### 3.2.5. Area/Facility Personnel

Area/facility personnel are responsible for providing initial response and containing the emergency. They shall:

- Take appropriate actions to ensure public, employee, equipment and environmental safety
- Have completed emergency response training, including the ICS
- If expected to respond offensively (e.g., to stop a hazardous materials release or perform as an incident commander), a minimum 24-hour Hazwoper incident command and technician level training course must also be completed.

### 3.2.6. Emergency Response Coordinator

In the event of a major emergency, the CMT may send an Emergency Response Coordinator to the site to provide on-site field CMT representation. The Emergency Response Coordinator will work in conjunction with the Accident Investigation Team, which will handle the investigation and with the on-site Incident Commander, who will resolve operating problems and return the facility to service. (Refer to the **Crisis Support Plan** for details on corporate response.)

## 3.3. Emergency Response Manual

### 3.3.1. Emergency Response Procedures

The Emergency Response Manual shall contain procedures for responding to, investigating and correcting the cause of the following types of emergencies:

- Natural disasters and severe weather conditions including:
  - Floods
  - Damaging storms (hurricanes, tornadoes, etc.)
  - Earthquakes
  - Weather extremes (cold, blizzards, heat)
  - Lightning and wildfires
- Disruption to normal operations:
  - Non-permitted environmental/chemical releases from stationary or mobile sources

- Major accidents involving Company vehicles or contractor-owned equipment
- Bomb threats
- Gas detected inside or near a building
- Threats against employees or Company facilities
- Fatalities or multiple hospitalizations involving employees or the public
- Disturbances on Company property
- Damage to Company property that interferes with performing Company business
- Service disruption to customers (scheduled and unscheduled)
- Catastrophic failure and damage
  - Fire located near or directly involving a pipeline facility
  - Explosion occurring near or directly involving a pipeline facility
  - Major environmental release
  - Significant destruction of facilities

### 3.3.2. Emergency Response Plan (ERP)

Area/facility personnel will develop a site-specific ERP using O&M Forms OM1900-01 through OM1900-17 as guidelines, as well as other documents. The information required in the ERP is listed in the Section 5 – Documentation. In addition, the ERP should cover all types of emergencies listed in Subsection 3.3 – Emergency Response Manual as well as all the details listed below. The EHS Project Manager can assist in developing the plan.

The ERP will include details to:

- Make the area safe (people first, then property)
- Isolate the area/facility
- Notify the public
- Coordinate/perform post-accident drug/alcohol testing
- Provide facility plot plan or pipeline map indicating ESDs, evacuation routes, first aid stations, eye washes/showers, fire extinguishing equipment and meeting locations
- Establish procedures for employees who remain to maintain critical operations until they evacuate
- Establish emergency escape procedures and routes
- Identify medical and rescue responsibilities for trained employees
- Establish methods for reporting fires and other emergencies
- Provide primary and alternate meeting locations for employees and contractors after evacuation
- Describe emergency alarms
- Obtain labor, materials and equipment
- Identify emergency shutdowns and pressure reduction procedures for affected pipeline segments
- Handle hazardous substances
- Establish and maintain communication with producers, customers, railroads and other concerned parties
- Establish an off-site media center
- Return the facility to service
- If applicable, notify customers before returning them to service.

### 3.4. Determining Reporting Levels and/or Criteria

Refer to O&M Procedure 159 – Emergency Reporting and Investigation for reporting level definitions. Refer to O&M Procedure 1201 – Environmental Release Response for environmental releases, federal and state reporting criteria and contact numbers.

### 3.5. Liaison with Public Officials

Establish and maintain liaison with appropriate emergency responders. Refer to O&M Procedure 232 – Damage Prevention and Public Awareness for details.

### 3.6. Media Response

A designated spokesperson (who receives periodic media training) at the site will handle initial communications with the public and the media. The designated spokesperson may give the media at the scene a brief outline of the known facts; subsequent responses will be coordinated through the CMT.

In addition, only the designated supervisory person (usually the Field Director or Operations Manager) who has had media training shall speak to the media or the public about the emergency. When reporters arrive, the designated supervisory person should check credentials to confirm they are reporters, assign someone to escort them to the site and keep them within safe areas.

As soon as possible, the External Communications staff will draft a statement and work with the CMT to draft a more complete statement. As the crisis evolves, the designated spokesperson or another designee will handle subsequent on-site media briefings. See additional suggestions for handling media questions in the Media Handbook and Emergency Contact Card, available through External Communications.

### 3.7. Off-Site Media Center

Each ERP shall list potential locations appropriate for a media room (such as local hotels with public meeting rooms) and sources for fax machines, phone service and audio-visual equipment. Each area/facility should develop security procedures to allow only media personnel with appropriate credentials into the off-site Media Center.

### 3.8. Humanitarian Assistance

The Incident Commander is authorized to provide immediate short-term services to respond to the needs of persons affected by the emergency (i.e., housing, meals, clothing and local transportation). Each field location will include in its site-specific plan a list of local relief and support agencies with addresses, telephone numbers and contact personnel for emergency health and welfare services.

### 3.9. Post-Emergency Investigation and Critique

Emergencies will be investigated per O&M Procedure 159 – Emergency Reporting and Investigation.

The post-emergency investigation will determine the emergency's root cause and recommend any needed changes to prevent recurrence.

The critique will assess emergency response effectiveness, the ICS and the action plan to determine whether the ERP needs to be improved.

### 3.10. Emergency Response Manual Reviews/Drills

Area/facility managers will schedule annual area/facility training reviews and/or drills to determine effectiveness of the site-specific Emergency Response Manual. Reviews and drills will be defined in the site-specific ERP.

Document reviews (refer to I-1711.01 – Emergency Response Manual Review) and drills and keep on file for three years.

### 3.11. Returning Facility to Service

Establish procedures to return equipment or facility to normal operations following an emergency.

#### 3.11.1. Person in Charge of Equipment/Facility Repair

When the emergency ends or as soon as practical, determine and notify the Region Director and Gas Control of the following:

- The extent of damage
- An estimate of time required to repair the equipment/ facility

### 3.11.2. Person in Charge of Facility

Call personnel and have them report to duty when they are needed to:

- Locate pertinent material available from stock or suppliers
- Arrange for contract equipment and personnel
- Prepare plans for returning the facility to service
- Assist in any other activities involving the emergency
- Organize and dispatch work crews and contract equipment to the facility as needed
- Restore facility to service as soon as repairs can be made safely and in conformance with established procedure
- Evaluate the failure cause and provide a written plan to prevent a reoccurrence of the emergency

For facilities covered by 29 CFR 1910.119 (PSM) and/or 40 CFR 68.112 (r) (RMP):

- Prepare Pre Start-Up Safety Review per the requirements of **O&M Procedure 156 – Pre-Startup Safety Reviews**
- Perform Process Hazard Analysis and Management of Change per the requirements of **O&M Procedure 155 – Management of Change** and **O&M Procedure 157 – Process Hazard Analysis**
- Modify the RMP, if applicable

### 3.11.3. Region Director

The Region Director will ensure that contact is established between the Company and representatives of customer companies and will:

- Notify customer companies of any emergency that might affect delivery to them
- Keep affected customer companies informed
- Notify customer companies and suppliers when delivery will be curtailed or interrupted
- Notify customers if reduced delivery will continue
- Notify customer companies and suppliers when repair is completed and the Company is ready to restore service
- Restore service in conformance with customers' and suppliers' contract information files after Vice President of Operations approval

## 4. Training

Area/facility management will ensure that the ERP is reviewed annually with each employee to verify emergency training is effective per the Company's Training Matrix. New employee orientation shall include training on the ERP.

Document the individual employee review and training verification. A recommended verification method is to conduct discussions of employees' emergency response to scenarios specific to each area/facility.

Every employee identified in the ERP shall be current on emergency response training, including the ICS or appropriate level of Hazwoper training.

At a minimum, training shall include the following:

- Understanding offensive and defensive roles in various emergency response scenarios and any specific roles for which trainees may be responsible
- Using Company communication systems and alternate communication methods in case the microwave system is disabled
- Organizing and actively taking part in an incident command system
- Locating isolation valves
- Responding to specific failures
- Responding to media questions
- Interacting with public officials

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- Where to meet in the event roads to the station are impassable and/or communications are unavailable
- Appropriate control, containment and clean-up procedures
- How to operate the facility without supervisory tools (computer)

**5. Documentation**

The Area/Facility Emergency Response Manual should consist of the following completed Forms and site-specific written procedures:

- O&M Form OM1900-01 – Information Contacts and Verification of Plan
- O&M Form OM1900-02 – Facility Personnel Responsibilities
- O&M Form OM1900-03 – Primary Notification Contacts
- O&M Form OM1900-04 – Emergency Contacts
- O&M Form OM1900-05 – Chronological Record of Emergency: First Facts
- O&M Form OM1900-06 – Emergency Shutdown Device Locations
- O&M Form OM1900-07 – Facility Isolation
- O&M Form OM1900-08 – Cathodic Protection
- O&M Form OM1900-09 – Bomb Threat Checklist
- O&M Form OM1900-10 – On Site Emergency Response Equipment
- O&M Form OM1900-11 – Contractors and Available Equipment
- O&M Form OM1900-12 – Off-Site Media Center
- O&M Form OM1900-13 – Emergency Drill
- O&M Form OM1900-14 – Emergency Response Site Health and Safety Plan
- O&M Form OM1900-15 – Procedure for Critical Operations before Evacuation
- O&M Form OM1900-16 – Emergency Escape Procedures
- O&M Form OM1900-17 – Fire Prevention Plan (See O&M Procedure 111 – Fire Prevention, Attachment 1 for required plan elements and sample plan.)
- SPCC Plan (Insert SPCC Plan or describe location of plan)
- Plot Plan and/or Pipeline Map (Identify locations of ESD, evacuation routes, fire extinguishing equipment, assembly after evacuation, first aid stations, fire blankets, eyewash stations, showers, fences, personnel gates, assembly areas, H<sub>2</sub>S monitor lights, alarm horn or light, SCBA units)

The person in charge shall ensure that all calls, conversations, pressures, etc. pertinent to any emergency are documented per this procedure.

**6. References**

- 49 CFR Part 192.605
- 49 CFR Part 192.615
- O&M Procedure 155 – Management of Change
- O&M Procedure 156 – Pre-Startup Safety Reviews
- O&M Procedure 157 – Process Hazard Analysis
- O&M Procedure 159 – Emergency Reporting and Investigation
- O&M Procedure 232 – Damage Prevention and Public Awareness
- O&M Procedure 1050 – Abnormal Pressures at Meter Stations – Emergency Response
- O&M Procedure 1700 – Inspection & Maintenance, I-0260.00, I-1711.00, I-1711.01
- O&M Procedure 1902 – Abnormal Operation
- O&M Form OM1900-01 – Information Contacts and Verification of Plan
- O&M Form OM1900-02 – Facility Personnel Responsibilities
- O&M Form OM1900-03 – Primary Notification Contacts
- O&M Form OM1900-04 – Emergency Contacts
- O&M Form OM1900-05 – Chronological Record of Emergency: First Facts
- O&M Form OM1900-06 – Emergency Shutdown Device Locations
- O&M Form OM1900-07 – Facility Isolation
- O&M Form OM1900-08 – Cathodic Protection

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- O&M Form OM1900-09 – Bomb Threat Checklist
- O&M Form OM1900-10 – On Site Emergency Response Equipment
- O&M Form OM1900-11 – Contractors and Available Equipment
- O&M Form OM1900-12 – Off-Site Media Center
- O&M Form OM1900-13 – Emergency Drill
- O&M Form OM1900-14 – Emergency Response Site Health and Safety Plan
- O&M Form OM1900-15 – Procedure for Critical Operations before Evacuation
- O&M Form OM1900-16 – Emergency Escape Procedures
- O&M Form OM1900-17 – Fire Prevention Plan (See O&M Procedure 111 – Fire Prevention, Attachment 1 for required plan elements and sample plan.)
- Crisis Support Plan
- EHS Emergency Response and Reporting Manual
- Site-Specific SPCC Plan
- Site-Specific Fire Prevention Plan
- Anti-Drug/Alcohol Policies