

August 6, 2015

Received 08/07/2015

CN

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

**RE: Spectra Energy Partners, LP Response
Notice of Amendment
CPF 1-2015-1015M**

Dear Mr. Coy,

On May 22 and 23, 2014, a representative of the Pipeline and Hazardous Materials Safety Administration (“PHMSA”) conducted an inspection into an incident that occurred on the Texas Eastern Transmission, LP, a unit of Spectra Energy Partners (“SEP”)¹, 30-inch diameter natural gas transmission pipeline known as Line 10. The incident occurred near Carmichael, Pennsylvania, on May 16, 2014 at 11:15 a.m., and it resulted in property damage of \$186,437.

On the basis of this inspection, PHMSA issued the above referenced Notice of Amendment (“NOA”) relating to an alleged inadequacy found in Spectra Energy plans or procedures on July 8, 2014. The following is a brief summary of PHMSA’s findings and SEP’s response.

- 1. Spectra Energy’s written *Anti-Drug and Alcohol Misuse Prevention Plan, Section VI. Alcohol Misuse Prevention Program*, was inadequate because it did not address all the requirements in §199.225(a)(2)(i), as prescribed in §199.202. Specifically, *Section VI. Alcohol Misuse Prevention Program* did not contain the requirement to prepare and maintain a record that states the reason why a post-accident alcohol test was not administered within 8 hours following an accident². Consequently, *Section VI. Alcohol Misuse Prevention Program* did not have guidelines on who must prepare this record and within what time frame must this record be prepared. Also, *Section VI. Alcohol Misuse Prevention Program* did not reference a form where the reasons must be recorded.**

¹ On November 1, 2013, Spectra Energy Corp (“Spectra Energy”) completed the drop-down of substantially all of SET’s remaining U.S. transmission, storage and liquids assets, including Texas Eastern Transmission, LP, (“TETLP”) to Spectra Energy Partners, LP (“SEP”), a master limited partnership. A wholly owned subsidiary of Spectra Energy, is the general partner of SEP.

² According to §199.225(a)(2)(i), an operator shall prepare and maintain on file a record stating the reasons the post-accident alcohol test was not promptly administered within two hour following the accident (§195.50) or incident (§191.3). If a post-accident alcohol test is not administered within eight hours following the accident (§195.50) or incident (§191.3), the operator shall cease attempts to administer an alcohol test and shall state in the records the reasons for not administering the test.

SEP acknowledges that *Section VI. Alcohol Misuse Prevention Program* of the *Anti-Drug and Alcohol Misuse Prevention Plan* (the Plan) does not provide clarity on who is responsible to prepare and maintain a record that states the reason why a post-accident test was not administered within 8 hours following an accident. SEP has a specific procedure, "*Post Accident Drug/Alcohol Testing Procedure*", for post-accident activities requirements in the event of an accident. This procedure is intended to guide supervisors on their obligations related to alcohol/drug testing in the event of an incident. The procedure indicates that "*If after **eight (8) hours** an alcohol test has still not been conducted, then all attempts are discontinued and again the reason why the test was not obtained is recorded in writing by the supervisor (or other designated Company official)*".

SEP will amend the Plan's *Section VI. Alcohol Misuse Prevention Program* to include responsibility for completing, within 48 hours of the incident, the Pipeline Consortium Form "*Post-Accident or Reasonable Cause/Suspicion Supervisor Written Record*", with the reason why the test was not conducted in accordance with the *Post Accident Drug/Alcohol Testing Procedure*. *Section VI of the Alcohol Misuse Prevention Program* shall also be revised to include functional responsibility for assuring this documentation is completed.

While the *Post Accident Drug/Alcohol Testing Procedure* contained the requirement of §199.225(a)(2)(i), SEP does recognize that §199.225(a)(2)(i) specifies these requirements to be contained within the *Alcohol Misuse Prevention Program*. Thus SEP will not contest this NOA.

Section VI. Alcohol Misuse Prevention Program of the Plan will be amended as needed to address the issues noted in this NOA. The amended *Alcohol Misuse Prevention Program* will be transmitted to PHMSA Eastern Region within 60 days of receipt of the NOA, as required.

Please call me at (713) 627-6388 if you need additional information.

Sincerely,



Rick Kivela
Director, Operational Compliance