

## WARNING LETTER

### OVERNIGHT EXPRESS DELIVERY

May 4, 2017

Mr. Graham Bacon  
Group SVP, Operations & EHS&T  
Enterprise Products Operating, LLC  
1100 Louisiana Street  
Houston, TX 77002

**CPF 1-2017-5020W**

Dear Mr. Bacon:

On March 21, 2016 – December 2, 2016, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Enterprise Products Operating, LLC (Enterprise) procedures, records and pipeline facilities in Houston, Texas; Greensburg, Pennsylvania; Dubois, Pennsylvania; Lebanon, Ohio; Morgantown, Pennsylvania; Sorrento, Louisiana; Monee, Illinois; Seymour, Indiana; and Little Rock, Arkansas.

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

**1. §195.402(a) Procedural manual for operations, maintenance, and emergencies**

**(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Enterprise failed to follow its manual of written procedures for its emergency procedures, in accordance with § 195.403(a).

During the inspection of PHMSA unit 3051-Greensburg, in Greensburg, Pennsylvania; the PHMSA inspector reviewed Enterprise procedure – O&M manual – Section 905 – Emergency Procedures. The procedure states, “A review with personnel is conducted at least once each calendar year not to exceed 15 months, on their performance in meeting the objectives of the emergency response training program.”

The PHMSA inspector asked for 2016 Greensburg technicians record reviews and Enterprise provided, “Greensburg OPS and Techs 2016 TF905.” The records showed a box was not checked indicating one employee had attended, received and understands the Emergency Response training on: “Carrying out the emergency procedures established under 195.402 that relate to their assignments.” The employee and supervisor both signed off on 2/23/16 certifying that, “...Each individual has successfully completed the above requirements.”

These requirements, however, were not met as not all information was filled out on the relevant record. Thus, Enterprise failed to follow its manual of written Emergency Procedures as required by §195.402(a).

## **2. §195.402(a) Procedural manual for operations, maintenance, and emergencies**

**Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Enterprise failed to follow its manual of written procedures regarding its Safe Work Permits.

During the inspection of PHMSA inspection unit 3051-Greensburg, in Greensburg, Pennsylvania; Enterprise reviewed with the PHMSA inspector the procedure form, “Safe Work Permit” prior to conducting field operations during the field inspections. The form states, “Mandatory minimum PPE: Hard hat, FRC, safety glasses and safety-toed footwear.” These forms were signed and approved by Enterprise Safety Specialist, Operations Managers and technicians. During each portion of the field inspection, several Enterprise personnel did not have adequate minimum PPE, per the Enterprise Safe Work Permit. Enterprise personnel did not have appropriate safety glasses during the field operations inspections.

The PHMSA inspector asked Enterprise about the mandatory minimum PPE requirements. Enterprise responded, “All Enterprise personnel have company approved, and ANSI Z87.1 standard safety glasses.” Enterprise personnel safety glasses, however, did not show an ANSI Z87.1 label, nor were these glasses considered safety glasses. Subsequently, multiple Enterprise personnel replaced their existing glasses with new safety glasses. One Enterprise personnel continued to wear non-approved brand sunglasses while conducting field inspections. Thus, Enterprise personnel failed to meet the minimum requirements as stated on the Enterprise Safe Work Permit form.

3. **§195.402(a) Procedural manual for operations, maintenance, and emergencies**

**Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Enterprise failed to follow its O&M Manual Section 905 procedures, Emergency Response Training. The emergency response records were inadequate as the records failed to follow Enterprise procedure, per the requirements of §195.402(a).

During the inspection of PHMSA inspection unit 2464-Lou Tex in Sorrento, Louisiana; the PHMSA inspector reviewed 2013 to 2015 emergency response training records.

Enterprise O&M Manual Section 905 – Emergency Procedures, dated 11/10/11 states (Procedure), “The review is documented on form 905A and 905B and retained by Local Area Operations... Each Pipeline Supervisor reviews the procedures they are responsible for under the company Emergency Response Plan(s). The appropriate Pipeline Supervisors, as well as, appropriate field personnel receive emergency response training applicable to their responsibilities.”

“DOT 195.403 Pipeline Emergency Response Training (Employee/Supervisor Signoff)” form, dated 5/21/15 was inadequate, as the record was not completed per Enterprise’s Procedure.

The form did not include the following:

1. Employee Signature and date
2. Manager/Supervisor Signature and date

Therefore, Enterprise failed to follow its procedure per the requirements of §195.402(a).

4. **§195.402(a) Procedural manual for operations, maintenance, and emergencies**

**(a)Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Enterprise’s failed to follow its Emergency Response Training procedures. Specifically, Enterprise failed to document its Pipeline Emergency Response Supervisor Training on the proper form, per §195.403(c).

During the inspection of PHMSA inspection unit 3051-Greensburg in Greensburg, Pennsylvania; the PHMSA inspector reviewed Emergency Procedures – Emergency Response Training

Section 905, dated 04/10/15 (Procedure) and 2016 Pipeline Emergency Response Training Records Forms 905A and 905B (Records).

The Procedure states, “This review is documented on Form 905A and retained by Local Area Operations.” The PHMSA inspector requested emergency response training records for emergency responders and supervisors. Enterprise provided, emergency response personnel training records on Form 905A and supervisor training records on Form 905B. Form 905B however, is not incorporated in or mentioned on Enterprise’s Emergency Procedures.

The PHMSA inspector asked Enterprise which is the form should be used to document pipeline emergency response supervisor training. Enterprise responded, “Form 905A is the new form that is used and 905B has been removed from the procedure.”

Enterprise failed to follow procedures by documenting its supervisor training review on wrong form.

#### **5. §195.420(c) Valve Maintenance**

**(c) Each operator shall provide protection for each valve from unauthorized operation and from vandalism.**

Enterprise failed to provide protection for each valve from unauthorized operation and from vandalism, as per § 195.420(c). At the time of the inspection of PHMSA inspection unit 3051-Greensburg in Greensburg, Pennsylvania; valves located at the following locations were not protected from vandalism:

1. Blairsville pump station, PA - “milepost 83.270 – Blairsville Station – A3 pipeline”  
Lat. 40.43331099677871, Long. -79.21497509822176
2. Blairsville pump station, PA - “milepost 83.290 – Blairsville Station – A3 pipeline”  
Lat. 40.43331099677871, Long. -79.21497509822176
3. Rochester Mills pump station, PA – “milepost 48.511 – Rochester Mills – P40 pipeline”  
Lat. 40.78677627261801, Long. -79.00503549732174

Each valve was within an enclosed and locked fence, however, the fencing by each gate has a large space gap between the ground and the bottom of the fencing, which can easily allow access by unauthorized individuals. Thus, Enterprise failed to provide protection for each valve from vandalism as required per 195.420(c).

#### **6. §195.436 Security of Facilities**

**Each operator shall provide protection for each pumping station and breakout tank area and other exposed facility (such as scraper traps) from vandalism and unauthorized entry.**

Enterprise failed to provide protection for each pumping station and breakout tank area and other exposed facility (such as scraper traps) from vandalism and unauthorized entry, as per §195.436.

During the inspection of PHMSA unit 3051-Greensburg in Greensburg, Pennsylvania; the PHMSA inspector visited the pump station in Rochester Mills, PA (Milepost 48.511 – P40 pipeline Lat. 40.78677627261801, Long. -79.00503549732174). There were several locations within the

facility that were not protected from vandalism and unauthorized entry. The fencing which enclosed the facility had large gaps between the ground and the bottom of the fencing in several locations which can allow access from unauthorized individuals and safety concerns. Thus, Enterprise failed to provide protection for each pumping station from vandalism and unauthorized entry, as required per 195.436.

#### **7. §195.583 Monitoring Atmospheric Corrosion Control**

**(b) During inspections you must give particular attention to pipe at soil-to-air interfaces, under thermal insulation, under disbonded coatings, at pipe supports, in splash zones, at deck penetrations, and in spans over water**

Enterprise failed to give particular attention to pipe at soil-to-air interfaces, as per §195.583(b).

During the inspection of PHMSA inspection unit 12232-AR1 in Little Rock, Arkansas; the PHMSA inspector observed approximately 40 feet of aboveground pipe that was partially covered by rock approximately 3 inches below ground, at the North Little Rock, Arkansas delivery station. The PHMSA inspector asked Enterprise how they conducted an atmospheric inspection of the underside of the pipe and flanges. The Enterprise CP technician stated, "Only the aboveground segments are inspected for atmospheric corrosion due to the pipe coating."

Enterprise failed to give particular attention to pipe at soil-to-air interfaces, per the requirement §195.583(b).

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$205,638 per violation per day the violation persists up to a maximum of \$2,056,380 for a related series of violations. For violation occurring between January 4, 2012 to August 1, 2016, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$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 items 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, please submit all correspondence in this matter to Robert Burrough, Acting Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please refer to **CPF 1-2017-5020W** on each document you submit, and whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to [robert.burrough@dot.gov](mailto:robert.burrough@dot.gov). Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office.

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).

Additionally, if you choose to respond to this (or any other case), please ensure that any response letter pertains solely to one CPF case number.

Sincerely,

Robert Burrough  
Acting Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration