



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

233 Peachtree Street Ste. 600
Atlanta, GA 30303

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 22, 2010

Mr. J. M. Collingsworth
President
Dixie Pipeline Company
1100 Louisiana Street
Houston, Texas 77002-5227

CPF 2-2010-5003M

Dear Mr. Collingsworth:

On October 14-16 & 19-22, and November 9-10, 12-13 & 16-19, 2009, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Dixie Pipeline Company's procedures in Milner, Georgia; Petal, Mississippi; and Lexington, South Carolina.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Dixie Pipeline Company's (Dixie) plans or procedures, as described below:

1. **§195.402 Procedural manual for operations, maintenance, and emergencies.**
 - (e) **Emergencies.** The manual required by paragraph (a) of this section must include procedures for the following to provide safety when an emergency condition occurs;
 - (8) **In the case of failure of a pipeline system transporting a highly volatile liquid, use of appropriate instruments to assess the extent and coverage of the vapor cloud and determine the hazardous areas.**

The procedures Dixie uses to assess the extent and coverage of a vapor cloud and determine the hazardous areas are inadequate.

Dixie uses the Enterprise EMERGENCY RESPONSE PLAN (ERP) which was reviewed at Dixie's Lexington County, South Carolina facility. In Section 6.4 *Large Product Release of*

Spill, the ERP procedure addresses determination of the wind direction, establishment of Control Zones using monitoring devices, restricting access according to established Control Zones, and not entering vapor clouds or any other immediately dangerous area. The ERP procedures do not provide guidance on the initial determination of the possible extent of the vapor cloud so that monitoring to determine the actual vapor cloud coverage will be commenced outside the vapor cloud. Dixie transports propane, a heavier than air, highly volatile liquid that would remain at ground level following a release and whose vapor cloud coverage and hazardous areas would be affected by the wind and terrain. The plan does not address how factors such as: time since release, volume released, wind direction, wind speed, and terrain will be considered to determine where the vapor cloud coverage and hazardous areas could be so that monitoring with instruments can begin safely outside of them.

2. §195.403 Emergency response training.

(b) At intervals not exceeding 15 months, but at least once each calendar year, each operator shall:

(1) Review with personnel their performance in meeting the objectives of the emergency response training program set forth in paragraph (a) of this section;

Dixie Pipeline uses the Enterprise PROCEDURES MANUAL FOR PIPELINE OPERATIONS, MAINTENANCE, AND EMERGENCIES, the Training Procedure (Section 5.18) does not address the requirement to annually (not to exceed 15 months) review with personnel their performance in meeting the objectives of the emergency training program

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 45 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

In correspondence concerning this matter, please refer to **CPF 2-2010-5003M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

for 

Linda Daugherty
Director, Southern Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*