

JAN 31 2011

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

Re: CPF No. 2-2010-5003M

Dear Mr. Collingsworth:

Enclosed please find the Order Directing Amendment issued in the above-referenced case. It makes findings of inadequate procedures and requires that Dixie Pipeline Company amend certain of its operations, maintenance and emergencies procedures. When the terms of the Order are completed, as determined by the Director, Southern Region, this enforcement action will be closed. Service of the Final Order by certified mail is deemed effective upon the date of mailing, or as otherwise provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Enclosure

cc: Mr. Wayne T. Lemoi, Director, Southern Region, PHMSA

CERTIFIED MAIL - RETURN RECEIPT REQUESTED [7005 1160 0001 0041 3535]

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

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In the Matter of)	
)	
DIXIE PIPELINE COMPANY,)	CPF No. 2 -2010-5003M
)	
Respondent.)	
)	

ORDER DIRECTING AMENDMENT

On October 14-16, October 19-22, and November 9-10, 12-13 and 16-19, 2009, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of Dixie Pipeline Company’s (Dixie or Respondent) procedures in Milner, Georgia; Petal, Mississippi; and Lexington, South Carolina. Dixie is a subsidiary of Enterprise Products Operating, LLC. Dixie operates approximately 1,300 miles of pipeline transporting propane to customers in the southeastern United States.

As a result of the inspection, the Director, Southern Region, OPS (Director), issued to Respondent, by letter dated March 22, 2010, a Notice of Amendment (Notice). The Notice alleged inadequacies in Dixie’s Operations, Maintenance and Emergencies Manual and proposed, in accordance with 49 C.F.R. § 190.237, that Respondent amend its Emergency Response Plan (ERP) procedures to comply with the provisions of 49 C.F.R. § 195.402.

Dixie responded to the Notice by letter dated May 3, 2010 (Response). Respondent adequately described the steps that it would take to correct the inadequacies outlined in Item 2 of the Notice. However, Dixie’s response still failed to address all of the inadequacies in Item 1 of the Notice. The Director responded to Dixie by letter dated July 13, 2010 to request that Respondent resubmit adequate procedures to comply with Item 1 of the Notice. Dixie responded by letter dated October 6, 2010. Dixie requested and was granted an extension of time until November 15, 2010 to resubmit its amended procedures.

Respondent resubmitted its amended procedures for Item 1 of the Notice on November 10, 2010. Dixie’s modified procedures still failed to address all of the inadequacies described in the Notice. In its Responses, the company did not contest the allegations that its procedures were inadequate. Accordingly, based on a review of all the evidence, I find that Respondent has corrected the identified inadequacies in Item 2 of the Notice. However, I find that Respondent’s procedures in response to Item 1 of the Notice are inadequate as described below:

- Dixie modified Section 3.5.3.4 of its ERP to include a provision for the use of air modeling. Although Dixie included the possible use of an air modeling program, it placed this responsibility on the local emergency response agency or a Hazmat contractor.
- Dixie’s modified procedures also included a drawing (Drawing 1) showing an “IMMEDIATE PRECAUTIONARY AREA - ISOLATE ZONE BASED ON DOT ERG” and an “INITIAL DOWNWIND EVACUATION/HAZARD AREA,” which is an illustration representing the isolation and evacuation areas to consider. While it refers to the DOT ERG, the procedure did not provide guidance on using the drawing, such as the width of the area downwind to be evacuated.
- Dixie included the DOT ERG as a resource in its modified procedures for use during the “initial response phase.” While the value of the DOT ERG is acknowledged, it is not a replacement or supplement for a pipeline operator's emergency response procedures.

Accordingly, I find that Respondent’s procedures are inadequate to assure safe operation of its pipeline system. Pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237, Dixie is ordered to make the following changes to its procedures. Respondent must:

1. Amend its written procedures to address how Dixie will determine the initial extent and location of a vapor cloud formed during a release from its pipeline so that Dixie can begin air monitoring from a safe area.
2. Amend its procedures to address the identification of factors that would affect the vapor cloud, as well as guidance on how the factors will be considered in making vapor cloud determinations.
3. Amend its procedures to include the use of vapor dispersion modeling software, formulas, or techniques with appropriate factors to determine the vapor cloud and safe areas from which monitoring can begin.
4. Submit the amended procedures to the Director within 30 days following receipt of this Order.

The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension.

The terms and conditions of this Order Directing Amendment are effective upon receipt.

Failure to comply with this Order may result in administrative assessment of civil penalties not to exceed \$100,000 for each violation for each day the violation continues or in referral to the Attorney General for appropriate relief in a district court of the United States.

Under 49 C.F.R. § 190.215, Respondent has a right to submit a Petition for Reconsideration of this Final Order. The petition must be sent to: Associate Administrator, Office of Pipeline Safety, PHMSA, 1200 New Jersey Avenue, SE, East Building, 2nd Floor, Washington, DC 20590, with a copy sent to the Office of Chief Counsel, PHMSA, at the same address. PHMSA will accept petitions received no later than 20 days after receipt of service of this Final Order by the Respondent, provided they contain a brief statement of the issue(s) and meet all other requirements of 49 C.F.R. § 190.215. Unless the Associate Administrator, upon request, grants a stay, the terms and conditions of this Final Order are effective upon service in accordance with 49 C.F.R. § 190.5.

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Date Issued