



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

233 Peachtree Street Ste. 600  
Atlanta, GA 30303

**NOTICE OF PROBABLE VIOLATION  
and  
PROPOSED CIVIL PENALTY**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

February 16, 2011

Mr. Ron McClain  
Vice President - Operations & Engineering  
Kinder Morgan Energy Partners, L.P.  
500 Dallas Street, Suite 1000  
Houston, TX 77002

**CPF 2-2011-5002**

Dear Mr. McClain:

On June 14-18, June 28 - July 2, July 12-15, and July 27-30, 2010, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) inspected the Kinder Morgan Energy Partners, L.P. (KMEP) integrity management program (IMP) in Houston, TX, Orange, CA, Alpharetta, GA, and Iowa City, IA pursuant to Chapter 601 of 49 United States Code

As a result of the inspection, it appears that KMEP has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

1. **§195.452 Pipeline integrity management in high consequence areas.**  
.... (f) *What are the elements of an integrity management program? An integrity management program begins with the initial framework. An operator must continually change the program to reflect operating experience, conclusions drawn from results of the integrity assessments, and other maintenance and surveillance data, and evaluation of consequences of a failure on the high consequence area. An operator must include, at minimum, each of the following elements in its written integrity management program:*  
.... (4) **Criteria for remedial actions to address integrity issues raised by the assessment methods and information analysis (see paragraph (h) of this section);**