



January 8, 2018

Via Federal Express

Mr. James A. Urisko  
Director, Office of Pipeline Safety, Southern Region  
Pipeline and Hazardous Materials Safety Administration  
233 Peachtree Street, Suite 600  
Atlanta, GA 30303

**RE: NOTICE OF PROBABLE VIOLATION PROPOSED CIVIL PENALTY-CPF No. 2-2017-5007**

Dear Mr. Urisko:

On December 22, 2017, Kinder Morgan received via email your Notice of Probable Violation (NOPV) and Proposed Civil Penalty (PCP) letter, CPF No. 2-2017-5007, dated December 21, 2017. The Notice resulted from the August 9, 2016 to December 16, 2016 inspection of the Plantation Pipe Line's facilities in Richmond, VA by State Inspectors from the Virginia State Corporation Commission (VASCC) acting as agents for your agency. Specifically, the Notice is a result of the VASCC's review of documentation resulting from an April 16, 2015 integrity assessment of Plantation's 14W-12 pipeline from Richmond, VA to Newington, VA. The integrity assessment was conducted using an in-line inspection (ILI) tool.

The Notice alleges Plantation Pipe Line (PPL) failed to meet the regulatory requirement of §195.452(h)(2) *Discovery of Condition* "because it did not promptly, but no later than 180-days after an integrity assessment, obtain sufficient information about identified conditions to determine whether the conditions presented potential threats to the integrity of the pipeline." The Notice also alleges PPL failed to comply with regulatory requirement §195.452(l) (ii) "because it did not maintain documents to support the decisions and analyses, including any modifications, justifications, deviations and determinations made, variances, and actions taken, that would explain why meeting the 180-day period of discovery following an integrity assessment was impracticable, as required by §195.452(h) (2)."

*Kinder Morgan Response*

It is unfortunate the rationale and documentation provided to the VASCC to justify why PPL believed meeting the 180-day period for discovery was impracticable, was deemed to be insufficient and not meeting the aforementioned regulatory requirement. However, Kinder Morgan has taken this opportunity to review current processes involved with declaring "Date of Discovery" and retaining appropriate documentation to substantiate compliance with the §195.452 regulations. In reviewing our processes, we've made changes that improve declaring "Date of Discovery" and documentation which will prevent reoccurrence of the issues detailed in the Notice.

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Mr. James Urisko

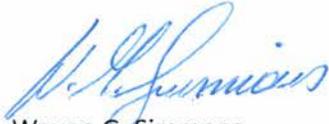
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Kinder Morgan will move forward with paying the assessed civil penalty of \$28,800.

Should you have any questions or concerns, please call Quintin Frazier at 770-751-4240, Buzz Fant at 713-369-9454 or me at 713-420-6330.

Sincerely,



Wayne G. Simmons

Chief Operating Officer Products Pipelines

cc: James Holland

President Products Pipelines