



May 7, 2019

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 AND PROPOSED COMPLIANCE ORDER-CPF No. 2-2019-5004**

Dear Mr. Urisko:

On April 12, 2019, Kinder Morgan received via email your Notice of Probable Violation (NOPV) and Proposed Compliance Order (PCO) Letter, CPF No. 2-2019-5004, dated April 11, 2019. The Letter resulted from the April 17, 2017 to April 21, 2017 inspection of Plantation Pipe Line's (PPL) Operator Qualification (OQ) Program in Alpharetta, Georgia.

The Letter alleged that "PPL has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR)." The probable violations were written as follows:

**1. §195 505 Qualification program**

Each operator shall have and follow a written qualification program. The program shall include provisions to:

(a)...

(b) Ensure through evaluation that individuals performing covered tasks are qualified;

and

**2. §195 505 Qualification program**

Each operator shall have and follow a written qualification program. The program shall include provisions to:

(a)...

(c) Allow individuals that are not qualified pursuant to this subpart to perform a covered task if directed and observed by an individual that is qualified...

**RECEIVED MAY 09 2019**

2

Mr. James A. Urisko  
Page Two  
May 7, 2019

A summary of the PCO requires Plantation to review all evaluation materials to ensure they contain sufficient detail and complexity to establish an individual's knowledge of a given covered task, review all performance verification materials to assure they provide for actual performance of the covered task and replace, modify or supplement all evaluation materials as needed to assure they will adequately establish an individual's knowledge, skill and ability to perform a covered task properly. Also, the PCO requires an evaluation of the appropriateness and effectiveness of established span of control limits and a review and update of those limits as necessary to ensure the limits are appropriate and effective.

#### **Plantation Pipe Line Response**

Without admission of guilt for the sake of expedited settlement and in the spirit of continuous improvement, Plantation is not requesting a hearing and agrees to conduct the review of evaluation materials and will replace, modify or supplement evaluation materials as needed, in accordance with the requirements listed within the PCO. Additionally, Plantation will conduct a review of the span of control limits for all covered tasks, and update as needed in accordance with the requirement listed within the PCO. However, for the record, Plantation is in disagreement with your assessment of the span of control limit (1:2) established for covered tasks 104.15-General Pipeline Repair-Stoppling and 104.16-General Pipeline Repair-Hot Tap. Plantation's span of control is consistent with ASME B31Q-Pipeline Personnel Qualification.

You may submit a Final Compliance Order to the attention of Mr. Buzz Fant within my office. Should you have any questions or concerns, please call Quintin Frazier at 770-751-4240, Buzz Fant at 713-369-9454 or myself at 713-420-6330.

Sincerely,



Wayne G. Simmons  
Chief Operating Officer Products Pipelines

cc: James Holland  
President Products Pipelines