

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 14, 2009

Mr. Pete Kirsch  
Division Sr. Vice President  
CenterPoint Energy / Mississippi River Transmission Corporation  
1111 Louisiana, Suite 1120  
Houston, TX 77002

**CPF 3-2009-1022W**

Dear Mr. Kirsch:

On August 17-27, 2009, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your records and facilities in Illinois and Missouri.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation(s) are:

- 1. §192.203 Instrument, control, and sampling pipe and components.**
  - (b) Materials and design. All materials employed for pipe and components must be designed to meet the particular conditions of service and the following:**
    - (9) Each control line must be protected from anticipated causes of damage and must be designed and installed to prevent damage to any one control line from making both the regulator and the over-pressure protective device inoperative.**

Mississippi River Transmission Corporation (MRT) personnel did not install individual sensing taps for the operator and monitor regulators at two town border stations. The stations identified with the operator and monitor on the same tap were Red Bud Station and Chester Station. Failure of the one tap would cause both the operator and monitor to fully open and possibly over-pressure the downstream piping.

MRT personnel indicated that this issue was noted in one of their own pre-audits and were in the process of identifying these company-wide. The two stations noted were not yet identified.

**2. §192.615 Emergency plans.**

**(b) Each operator shall:**

**(3) Review employee activities to determine whether the procedures were effectively followed in each emergency.**

MRT personnel did not conduct a post-incident review of the incident that occurred at the Piedmont Station in MO in 2008. During a heavy storm, lightning struck the town border station and caused a fire which resulted in significant damage to the station. As a result, emergency procedures were initiated to respond to the incident.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item(s) identified in this letter. Failure to do so will result in Mississippi River Transmission Corporation being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 3-2009-1022W**. 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).

Sincerely,

Ivan A. Huntoon  
Director, Central Region  
Pipeline and Hazardous Materials Safety Administration