

## NOTICE OF AMENDMENT

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 25, 2013

Mr. Troy Valenzuela  
Vice President – Environmental Health and Safety  
Plains Pipeline, L.P.  
333 Clay Street  
Suite 1600  
Houston, TX 77002

**CPF 3-2013-5008M**

Dear Mr. Valenzuela:

On October 8-12, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Plains Pipeline, L.P. procedures for the Trenton gathering System in Belfield, North Dakota.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Plains Pipeline, L.P.'s (Plains) plans or procedures, as described below:

**1. §195.11 What is a regulated rural gathering line and what requirements apply?**

**b) Safety requirements. Each operator must prepare, follow, and maintain written procedures to carry out the requirements of this section. Except for the requirements in paragraphs (b)(2), (b)(3), (b)(9) and (b)(10) of this section, the safety requirements apply to all materials of construction.**

Plain's O&M manual did not have adequate procedures for the identification and operation

and maintenance for the jurisdictional gathering lines. Plains indicated that they have identified all the regulated low stress gathering lines and treat them as they do their other regulated lines. However, nothing in the manual indicated that all low stress lines will be maintained as jurisdictional facilities, nor was there any indication that all low stress jurisdictional lines were identified.

**2. §195.12 What requirements apply to low-stress pipelines in rural areas?**

**(c) Applicable requirements and deadlines for compliance. An operator must comply with the following compliance dates depending on the category of pipeline determined by the criteria in paragraph (b):**

**(1) An operator of a Category 1 pipeline must:**

**(iv) Comply with all other safety requirements of this Part, except Subpart H, before July 3, 2009. Comply with the requirements of Subpart H before July 3, 2011.**

Plain's O&M manual did not have procedures for identifying low stress lines. Plains insisted that they identified all the low stress facilities and do not treat them any different than a regulated line. Therefore, they do not have to have a separate procedure for regulated low stress lines.

**3) §195.402 Procedural manual for operations, maintenance, and emergencies.**

**(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

**§195.402(e) - Emergencies. The manual required by paragraph (a) of this section must include procedures for the following to provide safety when an emergency condition occurs;**

**(10) Actions required to be taken by a controller during an emergency, in accordance with § 195.446.**

The Plains Emergency Manual did not include procedures directing the actions taken by a controller during an emergency as required by control room management.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Plains Pipeline, L.P. maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to David Barrett, Director, Central Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2013-5008M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

David Barrett  
Director, Central Region  
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*