



November 22, 2013

RECEIVED NOV 26 2013

Via Federal Express

Ms. Linda Daugherty
Director, Office of Pipeline Safety, Central Region
Pipeline and Hazardous Materials Safety Administration
901 Locust Street, Suite 462
Kansas City, MO 64106-2641

**RE: NOTICE OF AMENDMENT
CPF No. 3-2013-5027M**

Dear Ms. Daugherty:

Kinder Morgan has reviewed and analyzed the Notice of Amendment referenced above, in which PHMSA requests certain amendments to procedures based on an inspection held at Kinder Morgan Lakewood, Colorado office.

On April 20-21, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Kinder Morgan Energy Partners, L.P. (Kinder Morgan) procedures for Public Awareness Program Effectiveness Evaluation in Lakewood, Colorado.

For the purposes of clarity, the issues presented by your office will be restated with Kinder Morgan's response immediately following in italic font. Revisions to the Public Awareness Program are attached to this response for your review and revisions within the program documentation are highlighted in yellow. All program revisions will become effective January 1, 2014.

1. § 195.440 Public awareness.

(b) The operator's program must follow the general program recommendations of API RP 1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.

Kinder Morgan's procedures are inadequate because its Public Awareness Program does not include a process for documenting the various types of hazardous liquids transported within the Kinder Morgan pipeline systems. Kinder Morgan must document the various types of hazardous liquids transported, determine the impact to the Public Awareness/Damage Prevention Program, and assure this information is communicated to all affected stakeholders.

Kinder Morgan's procedures are also inadequate because its Public Awareness Program identification of the Affected Public buffer does not address the effect of an HCA on a hazardous liquid pipeline.

Kinder Morgan's Response

Kinder Morgan has revised public awareness procedure PA0040 to document the types of products transported. In addition to the existing stakeholder feedback resources (e.g., online Request Additional Information form and non-emergency phone number), Kinder Morgan will create a web page where stakeholders can view products transported by Kinder Morgan pipeline systems. A statement will be added to all public awareness brochures emphasizing the resources available for obtaining specific pipeline information.

Kinder Morgan's public awareness procedure PA0050 has been revised to address the effect of an HCA on a hazardous liquid pipeline.

2. § 195.440 Public awareness.

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety.

Kinder Morgan's procedures are inadequate because its Public Awareness/Damage Prevention program is not documented in the Operations and Maintenance or Public Awareness/Damage Prevention manuals that address stakeholder feedback received by the company. Kinder Morgan must have a documented procedure to manage any stakeholder feedback they receive. This procedure should include how the feedback is recorded and any changes to the program based on stakeholder feedback.

Kinder Morgan's procedures are inadequate because its Public Awareness Program does not include a process to communicate the product transported to the appropriate stakeholders and place the line size (or range of line size operated) along with the product type on maps provided to emergency responders or provide justification in its program.

Kinder Morgan's procedures are inadequate because its Public Awareness Program does not include a process to guide the annual implementation review on what information is being reviewed and analyzed annually to determine a path forward, does not guide the annual supplemental review along the entire pipeline by stakeholder audience and does not provide an annual implementation summary of what has been considered, what has been noted for improvement, who is responsible, when will it be done and when it is completed. An annual review should document decisions such as increasing the affected public buffer based on vapor dispersion modeling or other Integrity Management Program information.

Kinder Morgan's procedures are inadequate because its Public Awareness Program does not include a written process for measuring bottom-line results. The PAP does not detail the information being reviewed and analyzed on an annual basis. In addition, Kinder Morgan must document the results of the annual implementation and effectiveness evaluation meetings. This summary should include the results of any surveys or other evaluation methods performed throughout the previous year, other public awareness and damage prevention activities, any action items identified along with implementation/ completion date and any changes identified for the Kinder Morgan Public Awareness/Damage Prevention Program along with the completion date. The annual implementation review and the effectiveness evaluation summaries must be available for periodic review by the appropriate regulatory agencies.

Kinder Morgan's procedures are inadequate because its Public Awareness Program does not have a process defined that identifies changes, tracks changes and tracks progress in making changes based on the findings of the effectiveness evaluation.

Kinder Morgan's Response

Kinder Morgan has revised Section 2 (Email) of public awareness procedure PA0080 to address stakeholder feedback received by the company.

Kinder Morgan has revised Section 2 (Pipeline Maps) of public awareness procedure PA0080 to address putting product transported and line sizes on maps provided to emergency responders. Section 2 (Pipeline Markers) is also included to demonstrate Kinder Morgan's public awareness program uses pipeline markers to communicate product transported. Additionally, document PA0060 Section 3 has been revised to include the message that Kinder Morgan will communicate to stakeholders how to obtain specific (products transported, location, etc.) pipeline information.

Kinder Morgan has added Section 4.1 to public awareness document PA00110 to address the process to guide the annual implementation review.

Kinder Morgan has added Section 4.2 to public awareness document PA00110 to address Kinder Morgan's process for measuring bottom-line results.

Kinder Morgan has added Section 6 to public awareness document PA00110 to address the process of how changes to the public awareness program will be identified and tracked.

3. § 195.440 Public awareness.

(g) The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non- English speaking population in the operator's area.

Kinder Morgan's procedures are inadequate because its Public Awareness Program does not include a process to address the identification of the non-English speaking population in the operator's area.

Kinder Morgan's Response

Kinder Morgan has revised Section 1.1 of public awareness procedure PA0010 to address Kinder Morgan's process for identifying the non-English speaking population in our area.

4. § 195.440 Public awareness.

(i) The operator's program documentation and evaluation results must be available for periodic review by appropriate regulatory agencies.

Kinder Morgan's procedures are inadequate because its Public Awareness/Damage Prevention Program does not have a documented procedure in the Operations and Maintenance or the Public Awareness/Damage Prevention manuals to analyze and address findings on excavation related events. Kinder Morgan must have a documented procedure on how excavation related events are analyzed and the related findings are incorporated back into the public awareness and damage prevention program.

Ms. Linda Daugherty
November 22, 2013
Page | 4

Kinder Morgan's Response

Kinder Morgan has added Section 4.1.1 to public awareness document PA00110 to address analyzing and addressing findings on excavation related events.

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

Sincerely,



Wayne Simmons
Vice-President Operations
Products Pipelines

Attachments

Procedure PA0010
Procedure PA0040
Procedure PA0050
Procedure PA0060
Procedure PA0080
Procedure PA00110