

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 12, 2014

Mr. Kevin Rumbelow
Vice President & Chief Operating Officer
AmeriGas Propane, LP
460 North Gulph Road
King of Prussia, Pennsylvania 19406

CPF 3-2014-1001M

Dear Mr. Rumbelow:

On October 24, 2012, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected AmeriGas Propane, LP's (AmeriGas) procedures for Public Awareness Program (PAP) Effectiveness via webinar.

On the basis of the inspection, PHMSA has identified the inadequacies found within AmeriGas' plans or procedures, as described below:

1. § 192.615 Emergency plans.

(a) Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:

(1) Receiving, identifying, and classifying notices of events which require immediate response by the operator.

(2) Establishing and maintaining adequate means of communication with appropriate fire, police, and other public officials.

(3) Prompt and effective response to a notice of each type of emergency, including the following:

- (i) Gas detected inside or near a building.**
- (ii) Fire located near or directly involving a pipeline facility.**
- (iii) Explosion occurring near or directly involving a pipeline facility.**
- (iv) Natural disaster.**

AmeriGas' public awareness program is inadequate because the emergency call number does not provide all AmeriGas customers, including its Heritage Propane subsidiary, the availability to get a prompt and effective response to emergencies that entails sufficient information on recognizing and responding to a leak.

In addition, the availability of an emergency call number is not required as part of the PAP inspection but it conflicts with 49 C.F.R. § 192.615(a)(3).

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 30 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 AmeriGas Propane, LP maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to the Director, Central Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2014-1001M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Linda Daugherty
Director, Central Region
Pipeline and Hazardous Materials Safety Administration

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