



U.S. Department
of Transportation

8701 S. Gessner, Suite 1110
Houston, TX 77074

**Pipeline and
Hazardous Materials
Safety Administration**

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 4, 2007

Mr. Marc Breitling
Vice President
Targa Resources
1000 Louisiana St
Houston TX 77002

CPF 4-2007-2002

Dear Mr. Breitling:

On July 10-14, 2006, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your Seahawk and Pelican Pipelines in Lake Arthur, LA.

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 violations are:

1. §192.225 Welding Procedures

(b) Each welding procedure must be recorded in detail, including the results of the qualifying tests. This record must be retained and followed whenever the procedure is used.

For the West Cameron 118 riser repair done on November 5 - 8, 2004, the contractor provided the welding procedures used. There was no record of qualifying tests available at the audit.

2. §192.229 Limitations on welders.

b) No welder may weld with a particular welding process unless, within the preceding 6 calendar months, he has engaged in welding with that process.

Welder qualification documentation provided at the audit for the West Cameron 118 riser repair done on November 5 – 8, 2004, was dated between June 15, 1999 and December 10, 2001, with no mention of performing these processes until the project.

3. §192.243 Nondestructive testing.

b) Nondestructive testing of welds must be performed:

(1) In accordance with written procedures

For the West Cameron 118 riser repair done November 5 – 8, 2004, there were no written NDT procedures provided at the audit.

4. §192.477 Internal corrosion control: Monitoring.

If corrosive gas is being transported, coupons or other suitable means must be used to determine the effectiveness of the steps taken to minimize internal corrosion. Each coupon or other means of monitoring internal corrosion must be checked two times each calendar year, but with interval not exceeding 7 1/2 months.

There were no internal corrosion coupon extraction records for Seahawk Lowry plant location between December 18, 2002 and May 12, 2004 available at the audit. There were no coupon removal records for Seahawk Lowry plant location between November 30, 2004 and May 23, 2006 available at the audit. The most recent record available at the audit indicated that a coupon was installed 12/31/2005 and removed May 23, 2006.

5. §192.739 Pressure limiting and regulating stations: Inspection and testing.

(a) Each pressure limiting station, relief device (except rupture discs), and Pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is–

(1) In good mechanical condition;

(2) Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;

- (3) Except as provided in paragraph (b) of this section, set to control or relieve at the correct pressure consistent with the pressure limits of §192.201(a); and
- (4) Properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation.

There were no inspection records at the audit for relief valves PSV 101A and 101B (mounted on pressure vessel at pelican beach valve) for the time between January 28, 2004 and July 5 2005 for PSV 101A and between January 28, 2004 and September 1, 2005 for PSV 101B.

Proposed Civil Penalty

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. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violations and has recommended that you be preliminarily assessed a civil penalty of \$24,000.00 as follows:

| <u>Item number</u> | <u>PENALTY</u> |
|--------------------|----------------|
| 4 | \$15,000 |
| 5 | \$9,000 |

With respect to items 1, 2 and 3, 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 Targa Resources being subject to additional enforcement action.

Response to this Notice

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.

In your correspondence on this matter, please refer to **CPF 4-2007-2002** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "R. M. Seeley". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

R. M. Seeley
Director, Southwest Region
Pipeline and Hazardous
Materials Safety Administration

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