

December 7, 2016

VIA E-MAIL AND FED EX OVERNIGHT DELIVERY

Rodrick M. Seeley
Director, Southwest Region
Pipeline and Hazardous Material Safety Administration
Southwest Region Office
8701 South Gessner, Suite 630
Houston, TX 77074

RE: Notice of Probable Violation and Proposed Civil Penalty and Proposed Compliance Order, CPF No. 4-2016-1011 Response and Request for Documents

Dear Mr. Seeley,

Natural Gas Pipeline Company of America LLC ("NGPL") respectfully submits this Response and Request for Documents pursuant to 49 C.F.R. Part 190.208. NGPL received the above referenced Notice of Probable Violations and Proposed Civil Penalty and Proposed Compliance Order ("NOPV" or "Notice") on November 7, 2016.

The Notice alleges that NGPL committed probable violations of the pipeline safety regulations and proposes a civil penalty of \$131,000. While NGPL does not admit to or agree with the allegations, NGPL does not contest the proposed civil penalty and will submit payment by December 16, 2016. NGPL will respond to each item in the NOPV individually below.

I. Notice of Probable Violation Response

Item 1

As noted in the NOPV, following Kinder Morgan's **O&M Procedure 1900 – Emergency Response**, NGPL's area and facility management did in fact review the local Emergency Response Plan with each employee annually to ensure that training is effective. These reviews are often performed in conjunction with Emergency Response Drills for which NGPL provided documentation to PHMSA. NGPL will review the procedure regarding these activities and will update if necessary to ensure more clear documentation in the future.

Item 2

For incident DOT 20150096-16858, NGPL presented to PHMSA a completed **Kinder Morgan Form OM100-45 – Event/Incident Investigation Summary** which summarizes and documents the event. At the time this incident occurred, this form did not include a mechanism to allow personnel to document whether the Emergency Response Plan procedures were effectively followed and NGPL did not understand that the inspector was looking for documentation of this specific requirement. NGPL did document that the Emergency Response Plan procedures were followed within Kinder Morgan's incident-tracking database (record enclosed) by marking "Yes" for the question: "Were Emergency Response Procedures Followed?"

Since NGPL correctly followed Kinder Morgan's O&M Procedure 159 – Emergency Reporting and Investigation, NGPL respectfully requests that this item be withdrawn from the final order.

Item 3

NGPL takes its pipeline safety obligations seriously and follows Kinder Morgan's O&M Procedure 301 – Inspecting and Servicing Emergency Valves when performing the annual inspection of valves necessary during an emergency. NGPL is confident that the valves noted in this NOPV Item were operated, fully whenever possible. NGPL will review the documentation requirements for the operation of emergency valves in its procedures and review these with appropriate personnel.

Item 4

NGPL will comply with the compliance order for this Item pertaining to the alleged failure to document the set point of pressure-limiting and control devices during inspections of overpressure protection devices. Specifically, NGPL will provide training to the appropriate field personnel to ensure inspections are properly and completely documented in accordance with procedure. NGPL will provide documentation of this training, along with names and dates of when the training was completed to PHMSA within 60 days of receipt of the final order.

Item 5

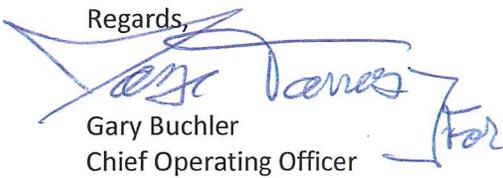
NGPL will comply with the compliance order for this Item and will provide training to the appropriate field personnel to ensure emergency valve inspections are properly documented, as per Kinder Morgan's O&M Procedures. NGPL will provide documentation of this training, along with names and dates of when the training was completed, to PHMSA within 60 days of receipt of the final order.

II. Request for Documents

In order to ensure all Items are properly addressed and pursuant to 49 C.F.R. § 190.208(c), NGPL reiterates its previous request that the Office of Pipeline Safety ("OPS") provide a copy of its violation report and any accompanying evidence in this matter, including the penalty calculation worksheet and supporting documentation reviewed by the Compliance Officer in developing the recommended civil penalty.

Should you have any questions or would like additional information, please contact Reji George at 713-420-5433.

Regards,



Gary Buchler
Chief Operating Officer



Investigation: 36201

Incident ID: [33277](#)

Status  : Closed

Incident Location: NGPL - Marshall Compressor Sta 304 : NGPL - Natural Gas Pipeline Company of America

Investigation Start Date: 6/18/2015

Type: Formal

Investigation Note: Blew the line down on June 18 at which time gas release stopped. June 24 line was exposed and hole was identified in the pipe and a 4' pup was removed on 6/29 and sent to An Tech lab in Houston for evaluation. At present a determination is not made.

Type of Event: Environmental Release

Investigation Completed Date: 8/24/2015

Were Emergency Procedures Followed: Yes

Control Room Investigation Detail

Was there a Control Room Investigation: No

Responsibilities

Investigation Creator: BOLT JR, HAROLD

Investigation Lead: BOLT JR, HAROLD

Investigation Team: PILCHER, MARCUS

Audit Stamps

Created By: BOLT JR, HAROLD D

Date Created: 7/8/2015

Last Updated By: BOLT JR, HAROLD D

Last Update: 9/30/2015

Immediate Cause

<p>Immediate Cause</p> <p>Substandard Conditions: 23. Defective Tools, Equipment or Materials</p>	<p>Detail</p> <p>Leak on pipeline. Leak area was eroded such that there was no conclusive evidence of a root cause.</p>
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