



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 S. Gessner, Suite 630  
Houston, TX 77074

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 27, 2017

Mr. Graham Bacon  
Senior Vice President  
Enterprise Crude Pipeline, LLC  
1100 Louisiana Street  
Houston TX 77002

**CPF 4-2017-5034W**

Dear Mr. Bacon:

On 7-11 August 2017, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected your Enterprise Rancho Pipeline in the Houston Texas Metro area.

As a result of the inspection, it is alleged that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violation is:

**1. §195.402 Procedural manual for operations, maintenance, and emergencies.**

**(c) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:**

**(13) Periodically reviewing the work done by operator personnel to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found.**

Enterprise Products failed to document the names of personnel being periodically reviewed conducting maintenance and normal operations. Periodic reviews of maintenance and normal operations work done by operator personnel are documented on Enterprise Form 601A. However, the electronic documents did not list the name of the personnel being reviewed. The electronic version of Enterprise Form 601A lists the name of the Enterprise employee who inspected the work, and the employee who closed out the work order, but does not identify the operator personnel who performed the work reviewed. On Form 601A, there is a space to document the reviewed employee's name and employee number, and the supervisor's information and the date of the review. The operator stated that on the electronic form, the "Inspected By" name is the employee being reviewed, and the "Closed By" name is the person reviewing that employee's work. For 6 Jan 2017, on the printed electronic version, the form has R G Fitzpatrick for both the "Inspected By" employee and the "Closed By" employee. R G Fitzpatrick is the supervisor.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$209,002 per violation per day the violation persists up to a maximum of \$2,090,022 for a related series of violations. 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 identified in this letter. Failure to do so will result in Enterprise Crude Pipeline, LLC being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 4-2017-5034W**. 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).

Sincerely,



Terri J. Binns  
Acting Director, Southwest Region  
Pipeline and Hazardous Materials Safety Administration