

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 25, 2018

Mr. David Lipp
VP, Commercial and Regulatory
Trans-Union Interstate Pipeline, L. P.
10300 Town Park Dr.
Suite SE1000
Houston, TX 77072

CPF 4-2018-1006W

Dear Mr. Lipp:

From February 22-24, 2017 through July 24-28, 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 the Trans-Union Interstate Pipeline, L.P. pipeline system that begins in Bernice, Louisiana and traverses to El Dorado, Arkansas.

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

1. §192.605 Procedural manual for operations, maintenance, and emergencies.

(a) *General.* Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

Trans-Union failed to follow its written procedures for completing the HCA/Class Location evaluation report twice per year. During the inspection, the PHMSA inspector reviewed Trans-Union OM&E procedures; Class Location Changes/HCA Section; page 24-27. This section discusses changes in Class Location and states that an HCA/Class Location evaluation report will be completed twice per year (second and fourth quarters). Records show that this report was completed only one time in 2016.

Trans-Union should conduct the review of the pipeline and complete the evaluation report twice per year.

2. §192.614 Damage prevention program.

(c) The damage prevention program required by paragraph (a) of this section must, at a minimum:

(1) Include the identity, on a current basis, of persons who normally engage in excavation activities in the area in which the pipeline is located.

Trans-Union failed to ensure that one call tickets are compared to excavator mailout list to verify that current excavators are identified each year. During the inspection, several one call tickets were received from excavators in years 2014-2015; however, it was noted that some excavators were not included in the mailouts for 2016. One excavator, Newt Brown Contractors-Minden, LA, had called in a one call ticket in 2014, 2015, and 2016 and was not placed on the list for a mailout in 2016.

Tran-Union uses Paradigm to mail notices to its excavators as part of the Public Awareness Plan. Trans-Union should review all one-call tickets and ensure that current excavators are included in the annual mail outs.

3. §192.615 Emergency plans.

(b) Each operator shall:

(2) Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.

(3) Review employee activities to determine whether the procedures were effectively followed in each emergency.

Trans-Union failed to include recommendations from a mock training incident drill from 2013 in its procedures. Trans-Union reviewed the training as far as effectiveness; however, the recommendations were not implemented into the emergency response process. It was suggested that an annual refresher be conducted with each shift to assure they are familiar with how to collect information regarding the emergency and the response to provide. There has not been a mock

emergency incident training drill or annual refresher conducted since 2013.

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 Whitecap 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 4-2018-1006W**. 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,

Mary L. McDaniel, P.E.
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration