

June 19, 2019

Mr. Alan S. Armstrong  
President and Chief Executive Officer  
Williams Partners, LP  
One Williams Center  
Tulsa, Oklahoma 74172

**Re: CPF No. 4-2018-2002**

Dear Mr. Armstrong:

Enclosed please find the Final Order issued in the above-referenced case to your subsidiary, Black Marlin Pipeline Company. It makes findings of violation and finds that Black Marlin has completed the actions specified in the Notice to comply with the pipeline safety regulations. Therefore, this case is now closed. Service of the Final Order by certified mail is effective upon the date of mailing, as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

Enclosure

cc: Ms. Mary McDaniel, Director, Southwest Region, Office of Pipeline Safety, PHMSA  
Mr. Clint Ratke, Manager, Pipeline Safety, Black Marlin Pipeline Company, Williams  
Partners, LP, 2800 Post Oak Boulevard, Houston, Texas 77056

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**U.S. DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

\_\_\_\_\_  
**In the Matter of** )

**Black Marlin Pipeline Company,** )  
**a subsidiary of Williams Partners, LP,** )

**Respondent.** )  
\_\_\_\_\_ )

**CPF No. 4-2018-2002**

**FINAL ORDER**

From January 24 through May 31, 2017, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of the facilities and records of Black Marlin Pipeline Company (Black Marlin or Respondent) in Texas City, Texas. Black Marlin, a subsidiary of Williams Partners, LP, operates a 55-mile, 16-inch, natural gas gathering system originating offshore at High Island 136 and transporting natural gas into the Texas City area.<sup>1</sup>

As a result of the inspection, the Director, Southwest Region, OPS (Director), issued to Respondent, by letter dated October 30, 2018, a Notice of Probable Violation and Proposed Compliance Order (Notice), which also included warning items pursuant to 49 C.F.R. § 190.205. In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Black Marlin had violated 49 C.F.R. §§ 192.477 and 192.707 and proposed ordering Respondent to take certain measures to correct the alleged violations. The warning items required no further action, but warned the operator to correct the probable violations or face possible future enforcement action.

Black Marlin responded to the Notice by letter dated November 29, 2018 (Response). The company did not contest the allegations of violation but provided information concerning the corrective actions it had taken. Respondent did not request a hearing and therefore has waived its right to one.

**FINDINGS OF VIOLATION**

In its Response, Black Marlin did not contest the allegations in the Notice that it violated 49 C.F.R. Part 192, as follows:

<sup>1</sup> The Williams Companies, Inc., website, available at [https://co.williams.com/gulf\\_coast/black-marlin/](https://co.williams.com/gulf_coast/black-marlin/) (last accessed February 20, 2019). See also Pipeline Safety Violation Report (Violation Report) at 1.

**Item 1:** The Notice alleged that Respondent violated 49 C.F.R. § 192.477, which states:

**§ 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 intervals not exceeding 7½ months.

The Notice alleged that Respondent violated 49 C.F.R. § 192.477 by failing to monitor its offshore natural gas gathering pipeline system for internal corrosion. Specifically, the Notice alleged that Black Marlin did not perform gas sampling or monitoring of its system from 2014 to 2016. During the OPS inspection, Black Marlin was unable to produce internal-corrosion monitoring records during this time period. Additionally, OPS noted that following an incident in April 2014, the pipeline was taken out of service and shut-in at approximately 50 psig. Since then, the pipeline has not transported product and has been disconnected from all sources of supply.

Respondent did not contest this allegation of violation. Accordingly, based upon a review of all of the evidence, I find that Respondent violated 49 C.F.R. § 192.477 by failing to monitor its offshore natural-gas gathering pipeline system for internal corrosion.

**Item 4:** The Notice alleged that Respondent violated 49 C.F.R. § 192.707, which states, in relevant part:

**§ 192.707 Line markers for mains and transmissions lines.**

(a) *Buried pipelines.* Except as provided in paragraph (b) of this section, a line marker must be placed and maintained as close as practical over each buried main and transmission line:

- (1) At each crossing of a public road and railroad; and
- (2) Wherever necessary to identify the location of the transmission line or main to reduce the possibility of damage or interference.

(b) . . .

(d) Marker warning. The following must be written legibly on a background of sharply contrasting color on each line marker:

(1) The word “Warning,” “Caution,” or “Danger” followed by the words “Gas (or name of gas transported) Pipeline” all of which, except for markers in heavily developed urban areas, must be in letters at least 1 inch (25 millimeters) high with 1/4 inch (6.4 millimeters) stroke.

(2) The name of the operator and the telephone number (including area code) where the operator can be reached at all times.

The Notice alleged that Respondent violated 49 C.F.R. § 192.707 by failing to place and

maintain line markers in accordance with the requirements of that section.<sup>2</sup> Specifically, the Notice and Violation Report alleged that Black Marlin failed to place a line marker at the entrance of the Pelican Harbour Subdivision, where the main line crosses a public road and where a marker would be visible to the public. Instead, line markers were allegedly placed on the fences of residents on the corner, in a manner that was not visible to the public. Additionally, the Violation Report noted that Williams had violated § 192.707 by failing to place and maintain line markers as close as practical over each buried main and transmission line.<sup>3</sup>

Respondent did not contest this allegation of violation. Accordingly, based upon a review of all of the evidence, I find that Respondent violated 49 C.F.R. § 192.707 by failing to place and maintain line markers in accordance with the requirements of that section.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

### **COMPLIANCE ORDER**

The Notice proposed a compliance order with respect to Items 1 and 4 in the Notice for violations of 49 C.F.R. §§ 192.477 and 192.707, respectively. Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. The Director indicates that Respondent has taken the following actions specified in the proposed compliance order:

1. With respect to the violation of § 192.477 (**Item 1**), Respondent has inserted corrosion coupons to monitor internal corrosion on the pipeline system, has purged the pipeline of gas, and pressurized it with nitrogen. In its Response, Black Marlin indicated that it was not proceeding with abandonment pursuant to § 192.727 and will continue to monitor and maintain the pipeline in accordance with the requirements of Part 192.
2. With respect to the violation of § 192.707 (**Item 4**), Respondent provided documentation to PHMSA on November 29, 2018, that line markers were installed in the Pelican Harbour Subdivision.

Accordingly, I find that compliance has been achieved with respect to these violations. Therefore, the compliance terms proposed in the Notice are not included in this Order.

---

<sup>2</sup> The Notice inadvertently alleged that Respondent violated only paragraph (d) of § 192.707(d), but the Notice and the Violation Report specified violations of both paragraph (d) and other provisions of § 192.707.

<sup>3</sup> Pipeline Safety Violation Report (Violation Report) (October 30, 2018) (on file with PHMSA), at 27.

**WARNING ITEMS**

With respect to Items 2 and 3, the Notice alleged probable violations of Part 192 but did not propose a civil penalty or compliance order for either of these items. Therefore, these are considered to be warning items. The warnings were for:

49 C.F.R. § 192.479(a) **(Item 2)** — Respondent's alleged failure to ensure that the above-ground sections of piping at the Kinder Morgan Facility Meter Station were cleaned and coated; and

49 C.F.R. § 192.605(a) **(Item 3)** — Respondent's alleged failure to follow specific provisions in its Operations & Maintenance (O&M) Manual.<sup>4</sup>

Black Marlin presented information in its Response showing that it had taken certain actions to address the cited items. If OPS finds a violation of any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

Under 49 C.F.R. § 190.243, Respondent may submit a Petition for Reconsideration of this Final Order to the Associate Administrator, Office of Pipeline Safety, PHMSA, 1200 New Jersey Avenue, SE, East Building, 2<sup>nd</sup> Floor, Washington, DC 20590, with a copy sent to the Office of Chief Counsel, PHMSA, at the same address, no later than 20 days after receipt of service of this Final Order by Respondent. Any petition submitted must contain a statement of the issue(s) and meet all other requirements of 49 C.F.R. § 190.243. The terms of the order, including corrective action, remain in effect unless the Associate Administrator, upon request, grants a stay.

The terms and conditions of this Final Order are effective upon service in accordance with 49 C.F.R. § 190.5.

June 19, 2019

---

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

---

Date Issued

---

<sup>4</sup> The Notice alleged that Respondent failed to follow specific provisions of its O&M Manual, including: (1) its Emergency Plan for the Western Gulf of Mexico; (2) Williams SIP Plan, *Procedure 7.05-ADM-008 – Internal Corrosion Control Program, Section 2.6*; (3) Williams SIP Emergency Response Plan for Western Gulf of Mexico, *Procedure 12.01-ADM-002 – Emergency Response or Drill, Section 4.7.1*; and (4) Williams SIP Plan, *Procedure 9.08-ADM-001 – Job Planning*.