

**Before the
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Pipeline Safety**

_____)	
In the Matter of)	
)	
)	
Tennessee Gas Pipeline Co.)	CPF No. 4-2019-1007
)	Notice of Probable Violation
)	
Respondent)	
_____)	

WITHDRAWAL OF REQUEST FOR HEARING

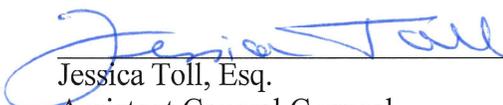
The Pipeline and Hazardous Materials Safety Administration (PHMSA or the Agency), Southwest Region, issued a Notice of Probable Violation (NOPV) to Tennessee Gas Pipeline Company, L.L.C. (TGP or the Company) on May 13, 2019. The NOPV alleged two Items of violation, associated with 49 C.F.R. § 192.905 regarding identification of high consequence areas (HCAs) and §192.479 regarding atmospheric corrosion control, and included a Proposed Compliance Order associated with those Items. TGP filed a Request for Hearing, Written Response, and Preliminary Statement of Issues on the entirety of the NOPV on June 18, 2019, and simultaneously requested a meeting with the PHMSA Southwest Region. As reflected in the initial Joint Status Report filed on July 31, 2019 and a Second Joint Status Report filed on August 9, 2019, the parties have been engaged in productive settlement discussions. As a result, the parties have successfully narrowed the issues in dispute and TGP withdraws its Request for Hearing filed pursuant to §§ 190.208 and 190.211.

Through settlement discussions, the parties have agreed that (1) NOPV Item 1 and the associated Proposed Compliance Order item should be withdrawn and (2) a portion of the Proposed Compliance Order associated with NOPV Item 2 has been satisfied based on agreed procedural revisions (see Attachment A). With respect to Item 1 regarding HCA identification, the PHMSA Southwest Region, TGP, and the Corina Pena Elementary School conferred on August 8, 2019. Based on that meeting, the parties have agreed that the area did not meet the definition of an “identified site” at the time of the inspection and was not an HCA under Part 192. As such, the parties have agreed that it is appropriate that both Item 1 and the associated provision in the Proposed Compliance Order (Item 1) should be withdrawn. Accordingly, in light of the agreement reached between PHMSA and TGP, TGP is withdrawing its request for hearing but not its appeal of Item 1 to allow the Region the opportunity to issue its regional recommendation that the Final Order in this matter reflect that both Item 1 of the NOPV and Item 1 of the Proposed Compliance Order have been withdrawn.

With respect to NOPV Item 2 regarding atmospheric corrosion inspection criteria, TGP has agreed as a result of further discussions between the parties to rescind its appeal of the alleged violation of §192.479 and the associated Proposed Compliance Order (Item 2). This agreement is based on the understanding that the PHMSA Southwest Region and TGP concur that revisions proposed to the Company's atmospheric corrosion procedures should satisfy the Proposed Compliance Order Item 2 directive to "review and amend [...] corrosion procedures, atmospheric corrosion inspection guidelines COrrPD-006" (as reflected in Attachment A). Further, in light of the agreement between PHMSA and TGP, a Final Order in this matter should reflect that this portion of the Proposed Compliance Order Item 2 is satisfied once the revised procedures are officially submitted to the Region and the enforcement action should be closed once TGP confirms that its personnel have been trained to the upgraded procedure.

TGP appreciates PHMSA's willingness to engage in productive settlement discussions. Based on those discussions and the agreements reached during the discussions as reflected above, the Company withdraws its Request for Hearing and requests that PHMSA issue a Final Order that reflects the agreement between the parties that (1) NOPV Item 1 and the associated Proposed Compliance Order Item 1 should be withdrawn; and (2) that the portion of Proposed Compliance Order Item 2 regarding review and amendment of corrosion procedures should with deemed complete consistent with the revisions to TGP's atmospheric corrosion procedures outlined in Attachment A.

Dated August 26, 2019
Respectfully Submitted,



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ATTACHMENT A

1. Scope

This document establishes guidelines and methodology for evaluating and grading the condition of aboveground pressure piping and associated structural components for evidence of atmospheric corrosion, as required in [O&M Procedure 918 Inspecting for Atmospheric Corrosion](#). The atmospheric corrosion condition of a given site is visually evaluated and graded in compliance with state and federal regulations. This guideline defines the three grades used to determine the nature and severity of atmospheric corrosion condition: **Good**, **Fair**, and **Poor**.

2. Methodology

2.1. Establishing Atmospheric Inspection Units

For purposes of atmospheric inspection grading, a facility may be evaluated as one atmospheric inspection unit or divided into smaller atmospheric inspection units. For example, a large site (such as a compressor station) may have one grade for the facility overall or may be broken down into smaller inspection units (e.g. scrubber area, compressor header piping, manifold piping, etc.). The description of location in the company corrosion database (PCS) must be detailed enough to clearly identify the extent of the portion of pipeline inspected. Grade each inspection unit according to the worst atmospheric condition(s) observed within that unit. For example, if severe localized pitting is found on an isolated section of piping, grade the inspection unit as **Poor** atmospheric condition according to the grading criteria below. While the remainder of the piping may be in **Good** condition, the worst atmospheric condition grade observed determines the inspection unit's grade.

2.2. Grading Atmospheric Condition

Follow the steps below starting with Step 1 and moving to Step 2 or Step 3, as needed, according to the criteria in each step to grade the atmospheric condition of the inspection unit.

1. Determine if the inspection unit meets the criteria for **Poor** atmospheric condition as described in Section 3.1 of this document. If the inspection unit meets **Poor** criteria, then grade the unit as **Poor** and do not consider the criteria for **Fair** or **Good**. If the inspection unit does not meet the criteria for **Poor**, then proceed to Step 2 to determine if the unit meets the criteria for **Fair**.
2. If the inspection unit does not meet the **Poor** atmospheric condition criteria, evaluate whether the unit meets the criteria for **Fair** atmospheric condition as described in Section 3.2 of this document. If the inspection unit meets **Fair** criteria, then grade the unit as **Fair** and do not consider the criteria for **Good**. If the inspection unit does not meet the criteria for **Fair**, then proceed to Step 3 to determine if the unit meets the criteria for **Good**.
3. If the inspection unit does not meet the criteria for **Fair** or **Poor**, then grade the unit as **Good**.

If clarification of the application of these Atmospheric Corrosion Visual Inspection Guidelines is needed, contact the Corrosion Control Department.

2.3. Performing Visual Inspections

During visual inspections, give particular attention to the following components:

- Flange gaps and bolts
- Soil-to-Air Interface
- Splash zones
- Air/building interface
- Crevices
- Pipe supports and wear pads
- Pipe under thermal or noise abatement insulation
- Adhesion of FRP's (Fiberglass Reinforced Pads) or composite repair sleeves
- Spans/bridges
- Offshore platforms
- Deck penetrations
- Pipe under visibly disbonded coating

2.4. Documentation

Document the atmospheric condition grade in PCS for each atmospheric inspection unit in the user-defined field Atmospheric Condition. Provide a listing of inspection units graded **Poor** along with notes describing the extent requiring remediation and coating condition to local Operations management. These notes will aid Operations personnel (charged with maintenance painting operations) in defining the work scope at each site that will require corrective action. Local operations personnel may perform spot repairs in order to mitigate isolated coating defects.

3. Grading

3.1. Poor

A **Poor** atmospheric condition grade is defined by:

1. Piping within an inspection unit that has greater than 10% light surface oxide over the entire surface area, without regard to the condition of any coating in the inspection unit (for units larger than 10 linear feet of pipe, any continuous segment of approximately 10 linear feet of pipe with greater than 10% uniform surface corrosion) **or**,
2. the presence of any degree of pitting or scale corrosion where a measurable amount of wall loss has occurred.

Representations of 10% spot rusting, general rusting, and pinpoint rusting may be found in the [SSPC-VIS-2 Standards \(Standards Method of Evaluating Degree of Rusting on Painted Steel Surfaces\)](#) for reference.

Note: Wall loss on steel piping where uniform light rust is occurring is usually impractical to measure utilizing standard instrumentation or gauges due to the minute amount of actual wall loss. If unremediated measureable metal loss has occurred, measure the metal loss dimensions and perform remaining strength calculations as required in [O&M 915 Maximum Corrosion Limits and MAOP of Corroded Pipe](#).

An inspection unit graded as **Poor** must be re-coated or remediated in accordance with the timing indicated in [O&M Procedure 918 Inspecting for Atmospheric Corrosion](#). If an inspection unit is graded as **Poor**, grading it as **Fair** or **Good** during future inspections requires either documentation of remediation, or additional documentation (e.g. photos) to justify the upgrade in condition.



Photograph 1 - Example of piping with Poor atmospheric condition

Photograph 1 shows pitting around the air/ground interface of the pipe that measured approximately 20 mils in depth. Although the paint on the rest of the piping at this inspection unit is in **Good** condition, the pitting with wall loss is the criterion that moves this unit into the **Poor** category.

3.2. Fair

A **Fair** atmospheric condition grade is defined by:

1. Deterioration of the coating system where coating is cracking, flaking, peeling, or disbonding that does not meet the criteria for **Poor**, or
2. deterioration of the topcoat that exposes the primer more than 10% of the surface area of the inspection unit evaluated (for units larger than 10 linear feet of pipe, any continuous segment of approximately 10 linear feet of pipe with greater than 10% exposed primer).

Note: An inspection unit graded as **Fair** atmospheric condition does not require recoating or remediation per O&M Procedure 918 (Inspecting for Atmospheric Corrosion).



Photograph 2 - Example of piping within limits of Fair atmospheric condition

Photograph 2 shows pipe with paint that is flaking and general rusting on pipe is less than 10% of overall surface area. This piping is within the constraints of the above description for **Fair** atmospheric condition.

3.3. Good

A **Good** atmospheric condition grade is defined by:

1. A coating system that is well bonded and intact, and
2. topcoat degradation that is limited to chalking, and
3. atmospheric corrosion that is limited to minor surface corrosion in flanged areas, nuts, bolts, and areas affected by routine maintenance operations and does not meet the criteria of **Poor** or **Fair**.

Note: An inspection unit graded as **Good** atmospheric condition does not require recoating or remediation per O&M Procedure 918 (Inspecting for Atmospheric Corrosion).



Photograph 3 – Example of piping within limits of Good atmospheric condition

Photograph 3 shows minor surface rust on nuts and bolts due to prior maintenance operations. The coating on the rest of this inspection unit is well bonded with only minor chalking. Spot painting these isolated areas can easily mitigate minor rust on these bolts.