

WARNING LETTER

ELECTRONIC MAIL - RETURN RECEIPT REQUESTED

January 22, 2021

Graham Bacon
Executive Vice President, Chief Operating Officer
Enterprise Products Operating, LLC
1100 Louisiana Street
Houston, Texas 77002

CPF 4-2021-007-WL

Dear Mr. Bacon:

From February 24, 2020 through October 30, 2020, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Enterprise Products Operating, LLC's (Enterprise) operations, maintenance, and integrity management records for Enterprise MAPCO system in Kansas, Nebraska, Iowa, Minnesota, Missouri, Illinois, and Wisconsin.

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

1. **§ 195.54 Accident reports.**

(a) Each operator that experiences an accident that is required to be reported under § 195.50 must, as soon as practicable, but not later than 30 days after discovery of the accident, file an accident report on DOT Form 7000-1.

Enterprise failed to file an accident report on DOT Form 7000-1 within 30 days of discovering a reportable release at its Mankato Station in Minnesota. Enterprise experienced a release of HVL on May 21, 2018, but did not file the DOT Form 7000-1 until August 19, 2018, which was *90 days after* the day of the release.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 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(s) identified in this letter. Failure to do so will result in Enterprise Products Operating, 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 4-2021-007-WL**. 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

cc: Jeff Morton, Sr. Director, Transportation Compliance, Enterprise Products, jcmorton@eprod.com
Hans Deeb, Sr. Pipeline Compliance Engineer, Enterprise Products, hdeeb@eprod.com
Suzie Davis, Manager, Compliance, Enterprise Products, smdavid@eprod.com