

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 22, 2012

Mr. Robert Checketts
Vice President
Operations, IT and Engineering
Kern River Gas Transmission
2755 E. Cottonwood Pkwy., Ste. 300
Salt Lake City, UT 84121

CPF 5-2012-1005M

Dear Mr. Checketts:

On April 12-14, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected Kern River Gas Transmission Company's (Kern River) procedures and implementing records for their Operator Qualification (OQ) program at the Salt Lake City, Utah office.

On the basis of the inspection, PHMSA identified apparent inadequacies within Kern River's OQ procedures, as described below:

1. **§192.805 Qualification program.**
Each operator shall have and follow a written qualification program. The program shall include provisions to:
 - (b) **Ensure through evaluation that individuals performing covered tasks are qualified;**

Kern River's OQ procedures do not include provisions to cover personnel performing "covered tasks". The Operator Qualification procedures did not include a process to ensure contracted staff are trained and evaluated with respect to duties performed under Kern River's Operation and Maintenance Manual.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 60 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Kern River maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Chris Hoidal, Director, Western, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2012-1005M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Chris Hoidal
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*

cc: PHP-60 Compliance Registry
PHP-500 J. Haddow (#128585)