



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

409 3rd Street, SW, Suite 300
Washington, DC 20024

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 25, 2009

Mr. Dan Martin
Executive Vice President
El Paso Pipeline Group
1001 Louisiana
Houston, Texas 77252-2511

CPF 1-2009-1002W

Dear Mr. Martin:

Between June 9 and June 20, 2008, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected the Agawam and Hopkinton Divisions of the Tennessee Gas Pipeline Company (Tennessee Gas) in Massachusetts, Rhode Island and New Hampshire.

As a result of the inspections, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation is:

1. **§ 192.603 General provisions**

(b) Each operator shall keep records necessary to administer the procedures established under § 192.605

During the inspection of its overprotection devices, Tennessee presented annual test records in order to demonstrate compliance with § 192.739(a)(3) and § 192.201(a)(2)(i). The records for the overpressure protection which include relief valves, regulators and pressure switches did not

1. **§ 192.603 General provisions**

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During the inspection of its overprotection devices, Tennessee presented annual test records in order to demonstrate compliance with § 192.739(a)(3) and § 192.201(a)(2)(i). The records for the overpressure protection which include relief valves, regulators and pressure switches did not include the actual test pressures at which the overpressure protection relieved or entered control mode. The operator's Maximo test record listed the set point for each overprotection device, but there was no actual pressure listed in the record to confirm the result was within the tolerances specified by the procedures. Apparently, quantitative test data would be entered into the test record only if the device failed to test satisfactorily. The actual pressure should be a part of the official record.

Documents reviewed during the inspection consisted of:

1. OPP Device Inspection checklist (Pressure control valves/regulators)
2. OPP Device Inspection checklist (Relief valves)
3. Guidance document for OPP Device Inspection Process
4. DOT Reg/RV Inspection Document Report (CY 2007 Regulator Tests at Main Line Valve 354-1, Holyoke and Westfield)
5. DOT Reg/RV Inspection Document Report (CY 2007 Pressure switches at Station 261)
6. DOT Reg/RV Inspection Document Report (CY 2007 Relief Valve at Main Line Valve 261)

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any 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 Tennessee Gas 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 1-2009-1002W**. 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,

A handwritten signature in black ink, appearing to read "Byron E. Coy". The signature is fluid and cursive, with the first name "Byron" and last name "Coy" being more prominent than the middle initial "E".

Byron E. Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration