

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: Matthew.Ramsey@energytransfer.com ,
Eric.Amundsen@energytransfer.com , and Jim.Wright@energytransfer.com

September 28, 2020

Mr. Matthew Ramsey
Chief Operating Officer
Energy Transfer
8111 Westchester Drive
Dallas, Texas 75225
Matthew.Ramsey@energytransfer.com

CPF 3-2020-1006M

Dear Mr. Ramsey:

On March 19-21, 2019, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, inspected Energy Transfer's Panhandle Eastern Pipeline (PEPL) procedures for Public Awareness in Houston, Texas.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within your procedures, as described below:

1. § 192.616 Public awareness.

(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety.

PEPL's Public Awareness Plan is inadequate because it does not include a process that takes into account consequences, for non-alternative maximum allowable operating pressure pipelines, when establishing notification distances from the pipeline. Specifically, PEPL's Public Awareness Plan procedure A.17 Section 7.2 only indicates that PEPL *could* include potential impact consequences for lines other than alternative maximum allowable operating pressure lines.

API RP 1162 section 3 states, “The operator should consider tailoring its communication coverage area to fit its particular pipeline location and release consequences. The operator would be expected to consider areas of consequence as defined in federal regulations. Where specific circumstances suggest a wider coverage area for a certain pipeline location, the operator should expand its communication coverage area as appropriate.”

PEPL must amend its procedure A.17 Section 7.2 to always include consequences in establishing notification distances for its public stakeholder audience.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. 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).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. 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 an Order Directing Amendment. If 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. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 45 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 Panhandle Easter Pipe Line maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Allen C. Beshore, Director, Central Region, OPS, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2020-1006M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Gregory A. Ochs
Acting Director, Central Region, OPS
Pipeline and Hazardous Materials Safety Administration

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

cc: Mr. Eric Amundsen, Senior Vice President, Energy Transfer, dba Panhandle Eastern
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