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

8701 South Gessner, Suite 1110
Houston, TX 77074

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 13, 2013

Mr. Barry Petty
President & CEO
Trinity Pipeline GP LLC
401 West Wall S.
Midland, TX 79701

CPF 4-2013-5014M

Dear Mr. Petty:

On multiple days in September, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Trinity Pipeline GP LLC (Trinity) procedures for Operations, Maintenance and Emergency Response in Seminole, TX.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Trinity's plans or procedures, as described below:

1. **§ 195.64 National Registry of Pipeline and LNG Operators**

   (c) Changes. Each operator must notify PHMSA electronically through the National Registry of Pipeline and LNG Operators at http://opsweb.phmsa.dot.gov, of certain events.

(1) An operator must notify PHMSA of any of the following events not later than 60 days before the event occurs:

(i) Construction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs $10 million or more. If 60 day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable;
(ii) Construction of 10 or more miles of a new hazardous liquid pipeline; or
(iii) Construction of a new pipeline facility.

(2) An operator must notify PHMSA of any following event not later than 60 days after the event occurs:

(i) A change in the primary entity responsible (i.e., with an assigned OPID) for managing or administering a safety program required by this part covering pipeline facilities operated under multiple OPIDs.
(ii) A change in the name of the operator;
(iii) A change in the entity (e.g., company, municipality) responsible for operating an existing pipeline, pipeline segment, or pipeline facility;
(iv) The acquisition or divestiture of 50 or more miles of pipeline or pipeline system subject to this part; or
(v) The acquisition or divestiture of an existing pipeline facility subject to this part.

Trinity's O&M procedures do not adequately require PHMSA notification for changes to its system as required by 195.64(c). On September 21, 2012, Trinity emailed PHMSA staff updated procedures and an associated MOC. PHMSA staff confirmed the changes to section 1.1.1 PHMSA reporting adequately meet the requirements of 195.64(c). No further actions are necessary for this item.

2. § 195.214 Welding procedures.

(a) Welding must be performed by a qualified welder in accordance with welding procedures qualified under Section 5 of API 1104 or Section IX of the ASME Boiler and Pressure Vessel Code (incorporated by reference, see §195.3) . The quality of the test welds used to qualify the welding procedure shall be determined by destructive testing.

(b) Each welding procedure must be recorded in detail, including the results of the qualifying tests. This record must be retained and followed whenever the procedure is used.

Trinity's O&M procedures inaccurately reference the standards to which welding procedures will be developed. O&M Procedure section 2.7 Welding; 2.7.1 General states: 195.222 (a) Only Qualified Weld Procedures qualified prior to use in accordance with API Standards 1104, Section 6) and API 1107 shall be used. On September 21, 2012, Trinity emailed PHMSA staff updated procedures and an associated MOC. PHMSA staff confirmed the changes to section 2.7 "Welding"; subsection 2.7.1 "General Procedures" adequately meet the requirements of 195.214. No further actions are necessary for this item.

3. § 195.230 Welds: Repair or removal of defects.

(a) Each weld that is unacceptable under §195.228 must be removed or repaired. Except for welds on an offshore pipeline being installed from a pipelay vessel, a weld must be removed if it has a crack that is more than 8 percent of the weld length.

(b) Each weld that is repaired must have the defect removed down to sound metal and the segment to be repaired must be preheated if conditions exist which would adversely affect the quality of the weld repair. After repair, the segment of the weld that was repaired must be inspected to ensure its acceptability.

(c) Repair of a crack, or of any defect in a previously repaired area must be in accordance with written weld repair procedures that have been qualified under §195.214. Repair procedures must provide that the minimum mechanical properties specified for the welding procedure used to make the original weld are met upon completion of the final weld repair.

Trinity's O&M procedures Section 2.7.3 "Repair of Defective Welds" and referred Table TPL-4 "Approved Permanent Pipeline Repair Methods" do not adequately state the criteria for an acceptable weld as required by 195.230(a), the procedures do not state the method of repair as required by 195.230(b), and the procedures do not specify the repair requirements for a crack or previously repaired area as required by 195.230(c).

Trinity must amend their procedures to ensure that weld repairs are conducted in accordance with 195.230. Specifically, these procedure need to apply to construction welds, and not just repairs made to leaking welds of pipelines already in service.

4. § 195.452 Pipeline integrity management in high consequence areas

(f) What are the elements of an integrity management program? An integrity management program begins with the initial framework. An operator must continually change the program to reflect operating experience, conclusions drawn from results of the integrity assessments, and other maintenance and surveillance data, and evaluation of consequences of a failure on the high consequence area. An operator must include, at minimum, each of the following elements in its written integrity management program:

(1) A process for identifying which pipeline segments could affect a high consequence area;

Trinity's Integrity Management Plan does not adequately specify what changes that would either create an HCA or could affect an HCA will be monitored. Although Trinity accomplished an HCA identification through aerial surveys, field patrols and NPMS reviews, Trinity didn't have a clear written procedure detailing those methods or how it would be utilized for identifying potential HCA's or segments on the line that could affect an HCA. On September 24, 2012, Trinity emailed PHMSA staff an updated Integrity Management Plan and an associated MOC. PHMSA staff confirmed the changes to the IM Plan adequately meet the requirements of 195.452(f)(1). No further actions are necessary for this item.

5. **§ 195.567 Which pipelines must have test leads and what must I do to install and maintain the leads?**

(b) Installation. You must install test leads as follows:
(1) Locate the leads at intervals frequent enough to obtain electrical measurements indicating the adequacy of cathodic protection.
(2) Provide enough looping or slack so backfilling will not unduly stress or break the lead and the lead will otherwise remain mechanically secure and electrically conductive.
(3) Prevent lead attachments from causing stress concentrations on pipe.
(4) For leads installed in conduits, suitably insulate the lead from the conduit.
(5) At the connection to the pipeline, coat each bared test lead wire and bared metallic area with an electrical insulating material compatible with the pipe coating and the insulation on the wire.

(c) Maintenance. You must maintain the test lead wires in a condition that enables you to obtain electrical measurements to determine whether cathodic protection complies with §195.571.

Trinity's O&M Procedures are inadequate as it states that test stands are generally where accessible at crossing or paved roads. PHMSA staff inquired how trinity determined the intervals and locations, Trinity personnel stated "because that's where the road crossings were." Trinity's process of locating test stations must be based off of sound engineering and specific to the environment which can affect the cathodic protection system. Convenience to access is not a sufficient enough critereia.

6. **§ 195.577 What must I do to alleviate interference currents?**

(a) For pipelines exposed to stray currents, you must have a program to identify, test for, and minimize the detrimental effects of such currents.

Trinity's O&M Procedures do not adequately address the requirements of 195.577 to identify, test for, and minimize the detrimental effects of stray currents.

Some mention to stray current and interference with other pipelines is made, but not with adjacent metallic structures. Also, their procedures make no mention of inspection requirements for AC interference, where to identify, how to test for, and how to mitigate such interference currents. On September 24, 2012, Trinity emailed PHMSA staff updated procedures and an associated MOC. The amended procedures section 1.14.4.3 "Impressed Current Systems" state:

> "If adjacent metallic structures are identified by encroachment that may contain electrical interference near the pipeline, corrosion personnel should be notified to analyze whether stray currents from system are adversely affecting Trinitys pipeline. If interference is found then Trinity should make contact with the owner of the foreign structure as necessary to mitigate the adverse effect and document same."

The procedure, as amended, is still inadequate as an inspection to look for interference will only be conducted when an encroachment is identified. This approach fails to identify possible interference where encroachment wasn't identified. This is readily apparent in the July 28, 2012, 3rd party strike that Trinity personnel stated was caused by locating an adjacent metallic structure interfering with their pipeline rather than the pipeline itself. Inspecting for interference would assist in identifying encroachments, and should be an "inspection prerequisite."

Trinity's procedures must be amended to identify, test for, and minimize the detrimental effect of interference currents where pipelines may be exposed to them. Testing for interference currents should be applied to the entire pipeline, not just where encroachment can be identified.

7. § 195.583 What must I do to monitor atmospheric corrosion control?

(a) You must inspect each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion, as follows:

If the pipeline is located:	**Then the frequency of inspection is:**
Onshore	**At least once every 3 calendar years, but with intervals not exceeding 39 months.**
Offshore	**At least once each calendar year, but with intervals not exceeding 15 months.**

(b) During inspections you must give particular attention to pipe at soil-to-air interfaces, under thermal insulation, under disbonded coatings, at pipe supports, in splash zones, at deck penetrations, and in spans over water.

(c) If you find atmospheric corrosion during an inspection, you must provide protection against the corrosion as required by § 195.581.

Trinity's O&M Procedures do not adequately address the requirements of 195.583(b) to pay particular attention to pipe at air to soil interfaces, under supports, and under disbonded coatings. PHMSA staff confirmed no other conditions under 195.583(b) apply to this pipeline.

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 Trinity maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 4-2013-5014M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

R. M. Seeley
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration

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