

June 13, 2017

VIA FEDERAL EXPRESS OVERNIGHT

Ms. Kristin Baldwin
Hearing Official
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Re: In the Matter of Williams Partners, LP, Respondent
CPF-4-2016-1008
File No. 14863-288

Dear Ms. Baldwin:

The following is submitted in accordance with 49 CFR 190.211(d) and constitutes the documents, records and exhibits that Williams Partners, LP intends to introduce at the hearing scheduled for June 23, 2017. As a preface, Williams acknowledges that its local personnel did not follow proper procedures, and mistakes were made in connection with the October 8, 2015 incident. As such, it is not challenging the facts associated with Probable Violations 2¹, 3, 4, and 5 nor \$1.4 million in associated penalties and is prepared to enter a consent agreement to that effect if an agreement can be reached as to the remaining issues in dispute. At the hearing, in addition to oral argument Williams anticipates calling the following three witnesses to testify:

John Suchar – Director – Employee Safety

Shane Frasier – Pipeline Safety Engineer

Ross Sinclair – Manager – Pipeline Control

Williams intends to retain the services of a certified court report to transcribe the proceedings.

¹ Williams is, however, requesting that the language of Probable Violation 2 be modified so as to eliminate any language suggesting that Williams and/or Transco possessed actual knowledge that a combustible mixture of gas and air existed in the 42" liquid's header, and nonetheless, allowed Hot Work to continue.

This letter, along with its attachments, is being submitted in support of Williams' position and has been designated as **W-Exhibit A**. Each issue will be addressed below in detail; however, for ease of reference, the following chart sets out a summary of Williams' position as to each remaining issue and the specific resolution Williams is proposing.

Remaining Issue	Williams Position	Requested Resolution
NOPV 1, \$200,000 Penalty, PCO 1	No facts support the claim that Williams had knowledge of fatalities or injuries at the time of its initial report to the National Response Center.	For NOPV 1, the \$200,000 proposed penalty and Co 1 be dismissed.
NOPV 2	No facts support the claim that Williams' employees had knowledge of a combustible mixture of air and gas in the header.	The proposed violation be modified to eliminate the incorrect allegations.
PCO 2	Williams has reviewed its Preventing Accidental Ignition procedure and maintains that no changes are necessary, as its requirements align with the related requirements in its Hot Work policy, Gas Handling Plans policy and Operator Qualification plan. Williams is in the process of implementing a new, company wide Hot Work policy (W-Exhibit N) under which Transco will receive training on the updated procedure to include the specific elements referenced in alignment with Preventing Accidental Ignition.	That PCO 2 be found satisfied.
PCO 3	Williams reviewed the Hot Work Policy in effect at the time of the incident, WilsOP 640.05, and maintains that the roles and responsibilities between operator and contractor are clearly delineated. Furthermore, the WIMS 02.10.01.04 - Hot Work procedure that will be implemented throughout 2017 contains adequate and specific distinction between operator and contractor roles and responsibilities.	That PCO 3 be found satisfied.
PCO 4	Williams has reviewed its WIMS 04.00.00.02 Implementation of the Operator Qualification Plan procedure and associated WIMS Operator Qualification plan document and determined that the process required in part "a" of PCO 4 is satisfied. Williams maintains that existing training material and efforts required in part "b" of PCO 4 is satisfied.	That PCO 4 be found satisfied.
PCO 5	Williams has reviewed its WilsOP 10.22.02 - Gas Handling Plans procedure and pending WIMS 02.10.01.02 Work Planning Operating Requirement and determined: that "complex purge" is properly defined; and, that it has clarified when a purge plan requires specific review by a knowledgeable engineer through Section 3.2 of WIMS 02.10.01.02 Work Planning which now mandates that purge plans be reviewed by the Manager Operations and a knowledge engineer in the following circumstances: a) Cleaning and clearing of equipment or piping via a Complex Purge in preparation for Hot Work b) When vapor barriers (i.e. engineered isolation plus) or air movers are to be used during Hot Work; or, c) when Positive Isolation cannot be achieved in preparation for Hot Work.	That PCO 5 be found satisfied.

I. **Proposed Violation No. 1, the associated \$200,000 Civil Penalty and proposed Compliance Order No. 1.**

Williams specifically denies and disputes the factual basis upon which Proposed Violation No. 1, its associated Civil Penalties and proposed Compliance Order No. 1, is based and respectfully seeks its rescission.

PHMSA has alleged that Williams failed to provide significant facts regarding the reportable event including the number of fatalities and personal injuries. In support of this statement, PHMSA relies upon a media report purportedly time-stamped 11:32 AM as proof that fatalities and injuries were known as of that time. The factual evidence establishes that this allegation is incorrect. As set forth below, at the time of Williams' initial report to the National Response Center (NRC) (12:06 PM CST), NO ONE knew if there were fatalities or injuries.

PHMSA has relied upon a news media report allegedly published at 11:32 AM CST on the day of the fire. This was **Exhibit A-2** of the Pipeline Safety Violation Report. For your reference, it has also been attached to this letter as **W-Exhibit B**. Since the incident did not occur until slightly after 11:00 AM CST, the practical question arises as to how a reporter could have obtained all of this information and written the report in thirty minutes. The answer is obvious—it is not possible. As demonstrated below, a careful reading of the media report reveals that despite the time stamp, much of the information was not known, much less published, until later in the day and well after Williams made its initial report to the NRC.

"We are deeply saddened by reports of serious injuries to personnel working at the scene," Toups said in a news release early Thursday afternoon. "Our thoughts and prayers are with them and their families at this very critical time."

Initially, residents in the 4700 block of both Bayou Black Drive and North Bayou Black Drive had been told to evacuate voluntarily or stay inside, officials with the Sheriff's Office said. By around noon, those who stayed were asked to remain in their homes. The request was lifted about 2 p.m. for residents along North Bayou Black Drive but remained for the others, who live closer to the plant.

The two roads were blocked in both directions near the site until about 2 p.m. As of 5:30 p.m. Thursday, North Bayou Black Drive was reopened to motorists, but the 4700 block of Bayou Black Drive between Blanchard Bridge and Greenwood Bridge remains closed to motorists as firefighters work to extinguish the ongoing fire at the plant.

Page 2 of **W-Exhibit B**
(Also cited as Exhibit A-2 of the Pipeline Safety Violation Report)

Contemporaneous state and local agency incident response reports are attached to this letter as:

- Terrebonne Parish Sheriff Incident Report – **W-Exhibit C**; and
- Louisiana state Police Incident/DEQ Incident Report – **W-Exhibit D**.

These reports establish that the first fatality was not known by the emergency responders until 2:04 PM CST (approximately 2 hours after Williams made its initial report to the NRC). The total number of fatalities was not known by the emergency responders until 2:17 PM CST.

TIME	AGENCY REPORTING	INFORMATION REPORTED
11:01:00 AM	Terrebonne Sheriff	Deputy Douglas Chauvin overheard dispatch about a possible explosion at Williams
11:03:00 AM	Terrebonne Sheriff	Spoke to unknown subject who said there was a man lying under the piping inside the facility. "the <u>subject said he thinks the man lying under the piping is dead.</u> "
11:04:00 AM	Terrebonne Sheriff	Advised dispatch that a detective was needed because " <u>we may have a fatality</u> "
11:05:00 AM	Terrebonne Sheriff	advised dispatch to notify state police
11:18:00 AM	State Police	"Terrebonne Parish EOP notified Jimmy Hicks of a reported explosion at the Williams Gas Facility in Gibson...There <u>was a report of a fatality...</u> "
11:28:00 AM	State Police	" <u>no reported as fatalities at this time</u> "
12:06:00 PM CST (13:06:00 Hours ET)	Williams	1st NRC report
12:31:00 PM	State Police	"this is a <u>lifesaving situation...</u> about to make entry, there are 4 people down...there is still residual gas in the pipeline//employees are badly burned///the fire is not completely out.
12:35:00 PM	State Police	Made entry into the hot zone. The <u>plan was to locate and rescue</u> the surviving employees and exit the facility safely
1:10:00 PM (13:10 Hours)	State Police	The entry team exited the facility with Mr. Mike Hill, an employee of Furmanite. Mr. Hill was transported to Terrebonne General Hospital and subsequently air-lifted to Baton Rouge General to be treated for his injuries
1:50:00 PM (13:50 Hours)	State Police	a two-man entry team comprised of two Bayou Cane Fire first responders entered the hot zone via the ATV to perform a lifesaving mission of another worker. The entry team exited the hot zone at 13:56 hours with Mr. Casey Ordanye, an employee of Danos Construction. <u>Mr. Ordanye was pronounced deceased at 1404 hours by</u> Mrs. Shelia Guidry
1:59:00 PM (13:59 Hours)	State Police	a second two-man entry team entered into the hot zone. At 14:03 hours the entry team exited the hot zone with Mr. Samuel Brinlee, an employee of Danos Construction. <u>Mr. Brinlee was pronounced deceased at 14:06 hours by</u> Mrs. Sheila Guidry
2:06:00 PM (14:06 Hours)	State Police	A third entry team from the Bayou Cane Fire Department entered the hot zone and exited at 1414 hours with Mr. Jason Phillipe, an employee of Furmanite. <u>Mr. Phillipe was pronounced deceased at 14:17 hours by</u> Mrs. Sheila Guidry.
2:27:00 PM	State Police	Shone Jackson says " <u>everyone is accounted</u> for that was missing...they are going to conduct a search for one person who was not signed in...Hicks has left the scene
3:23:00 PM CST (16:23:00 Hours ET)	Williams	Supplemental NRC report

Summary of relevant entries from **W-Exhibits C and D.**

The Proposed Violation No. 1, Civil Penalty and Compliance Order is based upon incomplete and inaccurate information. Not only does the Pipeline Safety Report incorrectly assume the time stamp on the media report to be accurate, it also fails to include or consider Williams' Supplemental NRC Report made that same day at 3:32 PM CST. The supplemental report correctly reported the number of fatalities and injuries that were then known to Williams.

As shown on the NRC calls log (the relevant portion attached is attached as **W-Exhibit E**), Williams' first notice to NRC was at 12:06 PM CST and referenced as Incident No. 1130404 (attached as **W-Exhibit F**). The supplemental notice was provided at 3:23 PM CST and referenced as Incident No. 1130429 (attached as **W-Exhibit G**). Williams was under no obligation to provide this supplemental information, but unilaterally chose to do so. The overwhelming evidence establishes that Williams provided the updated information regarding fatalities and injuries once such information was known. It is respectfully submitted that there is simply no evidence that Williams had knowledge of fatalities or other relevant evidence that it chose not to report. On the contrary, the evidence demonstrates that Williams' initial report to NRC provided all relevant facts of which it had knowledge as required by then existing federal regulations and, in fact, went beyond that by voluntarily providing a supplemental report with additional information three and one-half hours later (and less than one hour after the Emergency Responders informed it of the fatalities). Accordingly, Williams is respectfully requesting Proposed Violation No. 1, the Associated Civil Penalty and Proposed Compliance Order No. 1 should be rescinded.

II. Notice of Probable Violation 2

Williams is requesting that the language of Proposed Violation 2 be changed as follows:

The operator failed to take adequate steps to minimize the danger of accidental ignition of gas in an area where the presence of gas during welding constituted a combustion hazard. On October 8, 2015 Transeo failed to stop work when gas was detected inside the 42-inch liquids header and allowed welding to start when a combustible mixture of gas and air existed within the 42-inch liquids header of the slug catcher caused a series of explosions and fire that resulted in a reportable incident.

There is no evidence that any Williams' employee had actual knowledge of the presence of combustible gas in the liquids header immediately preceding Hot Work. As set forth on page 15 of the Pipeline Safety Violation Report:

"The work plan had not been shared with the personnel who knew about the hydrocarbons [Danos] in the 42-inch header. However, the operator employee was aware of hydrocarbons in the water draw line, but believed that the work site had been made safe through installation of a blind flange and subsequent reading with the gas detector of 0% LEL at the water draw line. (Emphasis and bracketed material added)

Appendix E of the Pipeline Safety Violation Report (attached hereto as **W-Exhibit H**) contains the interview notes of the PHMSA investigator. Those notes once again establish the lack of knowledge on the part of Williams as to the presence of combustible gas in the header. As set forth below, the Williams' operator involved in this work told the investigator:

Josh Zachary (Telephone Interview)
10/13/2015 8:15 AM

- MA asked Josh to describe where he was on Thursday morning [day of the accident]; starting from when he came over to the header area:
 - o They were supposed to cold cut the 3-inch flange
 - o They blinded off the (loop) line
 - o After they installed the plug they sniffed the area (he did not leave)
 - o He doesn't remember any welding, he just heard a boom
- MA were you there or did you issue the work permit
 - o No, and he did not issue the work permit, it was on the hot work permit from earlier
- He does not recall a reading in the (42-inch) header of 4% LEL
- MA do you recall recording the reading
 - o Fire watch records the reading, he doesn't make a record of it
- MA describing Luke's testimony (timing)
 - o He can't speak to the timing at all
- He doesn't remember Rudy welding
- MA did you have anything to do with monitoring (in other areas)
 - o No, just in his work area
- He does recall an issue with a bladder that morning, but doesn't know which one it was.

Page 174 of W-Exhibit H (Appendix E to the Pipeline Safety Report)
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In addition, the Hot Work Permit (attached as **W-Exhibit I**) does not suggest that anyone from Williams knew of combustible material in the header prior to performing the Hot Work. Rather it only indicates that a 40% LEL reading had been obtained from water draw line some 40 minutes prior to the incident. The water line is not "the header." Further, the evidence establishes that it was blinded and rechecked for LEL with a finding of 0. It is significant to note that the 40% reading is not initialed by a Williams' employee. "RP" are the initials of Rudiad "Rudy" Peralta, an employee of the contractor, Danos.

Flammable Vapor Test Record

Flammable gas or vapors must be less than 10% LEL for work to proceed, unless flammable gas or vapors are necessary and the emission controlled to complete work safely. Document conditions at safe levels below starting work and when work resumes after any work stoppage.

Time	9:00 AM	10:00 AM	10:20			
LEL	0.8	20.8	20.8			
%LEL	0	0	40			
Initials of Tester	SLV	RPV	RP			

The location where this work is to be done has been examined and all necessary safety precautions have been taken prior to issuing this permit.

Authorized Signature: 

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W-Exhibit I (page 214 of the Pipeline Safety Report)

Williams has been informed that PHMSA typically does not distinguish between an operator and its contractor with respect to required adherence to the regulations. That, however, is not the issue in this matter. The language of Proposed Violation 2 goes beyond that stated objective by alleging “actual knowledge” on the part of Williams. Actual knowledge is not required to support the violation being proposed by PHMSA. From a regulatory perspective distinguishing between operator and contractor may not be significant, but in litigation such distinctions are critical. Allowing the unsupportable language to remain is patently unfair to Williams in light of the pending litigation associated with this incident. A PHMSA implication of actual knowledge would likely expose Williams to claims of intentional or gross negligence which the facts clearly do not substantiate. Williams is simply asking that the language of the Proposed Violation asserting or implying actual knowledge on the part of Williams be deleted.

PROPOSED COMPLIANCE ORDERS 2-5

The proposed compliance orders in large measure require Williams to review policies which, at the time of incident were already in the process of being replaced. At the time of the October 8, 2015 incident, Williams’ gas pipeline and DOT regulated facilities and assets followed a management system and associated set of procedures referred to as “WilSOP.” Williams’ midstream assets followed a management system known as “SIP.” The facility involved in this matter was operating under the “WilSOP” procedures. **Prior to this incident**, Williams was in the process of integrating both management systems through the implementation of a company-wide integrated management system designated as the *Williams Integrated Management System* (WIMS). WIMS sets out operating requirements, procedures, and required training for all Williams’ assets. As set forth more fully below, Williams has acted in accordance with the proposed compliance orders by reviewing both the policies in existence at the time and the new WIMS policies. Based upon this review, Williams submits that the WilSOP procedures

at issue in the Notice of Probable Violation and Proposed Compliance Order were adequate but were not followed by local personnel. This is consistent with the Notice of Probable Violation wherein it specifies that, "The operator failed to follow" specific aspects of the WilSOP procedures, as opposed to finding a deficiency in the policy itself. Williams further submits that the relevant WIMS policies in effect or soon to be in effect also properly address the stated concerns of the various proposed compliance orders.

Proposed Compliance Order 2

2. In regard to Item Number 2 of the Notice pertaining to Transco's failure to take adequate steps to minimize the danger of accidental ignition, Transco must review its operating and maintenance procedures and identify changes to ensure that the requirements of its Preventing Accidental Ignition are clearly aligned with the requirements of its Hot Work Policy, Gas Handling Plans and their associated Training Blocks and that they clearly cross reference the applicable sections of its Operator Qualification Plan and Training Plan. The changes intended to correct the deficiencies in the Prevention of Accidental Ignition processes shall be submitted to PHMSA, SW Region for review and concurrence prior to their implementation.

The proposed changes shall be submitted to PHMSA, SW Region within 120 days of the date of the Final Order, and the Final Implementation shall be completed within 180 days of the date of the Final Order, or 30 days after concurrence from PHMSA, SW Region, whichever is later.

Request 2:

Williams is requesting that Proposed Compliance Order 2 be considered satisfied.

Justification:

As per Proposed Compliance Order 2, Williams has reviewed its *WilSOP 10.19.01 – Preventing Accidental Ignition* (attached as **W-Exhibit J**) and maintains that no changes are necessary, as its requirements align with the related requirements in its *WilSOP 640.05 – Hot Work* (attached as **W-Exhibit K**), *WilSOP 10.22.02 – Gas Handling Plans* (attached as **W-Exhibit L**), and *WIMS Operator Qualification Plan* (attached as **W-Exhibit M**).

The Overview section of *Preventing Accidental Ignition* describes its purpose to provide a "...method for preventing accidental fires or explosions in areas where the presence of gas presents a hazard." Section 1.5 of *Preventing Accidental Ignition* specifically references *WilSOP 640.05 – Hot Work* "prior to performing welding, cutting, or other Hot Work in or around a structure or area containing gas facilities." The remainder of the *Preventing Accidental Ignition* procedure is related to accidental electrical arcing and venting gas, therefore the specific details

surrounding preventing accidental ignition during Hot Work activities are found in the *WilSOP 640.05 – Hot Work* policy.

The Overview section of *WilSOP 640.05 – Hot Work* provides that the procedure is to establish a process for authorization and issuance of Hot Work Permits, which are “intended to minimize the potential for accidental ignition...during welding cutting, and all other work that involves open flames.” Additionally, and in specific reference to Proposed Compliance Order 2, *WilSOP 640.05 – Hot Work* provides specific reference to Hot Work Permit Training and Skill Blocks 6623 Hot Work and 6813 Coordinate Safe Work Permit Preparation.

Williams is in the process of implementing a new, companywide Hot Work policy as *WIMS 02.10.01.04 – Hot Work*. (Attached hereto as **W-Exhibit N**). It will be implemented by the end of 2017, and upon which, the Preventing Accidental Ignition procedure will be updated for appropriate cross reference. Prior to implementation of *WIMS 02.10.01.04 – Hot Work*, Transco will receive training on the updated procedure, which will include the specific elements referenced in alignment with Preventing Accidental Ignition. This training will be conducted throughout 2017, and is to be maintained and delivered in subsequent years for continued awareness and education relating to Hot Work management and Preventing Accidental Ignition.

Proposed Compliance Order 3

3. In regard to Item Number 3 of the Notice pertaining to Transco’s failure to follow its Hot Work Procedure, Transco shall incorporate the requirements of the Covered Task for Atmospheric Monitoring into its Hot Work Procedures and ensure that the roles and responsibilities are clearly delineated for operator and contractor roles to ensure that only trained and qualified personnel issue and supervise Hot Work. Transco shall develop a training plan to carry out the instruction and implementation of the revised procedures and submit it along with the revised procedures to PHMSA, SW Region prior to carrying out the training for review and concurrence of the revisions and the training content.

The revised procedure shall be submitted to PHMSA, SW Region within 60 days of the date of the Final Order, and the training carried out no later than 180 days after the date of the Final Order, or 30 days after concurrence from PHMSA, SW Region, whichever is later.

Request 3:

Williams is requesting that Proposed Compliance Order 3 be considered satisfied.

Justification:

Proposed Compliance Order 3 requires Williams to incorporate requirements of the Covered Task for Atmospheric Monitoring into its Hot Work Procedures. The Qualification References section of *WIMS 02.10.01.04 – Hot Work (W-Exhibit N)* has been updated to include Covered Task 616, Atmospheric Monitoring During Hot Work Operations.

Proposed Compliance Order 3 requires Williams to ensure that roles and responsibilities are clearly delineated for operator and contractor roles to ensure that only trained and qualified personnel issue and supervise Hot Work. As explained below, Williams reviewed both the current *WilSOP 640.05 Hot Work* as well as the *WIMS 02.10.01.04 – Hot Work* that will be implemented throughout 2017 and find that the roles and responsibilities for operator and contractor are clearly delineated and only trained and qualified personnel are authorized to issue and supervise Hot Work.

WilSOP 640.05 Hot Work (W-Exhibit K)

Williams has reviewed *WilSOP 640.05 Hot Work* and submits that the roles and responsibilities are clearly delineated for operator and contractor based on the following:

- The Roles and Responsibilities section of *WilSOP 640.05 Hot Work* defines that a Designated Employee is responsible to complete Hot Work training prior to filling out Hot Work Permits .
- The Monitor Work Performed by Contractors section of *WilSOP 640.05 Hot Work* requires a trained Company employee to performing the monitoring areas where Hot Work is performed by a Contractor.
- Each of the elements of section 4.0 Prior to Hot Work within *WilSOP 640.05 Hot Work* are required of a Designated Williams' Employee.
- Each of the elements outlined in section 5.0 During Hot Work within *WilSOP 640.05 Hot Work* are specific requirements of Designated Williams' Employees
- Generally summarizing, each of the Hot Work monitoring and management activities that take place prior to, during, and after Hot Work are specific requirements of Designated Williams' Employees as outlined in *WilSOP 640.05 Hot Work*.

WIMS 02.10.01.04 – Hot Work (Exhibit N)

- The Summary of Responsibilities section of *WIMS 02.10.01.04 – Hot Work* requires: a Job Lead to issue a Hot Work permit, and verify hazards are identified and mitigated during Hot Work; an Employee to perform continuous atmospheric monitoring during Hot Work; and an Authorizer to review and authorize Hot Work permits. Each of these identified roles are defined and required as Company employees within the definitions section of the procedure. Sections 1-5 of *WIMS 02.10.01.04 – Hot Work* expand on these responsibilities of these various Company employee roles.
- Within the Hot Work Permit Authorizer definition of *WIMS 02.10.01.04 – Hot Work*, specific attention is called to read “Contractors cannot authorize Hot Work permits.”

The WilSOP 640.05 – Hot Work procedure was being used at the time of the incident, and upon review per Proposed Compliance Order 3, Williams maintains that the roles and responsibilities between operator and contractor are clearly delineated. Furthermore, the *WIMS 02.10.01.04 – Hot Work* procedure that will be implemented throughout 2017 contains adequate and specific distinction between operator and contractor roles and responsibilities. It will be implemented by the end of 2017. Prior to implementation, Transco will receive training on the updated procedure, which will include the specific elements referenced in alignment with Proposed Compliance Order 3, to include material training around roles and responsibilities between employees and contractors during Hot Work. This training will be conducted throughout 2017, and is to be maintained and delivered in subsequent years for continued awareness and education relating to Hot Work management.

Proposed Compliance Order 4

4. In regard to Item Number 4 of the Notice pertaining to Transco’s failure to follow its Operator Qualification Plan (OQ Plan), Transco shall complete the following tasks:
 - a) Create a process to ensure that the identification of covered tasks for project and contract work is reviewed for accuracy and completeness prior to the issuance of

the RFS to verify the covered tasks have been properly identified by personnel having knowledge and experience with the operator's OQ Plan, and the scope of the project.

b) Develop training materials on the proper identification and selection of covered tasks for personnel having responsibility for the development of project documents that include Request for Services. The training shall include information about the operator's OQ Plan, Covered Tasks, the process developed under Item 3a, and verification of contractor work force personnel's qualifications prior to the performance of covered tasks.

Request 4:

Williams is requesting that Proposed Compliance Order 4 be considered satisfied.

Justification:

Williams has reviewed its *WIMS 04.00.00.02 Implementation of the Operator Qualification Plan* procedure (attached as **W-Exhibit O**) and associated *WIMS Operator Qualification Plan* document (attached as **W-Exhibit M**) and determined that the process required in part "a" of Proposed Compliance 4 is satisfied based on the following:

- Section 3.1 of *WIMS 04.00.00.02 Implementation of the Operator Qualification Plan* requires that certain managers responsible for issuing Request for Service (RFS) identify Covered Tasks (CTs) to be performed by a contractor and include such on the RFS. Within section 3.1 is a note to reference section 8.4 of the *WIMS Operator Qualification Plan*. The *WIMS Operator Qualification Plan* contains a list of all Covered Tasks applicable to Williams' projects.
- Section 3.2 of *WIMS 04.00.00.02 Implementation of the Operator Qualification Plan* requires that certain managers responsible for issuing RFSs validate a contractor's Field Verification Report (FVR) prior to beginning work. The FVR is provided by the Contractor to Williams prior to beginning a project and includes information such as, contractor employee name(s), CT identify for specific project, task description, span of control limit, qualification date, expiration date, verification of identify, verified by, and verified date.

Williams has reviewed part "b" of Proposed Compliance 4 and maintains that existing training material and efforts satisfy the requirement based on the following:

Prior to and during implementation of *WIMS 04.00.00.02 Implementation of the Operator Qualification Plan*, training was provided at every operations location for all personnel who could request an RFS. Training on OQ was specifically included, as well as a specific review of the Contracts Work Description List which includes the OQ applicable task. Existing training is maintained on how to create an RFS, which includes information on adding OQ and CTs. This training is continuously updated and customized per audience, but the content and messaging associated with requirements to include CTs on RFSs remains consistent. As examples of this training Williams has attached the following documents:

OE Supply Chain Contracts - Understanding the new MSA and RFS documents (attached as **Exhibit P**)

Proposed Compliance Order 5

5. In regard to Item Number 5 of the Notice pertaining to Transco's failure to follow its Gas Handling Plan procedure, Transco shall complete the following tasks:

a) Revise the Gas Handling Plan Procedure 10.22.02 to define what constitutes a "Complex Purge," clarify when an engineered purge plan is required, and what steps must be taken when to perform an "Engineered Purge Plan."

b) Identify and review any pending projects developed prior to the implementation of Item 4a to ensure that all current purge plans have received adequate review and adhere to the process developed in Item 4a.

This Item shall be completed no later than 180 days after the date of the Final Order.

Request 5:

Williams is requesting that Proposed Compliance Order 5 be considered satisfied.

Justification:

Williams has reviewed its *WilSOP 10.22.02 – Gas Handling Plans* procedure (attached as **W-Exhibit L**) and pending *WIMS 02.10.01.02 Work Planning* (attached as **W-Exhibit Q**) and determined that part "a" of Proposed Compliance Order 5 is satisfied based on the following:

- The *WilSOP 10.22.02 – Gas Handling Plans* procedure clearly defines a Complex Purge as "the purging of facilities with multiple lines, loops, vessels, etc., with multiple purge supply points or multiple vent points to the atmosphere. *WilSOP 10.22.02 – Gas Handling Plans* was in effect at the time of the incident. Additionally, *WIMS 02.10.01.02 Work Planning* maintains the same definition of Complex Purge. *WIMS 02.10.01.02*

Work Planning will be replacing *WilSOP 10.22.02 – Gas Handling Plans* through implementation in 2017, but again the Complex Purge definitions remain the same.

Williams maintains that the Complex Purge issue associated with part “a” of Proposed Compliance Order 5 is not a matter of definition, but rather, clearly specifying when any purge requires specific review by a knowledgeable engineer. To that end, Williams has reviewed its *WilSOP 10.22.02 – Gas Handling Plans* and *WIMS 02.10.01.02 Work Planning* and has determined that the “clarify when a purge plan is required” part of part “a” of Proposed Compliance Order 5 is satisfied based on the following:

- Section 3.2 of *WIMS 02.10.01.02 Work Planning* specifically requires that purge plans must be reviewed by the Manager Operations and a knowledge engineer in the following circumstances
 - Cleaning and clearing of equipment or piping via a Complex Purge in preparation for Hot Work
 - When vapor barriers (i.e. engineered isolation plugs) or air movers are to be used during Hot Work; or,
 - When Positive Isolation cannot be achieved in preparation for Hot Work.

WIMS 02.10.01.02 Work Planning clearly establishes a mandatory review by a knowledgeable engineer for any Hot Work wherein “positive isolation” cannot be achieved. The term ‘positive isolation is defined on page 8 of *WIMS 02.10.01.02 Work Planning* as:

	Process by which employees are protected against the release of energy and flammable material, and contact with a physical hazard, by such means as:
	• Blanking or Blinding • Misaligning or removing sections of lines, pipes, or ducts • Double Block and Bleed system • Lockout/tagout of sources of energy
Positive Isolation	• Blocking or disconnecting all mechanical linkages • Placement of barriers to eliminate the potential for flammable material
	 NOTE: Hazards associated with flowable materials will be considered isolated only by the use of blanking or blinding, misaligning or removing sections of lines, pipes, or duct, or use of a Double Block and Bleed system. The use of a single block valve with a body bleed is NOT an acceptable method to achieve positive isolation.

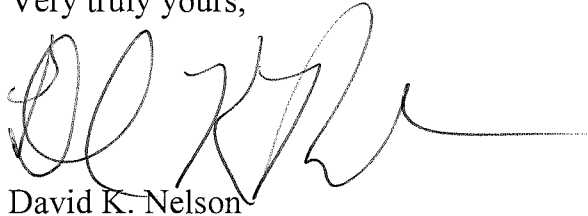
Williams submits that the concerns identified in part “b” of Proposed Compliance Order 5, are satisfied through the implementation of *WIMS 02.10.01.02 Work Planning* scheduled for

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2017. Future projects involving "Complex Purges" shall be performed in accordance with *WIMS 02.10.01.02 Work Planning*.

Williams believes that its procedures and policies were adequate at the time of this incident and the failure to follow the policies is the main issue. Through the actions Williams has taken to ensure that its policies are followed properly, it believes the central goal of enhanced pipeline safety has been achieved and that it is entitled to a determination that Proposed Compliance Orders 2-5 have been satisfied.

Very truly yours,

A handwritten signature in black ink, appearing to read 'DKN', followed by a long horizontal line extending to the right.

David K. Nelson

DKN/ah
cc: Mr. Adam Phillips