



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

8701 S. Gessner, Suite 630
Houston TX 77074

NOTICE OF AMENDMENT

ELECTRONIC MAIL - RETURN RECEIPT REQUESTED

December 20, 2021

George Green
President & Chief Executive Officer
DCP Midstream
370 17th Street
Denver, Colorado 80202

CPF 4-2021-074-NOA

Dear Mr. Green:

From February 22, 2021 through October 1, 2021, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected DCP Midstream's (DCP) Liquid Pipeline Operations & Maintenance (O&M) Manual for its Marysville Storage Field and Wattenberg Bushton HVL Systems.

Based on the inspection, PHMSA has identified the apparent inadequacies found within DCP's plans or procedures, as described below:

1. § 195.402 Procedural manual for operations, maintenance, and emergencies.

(a) ...

(c) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:

(1) ...

(3) Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of this part.

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

(a) ...

(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.

DCP's written procedure for conducting atmospheric corrosion inspections is inadequate because it does not include an inspection frequency for conducting atmospheric corrosion inspections for pipe at pipe supports. DCP's *Standard Operating Procedure (SOP), Procedure Number: CORR-5020, Atmospheric Pipe Inspection dated 3/18/2021*, "Section 1.1.7 Concealed areas under tie down straps or supports", states, "If there is no visual evidence of corrosion, no further action is required." The procedure, as written, does not comply with the requirements in § 195.583(b), because it allows DCP the option to never conduct atmospheric corrosion inspections of pipe at pipe supports.

DCP must amend its procedures for conducting atmospheric corrosion inspections to include a required inspection frequency regardless of visual evidence of corrosion for pipe at pipe supports in accordance with § 195.583(b).

2. § 195.402 Procedural manual for operations, maintenance, and emergencies.

(a) ...

(d) Abnormal operation. The manual required by paragraph (a) of this section must include procedures for the following to provide safety when operating design limits have been exceeded:

(1) Responding to, investigating, and correcting the cause of:

(i) ...

(v) Any other malfunction of a component, deviation from normal operation, or personnel error which could cause a hazard to persons or property.

DCP's written procedure regarding abnormal operating conditions is inadequate because it does not include procedures that provide safety when responding to, investigating, and correcting the cause of any malfunction of a component. Specifically, DCP's *Liquid Pipeline O&M Manual, Procedure Number F-06 dated 10/12/2020, Abnormal Operations*, "Section 1.7 Other Malfunction or Error", does not give clear instructions to operations personnel regarding who may perceive signs that an abnormal operating condition (AOC) has occurred, and does not give specific instructions on how to respond when these conditions are encountered to prevent an unsafe situation.

During the field inspection for the Wattenberg Bushton HVL System, operator qualified DCP personnel verbally stated a list of AOCs that they look for prior to operating a valve, conducting a cathodic protection survey, and other covered tasks. This list included AOCs from the *Veriforce CCT 716OP Training Guide dated 11/11/2019* provided by DCP. One of the signs of an AOC verbally stated by DCP personnel was the formation of ice balls to indicate a natural gas liquids (NGL) leak. The formation of ice balls is not mentioned in any DCP procedure, nor are the other signs contained in the *Veriforce Training Guide* indicating that a possible AOC has occurred. DCP's *Procedure F-14 Emergency Response Plan Requirements and Training dated 10/28/2020, "Section 6 Pump Station Emergency"* establishes that audible sounds, unusual odors, or vapor clouds of unknown origin may indicate AOCs that require an appropriate response.

DCP must amend its procedures to include procedures that provide safety when responding to, investigating, and correcting the cause of any malfunction of a component in accordance

with § 195.402.

3. § 195.440 Public awareness.

(a) Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see § 195.3).

(b) . . .

(g) The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area.

DCP's written continuing public education program is inadequate because it does not conduct the program in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's areas. Specifically, DCP's *Public Awareness Program (Version 7.1, July 15, 2019)*, "Section V. Program Components Languages (PA 2.3.1)" states: "Material provided to Schools, Emergency Response Agencies, Public Officials and the One Call Centers is not provided in languages other than English because government proceedings and response activities are conducted in English."

DCP's *Public Awareness Program (Version 7.1, July 15, 2019)* must be amended to require that all material provided to schools, emergency response agencies, public officials, and one call centers be provided in languages other than English commonly understood by a significant number and concentration of the non-English speaking population in the operator's area in accordance with *API Recommended Practice 1162, Public Awareness Programs for Pipeline Operators, 2.3.1 Public Education (First Edition, December 2003)*. Although government proceedings and response activities are conducted in English, the intent of the program is to educate the affected public that conducts government proceedings and response activities. Section V of DCP's *Public Awareness Program* states: "When a language meets (5%) criteria, DCP will translate the public awareness material into the required languages." According to DCP's *Census Data Analysis of Non-English Language Groups 2015 Program Year*, Spanish and Other Indo-European languages meet the 5% criteria for Colorado, Kansas, and Michigan. Materials provided to all stakeholders in the affected area should be provided in those languages that meet the criteria.

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 30 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 DCP Midstream maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Mary L. McDaniel, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 2-2021-074-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Mary L. McDaniel, P.E.
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration

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

cc: John Pontious, Manager, Pipeline Compliance, DCP Midstream,
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