



September 23, 2022

VIA ELECTRONIC MAIL TO: bryan.lethcoe@dot.gov

Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
8701 S. Gessner, Suite 630
Houston, TX 77074

Attn: Mr. Bryan Lethcoe
Director, Office of Pipeline Safety –Southwest Region
US Department of Transportation
Pipeline and Hazardous Materials Safety Administration

Re: CPF 4-2022-002-NOA
Notice of Amendment
Enterprise Products Operating, LLC

Dear Mr. Lethcoe:

Enterprise Crude Pipeline, LLC (Enterprise or the Company) is in receipt of the above referenced Notice of Amendment dated and received August 31, 2022. Accordingly, this letter constitutes Enterprise's response to the subject Notice of Amendment.

Item 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.*

§ 195.414 *Inspections of pipelines in areas affected by extreme weather natural disasters.*

(a) *General. Following an extreme weather event or natural disaster that has the likelihood of damage to infrastructure by the scouring or movement of the soil surrounding the pipeline, such as a named tropical storm or hurricane; a flood that exceeds the river, shoreline, or creek high-water banks in the area of the pipeline; a landslide in the area of the pipeline; or an earthquake in the area of the pipeline, an operator must inspect all potentially affected pipeline facilities to detect conditions that could adversely affect the safe operation of that pipeline.*

(b) *Inspection method. An operator must consider the nature of the event and the physical characteristics, operating conditions, location, and prior*

history of the affected pipeline in determining the appropriate method for performing the initial inspection to determine the extent of any damage and the need for the additional assessments required under paragraph (a) of this section.

- (c) Time period. The inspection required under paragraph (a) of this section must commence within 72 hours after the cessation of the event, defined as the point in time when the affected area can be safely accessed by the personnel and equipment required to perform the inspection as determined under paragraph (b) of this section. In the event that the operator is unable to commence the inspection due to the unavailability of personnel or equipment, the operator must notify the appropriate PHMSA Region Director as soon as practicable.**
- (d) Remedial action. An operator must take prompt and appropriate remedial action to ensure the safe operation of a pipeline based on the information obtained as a result of performing the inspection required under paragraph (a) of this section. Such actions might include, but are not limited to:**
 - (1) Reducing the operating pressure or shutting down the pipeline;**
 - (2) Modifying, repairing, or replacing any damaged pipeline facilities;**
 - (3) Preventing, mitigating, or eliminating any unsafe conditions in the pipeline right-of-way;**
 - (4) Performing additional patrols, surveys, tests, or inspections;**
 - (5) Implementing emergency response activities with Federal, State, or local personnel; and**
 - (6) Notifying affected communities of the steps that can be taken to ensure public safety**

Enterprise's written procedures for conducting operations, maintenance, and emergency preparedness and response activities were inadequate to ensure safe operation of a pipeline facility in accordance with § 195.402(c)(3). Specifically, Enterprise failed to include procedures for inspection of its pipelines in areas affected by extreme weather and natural disasters in accordance with § 195.414.

At the time of the inspection, Enterprise provided a draft copy of procedures to address § 195.414; however, these procedures had not been implemented into any program or manual. Following the inspection, on November 23, 2021, Enterprise provided the Table of Contents of Enterprise Products' Hurricane Plan 2021 (effective Date 6/1/2021, Rev. 12) for its South Texas Terminals, and Section 5.7 Natural Disasters of its 2021 Emergency Response Plan in response to PHMSA's Post Inspection Findings. The records provided do not include the required provisions of §195.414.

Therefore, Enterprise's written procedures for conducting operations, maintenance, and emergency preparedness and response activities were inadequate to ensure safe operation of a pipeline facility in accordance with § 195.402(c)(3). Enterprise must revise its procedures to address this requirement.

Enterprise Response to Item 1:

Enterprise's Extreme weather guidelines have since been added to the company O&M and are provided in Attachment #1.

Item 2:

§ 195.452 Pipeline integrity management in high consequence areas.

(a)

(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)

(6) **Identification of preventive and mitigative measures to protect the high consequence area (see paragraph (i) of this section);**

Enterprise's written procedures for integrity management were inadequate to ensure safe operation of a pipeline facility in accordance with § 195.452(f)(6). Specifically, Enterprise's written integrity management procedures failed to include a timeframe for implementation of preventive and mitigative (P&M) measures to protect high consequence areas. Due to the inadequate procedures, Enterprise failed to implement several identified P&M measures. In two instances, five or more years passed before Enterprise approved the plan to address identified P&M measures.¹ Those P&M measures, identified in 2014 and 2015, have not been implemented.

Section 6-01.2.2.7.4 of the Information Analysis Facilities Procedure (IM Procedure 6-01F, Rev. Date 5/14/20214, Rev. 09) states that "all preventive and mitigative recommendations requiring action shall be prioritized, addressed, and administered under the Company capital project or expense project process." However, this procedure failed to include a timeframe for implementation of identified P&M measures. Enterprise must amend its procedures to address this deficiency to ensure identified P&M measures are timely implemented.

Therefore, Enterprise's written procedures for integrity management were inadequate to ensure safe operation of a pipeline facility in accordance with § 195.452(f)(6). Enterprise must revise its procedures to address this requirement.

Enterprise Response to Item 2:

Enterprise has revised its IM Procedure 6-01F to include a new section 6-01.2.2.7 – Timeliness of Recommendation Implementation, demonstrated in Attachment #2. This new section indicates that timeframes for Implementing Preventive and Mitigative measures must be determined.

The previous Sections 6-01.2.2.7 and 6-01.2.2.8 have been renumbered to 6-01.2.2.8 and 6-01.2.2.9 respectively.

Enterprise welcomes the opportunity to work with PHMSA regarding the safe operations of our pipeline systems. Thank you in advance and your prompt response is greatly appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Graham W. Bacon', with a stylized flourish at the end.

Graham W. Bacon
Executive Vice President & Chief Operating Officer

Attachment:

- Attachment #1
- Attachment #2