



ENTERPRISE PRODUCTS PARTNERS L.P.
ENTERPRISE PRODUCTS HOLDINGS LLC
(General Partner)

ENTERPRISE PRODUCTS OPERATING LLC

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

March 14, 2023

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

Attn: Bryan Lethcoe
Director, Southwest Region, OPS, PHMSA

Re: CPF 4-2022-063-NOA
Notice of Amendment
Enterprise Products Operating, LLC

Dear Mr. Lethcoe:

Enterprise Products Operating LLC is in receipt of the above-referenced Notice of Amendment (NOA) dated December 14, 2022 and PHMSA's January 13, 2023 letter granting Enterprise a response time extension to March 14, 2023. Enterprise's response follows below.

NOA Item 1: The NOA's sole item references 49 C.F.R. §§ 195.402(c) and 195.440(g) and asserts the following:

Enterprise's written continuing public education program procedures were inadequate to assure safe operation of a pipeline facility in accordance with § 195.402(c)(3). Specifically, Enterprise's written continuing public education program is inadequate because it does not conduct the program in English and other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's areas for all stakeholders as required by § 195.440(g).

Enterprise's Operations and Maintenance Procedure S4000 Public Awareness Program (Revision No. 19, Revision Date 12/17/2019) section 2.23 states that public awareness brochures are provided in English and Spanish to the "Affected Public" and "Excavator" audiences. However, those brochures are only provided in English to the "Emergency Official" and "Local Public Officials."

Enterprise's Public Awareness Program must be amended so that all public awareness brochures and information are provided in English and other languages commonly understood by a significant number and concentration of the non-English speaking population to all stakeholders, including schools, emergency response officials, public officials, and one-call centers. Enterprise must conduct its public awareness program in the languages identified as applicable in its demographic analysis.

Therefore, Enterprise's written continuing public education program procedures were inadequate to assure safe operation of a pipeline facility in accordance with § 195.402(c)(3). Enterprise must revise its procedures to address the requirements in § 195.440(g).

ENTERPRISE RESPONSE NOA ITEM 1: Although Enterprise respectfully disagrees that any change is necessary to comply with section 195.402 and 195.440, as explained below, we are making a proactive change to address the spirit of the NOA.

Enterprise does in fact provide alternate language brochures for "Emergency Official" and "Local Public Officials" audiences. In addition to English, Enterprise also provides its brochures directed to emergency officials and local public officials in Spanish. These can be located in the following manner based on our website configuration as of the date of this letter:

- First, the first page of the English-language brochure provides a website link to access the Spanish version. See attachment 1 for the proposed front page of the 2023 English-language brochure for "Emergency Official" and "Local Public Officials" audiences.
- Second, through Enterprise's public awareness web page (at <https://www.enterpriseproducts.com/safety-sustainability/public-awareness/>), a user can select the "Versión in español" (Spanish for "Spanish version") button near the top left of the page. Once doing so, the user is redirected to a Spanish-language version of the website (at <https://www.enterpriseproducts.com/conciencia-publica/>), and can select the tab labeled "Recursos" (Spanish for "Resources") and then follow the link to the Spanish language brochure, appropriately titled in Spanish as "Folletos de Oficiales de Emergencias y Oficiales Públicos" (Spanish for "Emergency Officials and Public Officials Brochures").

Based on the 2020 Demographic Analysis, alternate language brochures are not necessary for any of the communities along Enterprise pipeline routes: Enterprise uses data from the American Community Survey to identify communities where there is a high prevalence of non-English speakers who may benefit from alternative language public awareness materials. Our 2020 survey data shows that each community crossed by our system (based on Zip code) has fewer than 20% of residents that speak English poorly. As a 20% threshold is used to identify necessary alternate languages, no community we cross has sufficient penetration of non-English speakers to warrant additional language materials. Nonetheless, as noted above, Enterprise has in fact provided brochures in Spanish, which is the most commonly-spoken language other than English in the communities we cross.

Enterprise's additional step to improve awareness of alternate language materials:

Although we do not agree that there has been any deficiency in our regulatory compliance, as an improvement step, Enterprise will revise our next English edition of the emergency official/local public officials brochure to make it easier for a non-English speaker to locate the Spanish version. We will do so by translating to Spanish the statement at the bottom of the first page on where to find the Spanish-language version of the brochure. See attachment 1 for the proposed front page of the 2023 English-language brochure for "Emergency Official" and "Local Public Officials" audiences.

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Enterprise welcomes the opportunity to work with PHMSA in the safe operations of our pipeline systems. Please contact Jeff Morton if you need to discuss this matter further.

Kind Regards,



Graham Bacon
Executive Vice President and Chief Operating Officer