



UCAR Pipeline Incorporated
1000 County Road 340
Angleton, Texas 77515

January 26, 2023

Sent by Email: sheila.white.ctr@dot.gov, bryan.lethcoe@dot.gov

Mr. Bryan Lethcoe
Director, Southwest Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration
8701 South Gessner Road#630, Houston, Texas 77074

Re: NOPV and Proposed Compliance Order Response
CPF 4-2023-009-NOPV
UCAR Pipeline Incorporated – OPID: 19892
1000 County Road 340, Angleton, Texas 77515

Dear Mr. Lethcoe:

This letter is in response to the Notice of Probable Violation and Proposed Compliance Order issued to UCAR Pipeline Incorporated (UCAR), a wholly owned subsidiary of Union Carbide Corporation (in turn a wholly owned subsidiary of The Dow Chemical Company), dated January 13, 2023 for Inspection Package No. CPF 4-2023-009-NOPV.

NOPV : § 192.616 Public Awareness (a) . . . (c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety.

Compliance Order: Pursuant to 49 U.S.C. § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to UCAR Pipeline Incorporated a Compliance Order incorporating the following remedial requirements to ensure the compliance of UCAR Pipeline Incorporated with the pipeline safety regulations:

- A. With regard to Item 1 of the Notice pertaining to UCAR's failure to conduct a program effectiveness evaluation, UCAR must conduct a program effectiveness evaluation and provide the evaluation to the Director, Southwest Region within 90 days of issuance of the Final Order.
- B. It is requested (not mandated) that UCAR Pipeline Incorporated maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to Bryan Lethcoe, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. It is requested that these costs be reported in two categories: 1) total cost associated with preparation/revision of plans, procedures, studies and analyses, and 2) total cost associated with replacements, additions and other changes to pipeline infrastructure

UCAR's Response: UCAR intends to take the actions included in paragraph A of the proposed Compliance Order and submit to the Director, Southwest Region a program effectiveness evaluation within 90 days of the issuance of the Final Order. At this time, UCAR declines the request to provide the cost information identified in paragraph B of the proposed Compliance Order.

Sincerely,

Cory Mattison

Senior Environmental Regulatory Specialist
The Dow Chemical Company
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