



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

ENTERPRISE PRODUCTS OPERATING LLC

August 12, 2024

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: Bryan Lethcoe
Director, Southwest Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

Re: CPF 4-2024-002-NOPV
Notice of Probable Violation and Proposed Civil Penalty
Enterprise Products Operating, LLC

Dear Mr. Lethcoe:

Enterprise Products Operating, LLC (Enterprise or the Company) is in receipt of the above referenced Notice of Probable Violation (NOPV) and Proposed Civil Penalty (PCP) dated and received May 14, 2024. On May 29, 2024, Enterprise requested and was granted an extension to respond until August 12, 2024; accordingly, this letter constitutes Enterprise's timely response to the subject Compliance Order.

NOPV Item 1:

***§ 195.428 Overpressure safety devices and overfill protection systems.
(a) Except as provided in paragraph (b) of this section, each operator shall, at intervals not exceeding 15 months, but at least once each calendar year, or in the case of pipelines used to carry highly volatile liquids, at intervals not to exceed 7½ months, but at least twice each calendar year, inspect and test each pressure limiting device, relief valve, pressure regulator, or other item of pressure control equipment to determine that it is functioning properly, is in good mechanical condition, and is adequate from the standpoint of capacity and reliability of operation for the service in which it is used.***

Enterprise failed to, at intervals not exceeding 15 months, but at least once each calendar year, or in the case of pipelines used to carry highly volatile liquids, at intervals not to exceed 7 ½ months, but at least twice each calendar year, inspect and test each pressure limiting device, relief valve, pressure regulator, or other item of pressure control equipment to determine that it is functioning properly, is in good mechanical condition, and is adequate from the standpoint of capacity and reliability of operation for the service in which it is used in accordance with § 195.428(a). Specifically, Enterprise exceeded the 7 ½ month requirement for the following overpressure protection devices:

- P1 BEA 16" PLC Control HLS 930

- 24909: 60090 Loop 2165/PIT2165 S/D Loop Closes SDV 2165 on Colonial Gas SK-2166
- 24910: 60098 Loop 2167
- P2: BEA 20"
- P62: Newton Station
- 24904: Beau Mar Exp PIT7536
- 24905: Beau Mar Exp PIT7529
- 24906: Beau Mar Exp PIT7522
- 24907.1: Beau Mar Exp PIT8093
- 22869: 063EP19639/DOT OPP Loop

This is a repeat of violations found in CPF 1-2018-5003, Item 13. Therefore, Enterprise failed to inspect and test each pressure limiting device, relief valve, pressure regulator or other item of pressure control equipment to determine that it is functioning properly at intervals not exceeding 15 months, but at least once each calendar year, or in the case of pipelines used to carry highly volatile liquids, at intervals not to exceed 7 ½ months, but at least twice each calendar year in accordance with § 195.428(a).

Enterprise Response to NOPV Item 1:

Enterprise is taking the following corrective actions to prevent future missed inspections and intervals exceeding 7½ months. Enterprise is improving the utilization of two computerized maintenance management system (CMMS) queries for tracking automated work order generation and equipment compliance status. Enterprise's CMMS utilizes automated generation of scheduled work orders for overpressure protection inspections. The work orders are generated in advance of the inspection deadline and target a specific scheduled start date based on input by local maintenance personnel.

The first of the two aforementioned CMMS queries identify instances when a work order for an overpressure protection inspection should have been automatically generated but was not, allowing the opportunity for correction in advance of the inspection due date. The second CMMS query tracks the status of regulatory inspections to ensure that all equipment for which regulatory inspections are required is inspected within the mandatory frequencies and intervals. Accordingly, the attributes that have been entered into CMMS for equipment requiring regulatory inspections have been verified to ensure that equipment is properly identified and will be correctly flagged by the CMMS queries in the event of a missed work order or potential lapse in compliance status. Attachment A illustrates the attributes reviewed during the verification process that was performed for valves in PHMSA IU 73257 that were included in item 2 below.

The referenced prior PHMSA Compliance Order CPF 1-2018-5003 dated April 6, 2020, with a citation to section 195.428(a), concerned alleged missed inspections from 2014-2015 which at this point is nearly a decade ago. Such long-past alleged violations, with several years of compliant system-wide operation of more than 50,000 miles of pipeline since that time, are not an accurate reflection by which to categorize the current alleged violation as a repeat violation, and accordingly, Enterprise respectfully requests that the alleged violation not be treated as such.

NOPV Item 2:

§ 195.420 Valve maintenance.

(a)

(b) Each operator shall, at intervals not exceeding 7 ½ months, but at least twice each calendar year, inspect each mainline valve to determine that it is functioning properly. Each rupture-mitigation valve (RMV), as defined in § 195.2 and not contained in a gathering line, or alternative equivalent technology that is installed under § 195.258(c) or § 195.418, must also be partially operated. Operators are not required to close the valve fully during the inspection; a minimum 25 percent valve closure is sufficient to demonstrate compliance, unless the operator has operational information that requires an additional closure percentage for maintaining reliability.

Enterprise failed to at intervals not exceeding 7 ½ months, but at least twice each calendar year, inspect each mainline valve to determine that it is functioning properly. Specifically, Enterprise exceeded the 7 ½ month inspection frequency requirement for the following mainline valves:

- P63: MOV0572
- P1: BEAPMOV003
- 24907.1: 60098HV032
- Beau Mar Exp MOV0141
- 73257: ATXH MBV-001, ATXH GOV-1002, ATXH INJ Gate Valve, ATXH MOV-1001, ATXH MOV-3101, ATXH MOV-3102, ATXH MOV-3201, ATXH MOV-3202, ATXH PCV-1001
- P82: Propane VA 095
- P2: MREP2VA189.1
- P62: MREP62VA250A
- P74: MREP74VA31, MREP74VA31B, MREP74VA45, MREP74VA46
- P107: MREP107MOV0002

Therefore, Enterprise failed to conduct inspections for each mainline valve to determine that it is functioning properly at intervals not exceeding 7 ½ months but at least twice each calendar year in accordance with § 195.420(b).

Enterprise Response to NOPV Item 2:

Enterprise mainline valves MREP2VA189.1, MREP62VA250A, MREP74VA31, MREP74VA31B, MREP74VA45, MREP74VA46, and MREP107MOV0002 were inspected within the frequencies and intervals required by §195.420(b); however, the valves were not operated during the inspections out of concern for potential product cross-contamination. §195.420(b) does not require mainline valves to be operated during inspections unless the valves are rupture-mitigation valves (RMV). None of these valves are classified as RMV. As discussed during the inspection and communicated in our response to Preliminary Findings, Enterprise Operations and Maintenance Procedure L1303 Valve Inspection and Maintenance, included in Attachment B, currently requires valves to be operated as part of the inspection procedure, with the following exception in section 5.6.3 “Operate the valve fully or partially if it is acceptable to do so without interfering with operations.” Product cross-contamination satisfies this exception.

Procedure L1303 is being revised to align more closely with the current requirements of §195.420(b). As such, Enterprise respectfully requests that these valves be removed from the NOPV and proposed penalty calculation.

Similarly, valve P82 Propane VA 095, which is on an idled system, was inspected within the frequencies and intervals required by § 195.420(b); however, as discussed during the inspection and communicated in our response to Preliminary Findings, the valve was not operated during the inspections out of concern for potential disruption of the nitrogen blanket. This valve is not an RMV and thus would not have been required to be operated during inspections. As such, Enterprise respectfully requests that this valve be removed from the NOPV and proposed penalty calculation.

Enterprise is taking corrective actions to prevent future missed inspections and intervals exceeding 7½ months. As discussed in Enterprise's response to Item 1, the CMMS queries that were implemented to prevent future missed overpressure protection inspections will also be utilized to prevent missed mainline valve inspections. Accordingly, the attributes that have been entered into CMMS for mainline valves requiring regulatory inspections have been verified to ensure that the valves are properly identified and will be correctly flagged by the referenced CMMS queries in the event of a missed work order or potential lapse in compliance status.

Warning Item 3:

§ 195.202 Compliance with specifications or standards.

Each pipeline system must be constructed in accordance with comprehensive written specification or standards that are consistent with the requirement of this part.

Enterprise failed to construct each pipeline system in accordance with comprehensive written specifications or standards that are consistent with the requirements of Part 195 in accordance with § 195.202. Specifically, Enterprise failed to follow its written procedure, Engineering Standard 8501 (STD.8501), Bolt Torquing and Flange Assembly (May 2021), section 7.0 Material, which states that "the minimum acceptable length of bolt shall be full nut engagement after initial tightening." Bolts on flanges at the following three locations were observed to be either flush or recessed: Fordyce Station, McRae Station, and Baytown Terminal. At these locations, PHMSA observed bolts that failed to have the minimum acceptable length such that full nut engagement was not achieved in the nut on both ends, contrary to Enterprise's procedures. After the conclusion of PHMSA's inspection, Enterprise provided bolt-flange assembly records to indicate it fixed the improperly installed bolts at the three locations: Fordyce Station (repaired on 08/02/2023 – Work Order Number 6417190), McRae Station (repaired on 05/19/2023, Reviewed SF20 Form), and Baytown Terminal (repaired on 08/31/2023, Work Order Number 6477115). This violation is a repeat of violations found in CPF 2-2022-062-NOPV, Item 1.

Therefore, Enterprise failed to construct each pipeline system in accordance with comprehensive written specifications or standards that are consistent with the requirements of Part 195 in accordance with § 195.202.

Enterprise Response to Warning Item 3:

As PHMSA acknowledged, Enterprise provided bolted flange assembly records to indicate that the bolts in question were subsequently repaired: Fordyce Station (repaired on 08/02/2023 – Work Order Number 6417190), McRae Station (repaired on 05/19/2023, Reviewed SF20 Form), and Baytown Terminal (repaired on 08/31/2023, Work Order Number 6477115).

Notably, Fordyce Station, Mc Rae Station, and Baytown Terminal were all constructed prior to the issuance of Enterprise Engineering Standard STD.8501 which was first published in January 2010. The scope of STD.8501 states that the standard is applicable for all bolted flange joint assemblies at both new and existing facilities but is not retroactively applicable to joints completed before this standard was issued. Thus, Enterprise has not committed a probable violation of §195.202 and requests that this item be withdrawn. Withdrawal of this item is necessary to prevent misunderstandings from persisting in the record and leading the public and PHMSA to believe there are safety problems on the TE Products pipeline system.

Warning Item 4:

§ 195.589 What corrosion control information do I have to maintain?

(a)

(c) You must maintain a record of each analysis, check, demonstration, examination, inspection, investigation, review, survey, and test required by this subpart in sufficient detail to demonstrate the adequacy of corrosion control measures or that corrosion requiring control measures does not exist. You must retain these records for at least 5 years, except that records related to §§ 195.569, 195.573(a) and (b), and 195.579(b)(3) and (c) must be retained for as long as the pipeline remains in service.

Enterprise failed to maintain a record of each analysis, check, demonstration, examination, inspection, investigation, review, survey, and test required by Part 195, Subpart H, in sufficient detail to demonstrate the adequacy of corrosion control measures or that corrosion requiring control measures does not exist in accordance with § 195.589(c). Specifically, Enterprise failed to maintain a record of an inspection of removed pipe for internal corrosion at the Orange Pump Station on 1/27/2021.

Enterprise Response to Warning Item 4:

The Form 140 Maintenance Report included in Attachment B indicates that an internal inspection was performed on 1/27/2021 at Orange Pump Station upon removal of a temporary pig launcher. The report further states that internal inspections were not able to be performed at locations that had been previously decommissioned and blind flanged by Equistar. Enterprise respectfully disagrees that the 1/27/2021 Form 140 Maintenance Report indicates a failure to demonstrate the adequacy of corrosion control on this pipeline.

Should you have any questions, require further information in connection with the above or wish to discuss this matter in greater detail, please do not hesitate to contact our office. Enterprise welcomes the opportunity to work with PHMSA regarding the safe operation of our pipeline systems.

Sincerely,



Graham W. Bacon
Executive Vice President & Chief Operating Officer

Attachments:

- Attachment A – IU 73257 Valve Attributes
- Attachment B – Enterprise Procedure O&M L1303 Valve Inspection and Maintenance