



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

July 17, 2024

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 4-2024-024-NOPV
Notice of Probable Violation and Proposed Compliance Order
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 Compliance Order (PCO) dated and received May 02, 2024. On May 16, 2024 Enterprise requested and was granted an extension to respond until July 31st, 2024; accordingly, this letter constitutes Enterprise's timely response to the subject enforcement action.

Warning Item 1:

1. **§ 195.54 Accident reports.**
 - (a)
 - (b) **Whenever an operator receives any changes in the information reported or additions to the original report on DOT Form 7000-1, it shall file a supplemental report within 30 days.**

Enterprise failed to provide a supplemental report within 30 days of receiving any changes in the information reported or additions to the original report in accordance with § 195.54(b).

During the inspection, PHMSA reviewed Accident Report No. 20210289-36234 dated January 13, 2022. The original report was submitted on October 8, 2021. Enterprise performed its investigation of the accident and generated a Team Incident Investigation Report, dated December 8, 2021. Enterprise did not provide any additional documents regarding the accident. The time between the Team Incident Investigation Report and the date the supplemental report was filed exceeded the 30-day requirement in that Enterprise did not file the supplemental report until January 12, 2022. Based on this timeline of events, Enterprise failed to meet the requirements of §192.54(b) as the supplemental final report was submitted 36 days after receiving new information.

This is a repeat offense of Item 1 in CPF 3-2019-5019.

Enterprise Response to Warning Item 1:

Enterprise disagrees with Item 1 which alleges that the final PHMSA report, No. 20210289-36234, was over the 30-day window for reporting new information. Enterprise performs an investigation of all data as it is received in a Team Incident Investigation to determine if new findings impact the accident and the required report to PHMSA. The ECIRT, (attachment PIR-98633-20210909.pdf) and date of record for the review and investigation was closed on 12-14-2021. The final PHMSA accident report was submitted January 12, 2022 within 30 days from the close date of Enterprise's ECIRT report. As such, Enterprise does not believe it is in violation of the referenced code and requests that Item 1 be dismissed.

NOPV Item 2:

2. § 195.436 Security of facilities.

Each operator shall provide protection for each pumping station and breakout tank area and other exposed facility (such as scraper traps) from vandalism and unauthorized entry.

Enterprise failed to provide adequate protection for each pumping station and other exposed facilities from vandalism and unauthorized entry in accordance with § 195.436.

PHMSA and NY Department of Public Service (NYDPS) inspectors observed two crash gates that could be opened from the outside by reaching into the gate through a gap and pressing on the bar that opens the gate latch at the Watkins Glen Terminal and the Watkins Glen Pump Station. The design of the gates allowed for unauthorized entry into the Watkins Glen Terminal and Station. Therefore, Enterprise failed to provide adequate protection for each pumping station and other exposed facilities from vandalism and unauthorized entry in accordance with § 195.436.

Enterprise Response to NOPV Item 2:

Enterprise corrected the potential security issue of the crash gates the following week and shared record of the completed work with PHMSA. Please see referenced photos and work orders for the respective Watkins Glen facilities (Watkins Glen Gate Repairs.pdf).

Enterprise determined that adding an additional guard at the gate mechanism to prevent unauthorized entry corrected the potential security issue. Enterprise has begun inspection of all crash gates throughout the TEPPCO system and is making modifications to provide adequate protection from vandalism and unauthorized entry.

Warning Item 3:

3. § 195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once

each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Enterprise failed to follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies in accordance with § 195.402(a). Specifically, Enterprise failed to follow their procedure to electrically check for proper performance of its rectifiers in accordance with Corrosion Prevention Program Procedure "CP15 – Rectifier Monitoring (Rev. 10, 8/3/22), section 1.2, which states that 3 "each remotely monitored rectifier shall be physically inspected for continued safe and reliable operation at least once each calendar year but with intervals not exceeding 15 months."

While reviewing the rectifier inspection records for P40 Greensburg to Watkins Glen for the years 2022 and 2023, PHMSA and NYDPS inspectors noted three instances where Enterprise failed to conduct an in-person inspection of the rectifier within the interval required by Enterprise's procedure.

At St. Clair Rd, MP 36.14, Enterprise failed to perform an in-person inspection during the 2022 calendar year. And, at Rochester Mills Station, P-40, MP 48.46 and MP 48.4610, Enterprise failed to perform an in-person inspection during the 2022 calendar year.

Therefore, Enterprise failed to follow its procedure to physically inspect each remotely monitored rectifier for continued safe and reliable operation at least once each calendar year but with intervals not exceeding 15 months.

Enterprise Response to Warning Item 3:

Enterprise contests that they failed to follow procedures to physically inspect each remotely monitored rectifier for continued safe and reliable operation at least once each calendar year but with intervals not exceeding 15 months. The rectifier monitoring records that start on 4/2/2022 and 4/7/2021, are before the Rev.10 (2022) revision date for the CP15 – Rectifier Monitoring procedure. This procedure was revised on August 3, 2022, to include the verbiage "Each remotely monitored rectifier shall be physically inspected for continued safe and reliable operation at least once each calendar year but with intervals not exceeding 15 months." This change is not only documented by the revision date in the header of the document, but also through the Change Log located at the bottom of the document which clearly illustrates the revision number, the revision date, the change location, and a description of the change.

Please find attached the "P40 In Person Rectifier Inspections.pdf" document for the specified units (MP's 36.14, 48.46 and 48.4610). These inspection records document the In Person/Physical inspections that took place during 2023 and within 15 months of the August 3, 2022, CP15 (Rev. 10) revision date. CP15 (Rev. 10) and CP15 (Rev. 9) are attached for your review. As such, Enterprise does not believe it is in violation of the referenced code and requests that Item 3 be dismissed.

NOPV Item 4:

4. § 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 disbanded coatings, at pipe supports, in splash zones, at deck penetrations, and in spans over water.

Enterprise failed to give particular attention to pipe under thermal insulation during atmospheric corrosion inspections in accordance with § 195.583(b) and its atmospheric corrosion inspection procedures. Specifically, Enterprise failed to inspect pipe under thermal insulation at the Sinking Springs Station. Enterprise's atmospheric corrosion inspection procedure, Atmospheric Corrosion Inspection Procedure CPP-PCL-01 (Rev. 6, 5/9/2022), section 3.3.3.2, states that "particular attention must be given to the following locations," leading to a separate procedure for insulated piping. That procedure, Corrosion Under Thermal Insulation Inspection Procedure CPP-PCL-02 (Rev. 2, 11/29/17)," section 3.1, states that "it will be necessary to remove small sections of the overlying insulation to facilitate the inspection." However, Enterprise failed to provide atmospheric corrosion control inspection records for the pipe under thermal insulation at the Sinking Springs Station. Therefore, Enterprise failed to give particular attention to pipe under thermal insulation during inspections in accordance with § 195.583(b) and its atmospheric corrosion inspection procedures. Documentation does not support that Enterprise removed small sections of the insulation to perform the atmospheric corrosion inspections in accordance with procedure CPP-PCL-02.

Enterprise Response to NOPV Item 4:

Enterprise has corrected the inspection at Sinking Springs Station, see attached work order 6719066 (Sinking Springs CUI Ports.pdf), and is in progress to complete insulation surveys and identify all jurisdictional pipelines with thermal insulation for the entire TEPPCO pipeline system.

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 discuss this response with PHMSA if further clarification is required.

Sincerely,



Graham Bacon
Executive Vice President and Chief Operating Officer

Attachments:

- Attachment #1: PIR-98633-20210909.pdf
- Attachment #2: Watkins Glen Gate Repairs.pdf
- Attachment #3: CP15 - Rectifier Monitoring (Rev. 9)_W.pdf
- Attachment #4: CP15 - Rectifier Monitoring (Rev. 10)_W.pdf
- Attachment #5: P40 In Person Rectifier Inspections.pdf
- Attachment #6: Sinking Springs CUI Ports.pdf