



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

8701 S. Gessner, Suite 630
Houston TX 77074

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: kim_dang@kindermorgan.com

November 19, 2024

Kimberly Dang
Chief Executive Officer
Kinder Morgan
1001 Louisiana St, STE 1000
Houston, TX 77002

CPF 4-2024-061-NOA

Dear Ms. Dang:

From February 26 to 29, 2024, of the on-site inspection, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Southern Gulf LNG Company LLC's (Gulf LNG) procedures for operating and maintaining its liquefied natural gas (LNG) facility in Pascagoula, Mississippi.

As a result of the inspection, PHMSA has identified the apparent inadequacies found within Gulf LNG's plans or procedures. The items inspected and the inadequacies are described below:

1. **§ 193.2509 Emergency procedures.**
 - (a)
 - (b) **To adequately handle each type of emergency identified under paragraph (a) of this section and each fire emergency, each operator must follow one or more manuals of written procedures. The procedures must provide for the following:**
 - (1)
 - (3) **Coordinating with appropriate local officials in preparation of an emergency evacuation plan, which sets forth the steps required to protect the public in the event of an emergency, including catastrophic failure of an LNG storage tank.**

Gulf LNG's written emergency response plan was inadequate to handle each type of emergency in accordance with § 193.2509(b)(3). Specifically, Gulf LNG's *Emergency Response Plan, EHS-PLA-001*, (Rev. 13; January 10, 2024) failed to include operator- and facility-specific procedures for coordinating with appropriate local officials in the emergency evacuation plan that sets forth the steps required to protect the public in the event of an emergency, including catastrophic failure of an LNG storage tank.

After the issuance of the preliminary written findings report, Gulf LNG submitted preliminary revised procedures, *Emergency Response Plan, EHS-PLA-001*, (Rev. 13; January 10, 2024). The proposed revisions corrected the inadequacy. Once the procedure is published, no further revisions are required.

2. § 193.2605 Maintenance procedures.

(a)

(b) Each operator shall follow one or more manuals of written procedures for the maintenance of each component, including any required corrosion control. The procedures must include:

(1)

(2) A description of other actions necessary to maintain the LNG plant according to the requirements of this subpart.

§ 193.2637 Remedial measures.

Prompt corrective or remedial action must be taken whenever an operator learns by inspection or otherwise that atmospheric, external, or internal corrosion is not controlled as required by this subpart.

Gulf LNG's written procedures for conducting maintenance activities were inadequate to assure safe operation of a pipeline facility in accordance with § 193.2605(b)(2). Specifically, Gulf LNG's procedures, *Internal Corrosion Control, LNG O&M 906*, (October 1, 2017) and *Inspecting for Atmospheric Corrosion, LNG O&M 918*, (November 1, 2021), failed to provide a timeframe for "prompt" remediation of all types of corrosion in accordance with § 193.2637.

After the issuance of the preliminary written findings report, Gulf LNG submitted revised procedures. Gulf LNG added a timeframe for prompt remediation in *Inspecting for Atmospheric Corrosion, LNG O&M 918*, (April 4, 2024). However, Gulf LNG failed to add a similar definition to *Internal Corrosion Control, LNG O&M 906*, (October 1, 2017).

Gulf LNG must revise its procedures to define a "prompt" timeframe for the remediation of internal corrosion.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. Enclosed as part of this Notice is a document entitled Response Options for Pipeline Operators in Enforcement Proceedings.

Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. § 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. § 552(b).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under § 190.211. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within **60** days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Gulf LNG maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Bryan Lethcoe, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 4-2024-061-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*

cc: Darwin Stillson, PM / FSO / Compliance / Environmental, Gulf LNG,
darwin_stillson@kindermorgan.com