



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: Kenneth_grubb@kindermorgan.com

November 26, 2024

Kenneth Grubb
Chief Operating Officer, Natural Gas Pipelines
Kinder Morgan, Inc.
1001 Louisiana Street, Suite 1000
Houston TX, 77002

CPF 4-2024-063-NOA

Dear Mr. Grubb:

From May 6 to May 10, 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 LNG, LLC's¹ (Southern LNG) procedures for operation and maintenance its liquefied natural gas (LNG) facility on Elba Island, Georgia.

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

1. **§ 193.2715 Training: security.**
 - (a)
 - (b) **A written plan of continuing instruction must be conducted at intervals of not more than 2 years to keep all personnel having security duties current on the knowledge and skills they gained in the program of initial instruction.**

Southern LNG's written plan was inadequate to provide continuing instruction at intervals of not more than 2 years to keep all personnel having security duties current on the knowledge and skills they gained in the program of initial construction in accordance with § 193.2715(b). Specifically, Southern LNG's procedures, *LNG O&M Plan 199: Personnel Qualification* (Feb. 1, 2015), and *LNG O&M Plan 510: Security, Company Facilities* (Mar. 1, 2023) failed to include a written plan

¹ Southern LNG is a subsidiary of Kinder Morgan, Inc.

of continuous instruction to ensure all personnel having security duties were current on the requirements of § 193.2175(a).²

Southern LNG's *Personnel Qualification* procedure, section 3.4.2 Training: Security, included a restatement of the regulatory language in § 193.2715(b), and its *Security, Company Facility* procedure, section 4 Training, required personnel with security duties to be trained in accordance with the regulations. However, Southern LNG's procedures failed to include a written plan for continuous instruction on the program of initial instruction under § 193.2715(a). Additionally, the LNG Training Matrix and Facility Training Workshop records provided by Southern LNG failed to include continuous training on all elements in § 193.2715(a)(1)-(5).

Southern LNG must revise its procedures to include a written plan for continuous instruction to ensure all personnel with security duties are current on the knowledge and skills gained during the program of initial instruction under § 193.2715(a).

2. § 193.2903 Security procedures.

Each operator shall prepare and follow one or more manuals of written procedures to provide security for each LNG plant. The procedures must be available at the plant in accordance with § 193.2017 and include at least:

(a) A description and schedule of security inspections and patrols performed in accordance with § 193.2913;

(b)

(c) Liaison with local law enforcement officials to keep them informed about current security procedures under this section.

Southern LNG's manual of written procedures was inadequate to provide security for each LNG plant in accordance with § 193.2903. Specifically, Southern LNG's procedure, *LNG Operations and Maintenance Plan 510: Security, Company Facilities* (Mar. 1, 2023), section 3.3 Security Monitoring, failed to include a description and schedule of security inspections and patrols performed in accordance with § 193.2913, and failed to include procedures to liaison with local law enforcement officials to keep them informed about current security procedures, in accordance with § 193.2903(a) and (c), respectively.

Southern LNG must revise its security procedures to include a description and schedule of security inspections and patrols performed in accordance with § 193.2913, and procedures to liaison with local law enforcement officials to keep them informed about current security procedures under § 193.2903(c).

² 49 C.F.R. § 193.2715(a) requires initial instruction on recognizing breaches of security; carrying out security procedures under § 193.2903 for individual assigned duties; familiarity with basic plant operations and emergency procedures necessary to carry out assigned duties; and recognizing conditions where security assistance is needed.

3. § 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)

(c) Each operator shall include in the manual required by paragraph (b) of this section instructions enabling personnel who perform operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the reporting requirements of §191.23 of this subchapter.

Southern LNG's manuals of written procedures for the maintenance of each component were inadequate to assure pipeline safety in accordance with § 193.2605(c). Specifically, Southern LNG's procedure, *LNG Operations and Maintenance Plan 214: Reporting LNG Facility Safety Related Conditions* (Rev. Mar. 1, 2023), failed to provide instructions enabling personnel who perform operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the reporting requirements of § 191.23.

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 **30** 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 Southern LNG, LLC 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 4-2024-063-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: Zach Ragain, Director, Codes and Standards, zach_ragain@kindermorgan.com