



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

SENT TO COMPLIANCE REGISTRY
Hardcopy ☐ Electronically ☒
of Copies 4 Date 5-5-11

12300 W. Dakota Ave., Suite 110
Lakewood, CO 80228

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 5, 2011

Mr. Robert Checketts
Vice President – Operations, IT and Engineering
Kern River Gas Transmission Company
2755 East Cottonwood Parkway
Salt Lake City, UT 84121

CPF 5-2011-1002M

Dear Mr. Checketts:

On March 29 – 31, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected Kern River Gas Transmission Company's procedures for operations, maintenance, and emergency response in Salt Lake City, Utah.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Kern River Gas Transmission Company's plans or procedures, as described below:

1. **§192.605 Procedural manual for operations, maintenance, and emergencies:**
 - (b) **Maintenance and normal operations:**
 - (4) **Gathering of data needed for reporting incidents under Part 191 of this chapter in a timely and effective manner.**

§191.5 Immediate Notice of certain incidents to NRC (800) 424-8802, or electronically at <http://www.nrc.uscg.mil/nrchp.html>, and additional report if significant new information becomes available. Operator must have a written procedure for calculating an initial estimate of the amount of product released in an accident. (Amdt. 192-115, 75 FR 72878, November 26, 2010, eff. 1/1/2011).

Kern River did not have a written procedure specifying how to calculate an initial estimate of the amount of product released in an accident.

2. **§192.615 Emergency plans.**
 - (b) Each operator shall:
 - (2) **Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.**

Kern River did not have a written procedure to address the specific requirements of the above regulation.

3. **§192.615 Emergency plans.**
 - (b) Each operator shall:
 - (3) **Review employee activities to determine whether the procedures were effectively followed in each emergency.**

Kern River did not have a written procedure to address the specific requirements of the above regulation.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance 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). 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 a Final Order.

If, after opportunity for a hearing, 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. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within ninety 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 Kern River Gas Transmission Company maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Chris Hoidal, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2011-1002M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



for

Chris Hoidal
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

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

cc: PHP-60 Compliance Registry
PHP-500 J. Stahoviak (#132681)