

## **WARNING LETTER**

### **CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

January 18, 2012

Mr. Ron McClain  
Vice President of Operations and Engineering  
Kinder Morgan Energy Partners, L. P., Products Pipelines  
500 Dallas Street  
Houston, TX 77002

**CPF 5-2012-6001W**

Dear Mr. McClain:

On June 22, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), the California State Fire Marshal (CSFM), and the Arizona Corporation Commission (ACC) representing the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, performed a follow-up inspection of Item #13C of the Consent Agreement. As part of this inspection, we reviewed records at your offices in Orange, California.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The probable violations are:

- 1. §195.589 What corrosion control information do I have to maintain?**
  - (a) You must maintain current records or maps to show the location of--**
  - (2) Cathodic protection facilities, including galvanic anodes, installed after January 28, 2002;**

During the records review of item #13C of the Consent Agreement, it was noted that Kinder Morgan did not update their maps and/or records in a timely manner. Specifically, the 2008 installation of Electrolysis Test Station (ETS) on the CalNev 8-inch between Bracken Jct and Las Vegas was not included on Kinder Morgan's maps and records after more than three (3) years. Therefore, we consider the maps reviewed not to be current.

**2. §195.589 What corrosion control information do I have to maintain?**

**(b) Records or maps showing a stated number of anodes, installed in a stated manner or spacing, need not show specific distances to each buried anode.**

During the records review of item #13C of the Consent Agreement, it was noted that Kinder Morgan did not update their maps and/or records in a timely manner. Specifically, the 2009 installation of sacrificial anodes on the 6"/4" Adelanto to George Terminal pipeline and the 6" George Terminal to Edwards AFB pipeline were not included after two (2) years.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item(s) identified in this letter. Failure to do so will result in Kinder Morgan Energy Partners, L.P. being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 5-2012-6001W**. 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).

Sincerely,

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

cc: PHP-60 Compliance Registry  
PHP-500 H. Nguyen (#117865)