

# KINDER MORGAN

November 19, 2009

via Federal Express

Mr. Rodrick M. Seeley  
Director, Southwest Region  
Pipeline and Hazardous Material Safety Administration  
8701 S. Gessner Ste 1110  
Houston, TX 77074



Re: CPF 4-2009-1012; Notice of Probable Violation and ~~Proposed Compliance Order~~  
Final Submission

Dear Mr. Seeley,

On May 8, 2009 Kinder Morgan received a **Notice of Probable Violation and Proposed Compliance Order** from your office relating to a series of PHMSA inspections that were conducted on Natural Gas Pipeline Co. of America (NGPL) facilities between the dates of March and November 2009 located in Oklahoma, Texas, and Louisiana.

In that letter PHMSA outlines five (5) areas of possible violation to 49 CFR 192 regulations.

On June 3, 2009 Kinder Morgan responded to the alleged violations cited in the Notice of Probable Violation (NOPV) referenced above and on July 8, 2009 Kinder Morgan provided a plan of action addressing Item numbers 2, 3, and 4 of the Notice.

The attachment document is the updated plan of action showing all items completed as of October 16, 2009. In our response, the allegation will be repeated and the Kinder Morgan plan of action will follow immediately.

In compliance with the Proposed Compliance Order Item number 5 safety improvement costs are provided below:

- 1) Total cost associated with preparation/revisions of plans, procedures, studies and analyses: \$0.00
- 2) Total cost associated with replacements, additions and other changes to pipeline infrastructure: \$106,791.00

Sincerely,

Bruce R. Hancock  
Director, Compliance / Codes and Standards  
Kinder Morgan Gas Division  
(303) 914 - 7959

cc: Dwayne Burton, John Filiatrault, Files

## Kinder Morgan Action Plan

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2. §192.481 Atmospheric corrosion control: Monitoring.
  - (b) During inspections the operator must give particular attention to pipe at soil-to-air interfaces, under thermal insulation, under disbonded coatings, at pipe supports, in splash zones, at deck penetrations, and in spans over water.
  - (c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by Sec. 192.479.

At the following locations, the Sycamore Meter/Tap facility, Energex/TransOK Bryan County Meter/Tap facility, and Delhi/Panola Meter Facility, the above ground meter station piping had signs of atmospheric corrosion at the pipe supports where metal-to-metal contact is present. The lack of an insulating material between the meter piping and the supports could allow the formation of a corrosion cell and if not corrected may present an unsafe condition. At the Erath/Henry Hub pig trap piping, the filter/separator piping at Compressor Station 346, there were signs of atmospheric corrosion. The atmospheric corrosion at Compressor Station 342 had been noted on follow-up work orders by NGPL personnel in March 2006, April 2007, and April 2008 as 'Poor'.

NGPL has not addressed the corrosion to-date and has not provided prompt remedial action.

### Kinder Morgan Response:

**The following locations have been or will be remediated as follows:**

Location	Action	Complete by:
Sycamore Meter/Tap Facility	Ensure insulating material between the meter piping and the supports is installed or repaired	Completed July 31, 2009
Energex/TransOK Bryan County Meter/Tap Facility	Ensure insulating material between the meter piping and the supports is installed or repaired	Completed July 24, 2009
Energex/TransOK Bryan County Meter/Tap Facility	Ensure insulating material between the meter piping and the supports is installed or repaired	Completed July 24, 2009
Delhi/Panola Meter Facility	Ensure insulating material between the meter piping and the supports is installed or repaired	Completed June 23, 2009
Erath/Henry Hub pig trap piping	Paint and replace rusted valve hand-wheel at Erath	Completed September 13, 2009 (date revised due to rain delays)
CS 346 Filter/Separator piping	Paint CS 346 Filter Separator piping	Completed September 22, 2009 (date revised due to rain delays)
CS 342 - March 2006, April 2007, and April 2008 noted as Poor	Paint CS 342 slug catcher regulator piping	Completed December 2008

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3. §192.705 Transmission lines: Patrolling.
  - (a) Each operator shall have a patrol program to observe surface conditions on and adjacent to the transmission line right-of-way for indications of leaks construction activity, and other factors affecting safety and operation.

It was observed during the inspection numerous areas of the right-of-way (R/W) that were in need of attention. North of Bridgeport, TX at SR 101 and the railroad, there was a distance of approximately 300 feet separating the highway and railroad at the OE pipeline crossing. The railroad paralleled the highway and ran behind the residences and businesses in the area. The R/W between the railroad and the highway was obstructed with a vacant, dilapidated mobile home and a very large trash pile of various sizes of lumber, metal, and old drill stem piping of different sizes.

At the start of the Willis Lateral, there was a tree growing in the middle of the R/W. The tree was cleared from the R/W in May.

Other areas needing R/W work due to vegetation overgrowth or the tree canopy are: the US 287/RR crossing of the OE line; the 20 inch line north in the North Lansing Storage Field; the GC #1 crossing of the Sabine River; the GC #3 north of the Angelina River crossing; the GC #1 and #2 south of TX SR 103 crossing; and the GC #1, #2, and #3 on the south side of the Trinity River.

Since NGPL uses aerial patrolling to satisfy the patrol requirements, the Operator must ensure that the right-of-ways are clear and unobstructed.

### **Kinder Morgan Response:**

**The landowner removed the obstructions observed north of Bridgeport, TX at SR 101 and the railroad. Kinder Morgan verified the removal on October 16, 2009.**

**Where there is vegetation overgrowth or tree canopy obstructing the ROW, the canopy will either be removed or Kinder Morgan will execute a foot patrol.**

4. §192.707 Line markers for mains and transmission lines.
  - (a) Buried pipelines. Except as provided in paragraph (b) of this section, a line marker must be placed and maintained as close as practical over each buried main and transmission line:
    - (2) Wherever necessary to identify the location of the transmission line or main to reduce the possibility of damage or interference.

At numerous locations throughout NGPL, there were areas where pipeline markers were missing. Roadway crossings, railroad crossings, and fence lines had sufficient markers, but along the pipeline right-of-ways away from these crossings and fence lines, the placement of markers were few and far between. Pipeline markers are missing along the ROW in the vicinity of MP 461 for GC #1 and #2; north along the ROW for GC #1, #2, and #3 near MP 473; south from TX SR

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154 along the ROW for the GC pipelines near MP 450; west along the 30 inch Longview Lateral from MP 450; north along the GC #3 line from the Angelina River near MP 369; south from TX SR 103 near MP 363 along GC #1 and #2; south from TX FM 1818 near MP 353 along GC #1 and #2; north from the MC & SA RR near MP 332 along GC #1 and #2; south beyond the fence line near MP 332 along GC #1 and #2; west along the Hagist Lateral from MP 14 at TX CR 351; east along the Hagist Lateral from MP 15 at TX CR 351 beyond the fence line; and south from the Aransas River near MP 77 along the GC #1 and #2.

### Kinder Morgan Response:

The following locations have been or will be remediated as follows:

Location	Action	Complete by:
ROW in vicinity of MP 461 for GC #1 and 2	Add or repair markers, as needed	Completed November 2008
North along the ROW for GC #1, 2, and 3 near MP 473	Add or repair markers, as needed	Completed November 2008
South from TX SR 154 along the ROW for the GC pipelines near MP 450	Add or repair markers, as needed	Completed September 2008
West along the 30-inch Longview Lateral from MP 450	Add or repair markers, as needed	Completed June 2008
North along the GC #3 line from the Angelina River near MP 369	Add or repair markers, as needed	Completed July 2008
South from TX SR 103 near MP 363 along GC #1 and 2	Add or repair markers, as needed	Completed August 2008
South from TX FM 1818 near MP 353 along GC #1 and 2	Add or repair markers, as needed	Completed June 2008
North from the MC & SA RR near MP 332 along GC #1 and 2	Add or repair markers, as needed	Completed June 2009
South beyond the fence line near MP 332 along GC #1 and 2	Add or repair markers, as needed	Completed June 2009
West along the Hagist Lateral from MP 14 at TX CR 351	Add or repair markers, as needed	Completed May 2009
East along the Hagist Lateral from MP 15 at TX CR 351 beyond the fence line	Add or repair markers, as needed	Completed May 2009
South from the Aransas River near MP 77 along GC #1 and 2	Add or repair markers, as needed	Completed May 2009