

NATIONAL TRANSPORTATION SAFETY BOARD

Washington, D.C.

Attachment V REFERENCE 29

1.

333: PHMSA's May 15, 2002 letter to Enbridge Pages: 1-3;

**07-26-10
Marshall, MI
DCA10-MP-007**

NOTICE OF AMENDMENT

CERTIFIED - RETURN RECEIPT REQUESTED

May 15, 2002

Mr. Daniel C. Thatcher
President
Enbridge (U.S.), Inc.
1100 Louisiana St.
Suite 3300
Houston, TX 77002-5217

CPF No. 3-2002-5008-M

Dear Mr. Thatcher:

On February 26 - 27, 2002, representatives of the Central and Eastern Regions, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, conducted an Integrity Management Segment Identification and Completeness Check of Enbridge Energy's integrity management program in Duluth, Minnesota.

Although the inspection found that Enbridge had identified pipeline segments that could affect a high consequence area (HCA) pursuant to §195.452(b), the process Enbridge used in identifying those segments does not appear adequate. It appears that Enbridge's integrity management procedures for the identification of pipeline segments require amendment as follows:

1. §195.452 Pipeline integrity management in high consequence areas

§195.452(b)(2) Identification of all pipeline segments that could affect a high consequence area by December 31, 2001.

§195.452(b)(6)(ii) The operator must demonstrate that an alternative practice is supported by a reliable engineering evaluation and provides an equivalent level of public safety and environmental protection.

A.) Enbridge used a release volume of 20,000 barrels as the basis for its determination of

pipeline segments which could affect high consequence areas (HCAs). According to Enbridge this represents a spill volume which is larger than 99% of historical leaks that have occurred on the Enbridge system. However, Enbridge indicated that a reportable leak of 40,500 barrels occurred in 1991. Subsequent review of OPS Accident Report data shows that Enbridge also experienced a 31,300 barrel leak in 1989. OPS proposes that your process be modified to provide adequate technical justification for the determination of the spill volume in light of the fact that Enbridge has actually experienced leaks larger than the 20,000 barrel volume used in its analysis. This is necessary to assure that all pipeline segments which could affect HCAs are actually identified in Enbridge's integrity management program.

B.) In the determination of those pipeline segments which could affect a HCA, a strophoid (teardrop) shaped spill pool extending 1,770 feet from the pipeline was used. It was also assumed the spill volume of 20,000 barrels would be uniformly distributed over the teardrop shape at 1 inch thick. This method does not adequately account for overland transport due to the effects of varying terrain, ditches, specific liquid flow characteristics, and other factors which could carry a liquid spill further than 1,770 feet from the pipeline overland. OPS proposes that Enbridge's process be modified to include the effects of overland transport to ensure that all pipeline segments which could affect HCAs are identified.

C.) In the case of pipelines transporting natural gas liquid (NGL), a ½ mile buffer was used to determine those segments which could affect HCAs. The ½ mile buffer was not supported in Enbridge's process by adequate technical justifications. In order to support the determination of an adequate buffer zone for NGL pipelines, OPS proposes that your process be modified to include a technical analysis of the predicted vapor dispersion due to a leak of the NGL's transported in your system.

When it is found that an operator's plans and/or procedures are inadequate the operator, after notice and opportunity for hearing as provided in 49 C.F.R. §190.237, may be required to amend its plans and procedures. This letter serves as your notification of inadequate plans and procedures as well as your response options as prescribed under §190.237. The operator is allowed thirty (30) days after receipt of such notice to submit written comments or request an informal hearing. After considering the material presented, OPS is required to notify the operator of the required amendment or withdraw the notice proposing the amendment. If you do not desire to contest the notice, within thirty(30) days of receipt of this notice you must prepare the revised procedures and provide a copy to:

Director, Central Region
Office of Pipeline Safety
Research and Special Programs Administration
901 Locust St, Room 462
Kansas City, MO 64106

Also, attached is a description of the response options available to you. Please note that if you

elect to make a response, you must do so within 30 days of your receipt of this Notice or waive your rights. A response which does not contest the allegations in the Notice authorizes the Associate Administrator for Pipeline Safety to find the facts to be as alleged herein and to issue a final order directing amendment.

Sincerely,

Ivan A. Huntoon
Director, Central Region
Office of Pipeline Safety

Enclosure