

NOTICE OF AMENDMENT

CERTIFIED - RETURN RECEIPT REQUESTED

July 17, 1998

Mr. Richard D. Hatchett
Vice President, Operations
West Texas Gas, Incorporated
211 North Colorado
Midland, Texas 79701-4696

Dear Mr. Hatchett:

CPF No. 48108M

On May 13, 1998, an engineer from the Southwest Region, Office of Pipeline Safety, traveled to Midland, Texas, and pursuant to Chapter 601 of 49 United States Code, conducted a review of your manual of written procedures for conducting operations and maintenance activities and for emergency response. This review was precipitated by the incident that occurred on your 22-inch gas transmission pipeline near Dumas, Texas, on May 12, 1998.

As a result of the review of this procedural manual, the requirements for which are set forth in Parts 191, and 192, Transportation of Natural and Other Gas By Pipeline, the following deficiency was noted in the manual.

§192.605 Procedural manual for operations, maintenance, and emergencies
(b) Maintenance and normal operations. The manual required by paragraph
(a) of this section must include procedures for the following, if applicable, to
provide safety during maintenance and operations.

Your procedural manual was deficient because there were no procedures for the following two subparagraphs of §192.605; these subparagraphs, in turn, refer to other regulations.

(a) (1) Operating, maintaining, and repairing the pipeline in accordance with
each of the requirements of this subpart and Subpart M of this part

Paragraph 192.703(b), of Subpart M - Maintenance, requires that each
segment of pipeline that becomes unsafe must be replaced, repaired, or
removed from service.

Your manual of written procedures has no procedure for safely anchoring sections of a mechanically coupled pipeline that may be subject to thrust forces after certain repair activities have been completed.

(b) (4) Gathering or data needed for reporting incidents under Part 191 of this chapter in a timely and effective manner.

§191.5 Telephonic notice of certain incidents.

(a) At the earliest practicable moment following discovery, each operator shall give notice in accordance with paragraph (b) of this section of each incident as defined in §191.3.

(b) Each notice required by paragraph (a) of this section shall be made by telephone to 800-424-8802.

The **Emergency Plan** contained in your manual of written procedures does not list the criteria for determining if an event is a reportable incident nor does it instruct the manual user as to how notice of the incident is to be made or what information must be included in the notice.

You correctly gave telephone notice of the incident that occurred on Friday, May 12, 1998 (NRC Report Number 435986, Record ID 578452) but you called the National Transportation Safety Board (NTSB) about the incident that occurred on May 12, 1998, and did not give notice to the above listed telephone number until instructed to do so by Ms. Terri Binns, an engineer on my staff.

The attached Alert Notice **ALN -91-01** contains additional information about telephonic notice of incidents.

As provided in 49 C.F.R. §190.237, this notice serves to inform you that this office considers your procedures inadequate. Under 49 C.F.R. §190.237, you have a right to submit written comments or request an informal hearing. You must submit written comments or a request for a hearing within 30 days after receipt of this notice. After reviewing the record, the Associate Administrator for Pipeline Safety will determine whether your plans or procedures are adequate. The criteria used in making this determination are outlined in 49 C.F.R. §190.237. If you do not wish to contest this notice, please provide your revised procedures within 30 days of receipt of this notice.

Please refer to CPF No. 48108M on any correspondence/communication on this matter.

Sincerely,

R. M. Seeley
Regional Director, Southwest Region

Attachments

Notice of Amendment

The Office of Pipeline Safety proposes that West Texas Gas, Incorporated, amend its manual of written procedures for conducting operations and maintenance activities and for emergency response to include procedures for:

1. Determining when an event is an incident as defined in §191.3, what information is to be included in the notice required by §191.5(a), and giving notice of the incident to the telephone number listed in §191.5(b) and
2. Anchoring sections of a mechanically coupled pipeline that may be subject to thrust forces after certain repair procedures have been completed. The procedure should advise maintenance personnel that because un-consolidated backfill exerts almost no adhesive force on some pipeline alternate methods for resisting thrust may need to be considered when long sections of pipeline have been exposed, when there is a bend in the pipe in the backfilled ditch, or when an end cap has been welded to the pipe.

PIPELINE SAFETY ALERT NOTICE

Alert Notice: ALN-91-01 Date: 04/15/91

To: Each Owner or Operator of a Gas or Hazardous Liquid Pipeline Facility and Every State Pipeline Safety Representative

Subject:

Purpose:

Recent experiences suggest a need to reemphasize the responsibility of each pipeline operator to report promptly, by telephone, pipeline incidents or accidents meeting the criteria specified in 49 CFR Sections 191.5 and 195.52. Failure to perform the required reporting may result in fines up to \$10,000 a day, not to exceed a maximum of \$500,000.

Notice:

Background:

Recent experiences suggest a need to reemphasize the responsibility of each pipeline operator to report promptly, by telephone, pipeline incidents or accidents meeting the criteria specified in 49 CFR Sections 191.5 and 195.52. Failure to perform the required reporting may result in fines up to \$10,000 a day, not to exceed a maximum of \$500,000.

Sections 191.5 and 195.52 require each operator to give direct telephonic notice to the National Response Center (NRC), telephone number 800-424-8802 (in Washington, D.C., 202-426-2675), at the earliest practicable moment following discovery of certain types of events described therein, and provide the required information. In most cases, this telephonic report can and should be made within 1-2 hours after discovery. This prompt notice is necessary in part for OPS and NTSB to make timely determination regarding the need for possible action.

A number of state agencies have identical or similar telephonic reporting requirements which are separate and in addition to the federal requirement. An operator's telephonic report to a state agency, with the state agency relaying the report to NRC, OPS, or NTSB, does not meet the requirements of the federal regulations. An operator must telephonically report any event subject to Sections 191.5 or 195.52 directly to the NRC even though he also may be required to report the same incident to a state agency.

George W. Tenley, Jr., Associate Administrator, Office of Pipeline Safety