

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 19, 1999

Mr. Jim Webster, President  
Phillips Pipe Line Company  
411 Keeler  
370 Adams Building  
Bartlesville, Oklahoma 74004

Dear Mr. Webster:

**CPF No. 49601-W**

On November 18 - 19, 1999, a representative of the New Mexico Public Regulation Commission (NMPRC) made an inspection of your pipeline facilities in New Mexico. He acted as a representative of the Southwest Region, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code.

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, Part 195). The probable violations are:

1. **§195.402(c) The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:**
  - (3) **Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart.**

Phillips Pipe Line Company's (Phillips') written procedures for pipe movement do not include precautions to protect the public against the hazard in moving the pipeline containing highly volatile liquids, including the use of warnings, where necessary, to evacuate the area close to the pipeline, as required by §195.424(b).

2. **§195.402(e) The manual required by paragraph (a) of this section must include procedures for the following to provide safety during an emergency condition occurs:**

- (2) Prompt and effective response to a notice of each type emergency, including fire or explosion occurring near or directly involving a pipeline facility accidental release of hazardous liquid or carbon dioxide from a pipeline facility, operational failure causing a hazardous condition, and natural disaster affecting pipeline facilities.**
- (5) Control of released hazardous liquid or carbon dioxide at an accident scene to minimize the hazards, including possible intentional ignition in the cases of flammable highly volatile liquid.**

Phillip's procedural manual does not include procedures for the items listed above.

- 3. **§195.403(b)(1) At intervals not exceeding 15 months, but at least once each calendar year, each operator shall review with personnel their performance in meeting the objectives of the training program set forth in paragraph (a) of this section.**

Phillip's training program is not reviewed at least once each calendar year, not to exceed 15 months. Since February 25, 1997, two maintenance employees have not had a performance review.

- 4. **§195.406(b) Requires no operator may permit the pressure in a pipeline during surges or other variations from normal operations to exceed 110 percent of the operating pressure limit established under paragraph (a) of this section. Each operator must provide adequate controls and protective equipment to control the pressure within this limit.**

The maximum operating pressure (MOP) for the pipeline is 1045 psig. However, the high pressure switch used for over pressure protection is set at 1300 psig. This is in excess of 124% of the MOP.

- 5. **§195.428(a) Requires each operator to inspect and test each pressure limiting device, relief valve, pressure regulator, or other item of pressure control equipment on pipelines used to carry highly volatile liquids, at intervals not to exceed 7 ½ months, but at least twice each calendar year, to determine that it is functioning properly, is in good mechanical condition, and is adequate from the standpoint of capacity and reliability of operation for the service in which it is used.**

At the time of the inspection, the thermal relief valves on the East Vacuum line had not been inspected in 1998.

Under 49 United States Code, §60122, you are subject to a civil penalty not to exceed \$25,000 for each violation for each day the violation persists up to a maximum of \$500,000 for any related series of violations. We have reviewed the circumstances and supporting documentation involved in this case, and have decided not to assess you a civil penalty. We advise you however that should you not correct the circumstances leading to the violations, we will take enforcement action when and if the continued violations comes to our attention.

Sincerely,

R. M. Seeley, Director  
Southwest Region

cc: New Mexico Public Regulation Commission