



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

8701 South Gessner, Suite 1110
Houston, TX 77074

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 7, 2008

Mr. John T. Duff
President
Trans-Union Interstate Pipeline Company
100 S. Ashley Dr.
Suite #1400
Tampa, FL 33602

CPF 4-2008-1015M

Dear Mr. Duff:

On July 1-2, 2008, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your procedures and records for Operator Qualification (OQ) in Houston, Texas. During the inspection, it was noted that the written plan reviewed was a complete rewrite from the original plan utilized during the initial inspection, which occurred April 6, 2005.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within Trans-Union Interstate Pipeline Company's (Trans-Union) procedures and are described below.

1. §192.805 Qualification Program

Each operator shall have and follow a written qualification program.

The program shall include provisions to:

(d) Evaluate an individual if the operator has reason to believe that the individual's performance of a covered task contributed to an incident as defined in Part 191;

Trans-Union did not clearly define the process it uses to ensure that an incident investigation will determine if a covered task has been performed, which may have contributed to the incident.

In E-mail correspondence dated July 21, 2008, Trans-Union submitted an updated incident investigation form. My staff reviewed the amended form, and it appears that the inadequacy outlined in this Notice of Amendment has been corrected.

This letter is to inform you no further action is necessary and this case is now closed. Thank you for your cooperation.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 30 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

In correspondence concerning this matter, please refer to **CPF No 4-2008-1015M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



R. M. Seeley
Director, Southwest Region
Pipeline and Hazardous
Material Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance*