



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

12300 W. Dakota Ave., Suite 110
Lakewood, CO 80228

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 21, 2012

Mr. Terry D. Roby
Manager of Pipelines
ConocoPhillips Pipe Line Company
600 North Dairy Ashford Road
Houston, TX 77079

CPF 5-2012-5002M

Dear Mr. Roby:

On June 13-17, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Washington State Utilities and Transportation Commission, and the California State Fire Marshal office, pursuant to Chapter 601 of 49 United States Code, inspected ConocoPhillips's procedures for operations, maintenance, and emergency response at your company's facility at 600 North Dairy Ashford Rd., Houston, Texas.

On the basis of the inspection, PHMSA staff identified the apparent inadequacies found within ConocoPhillips's plans or procedures, as described below:

1. **§195.402 Procedural manual for operations, maintenance, and emergencies.**
 - (c) **Maintenance and normal operations. 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 and subpart H of this part.**

The Operations and Maintenance (O&M) manual is required to include written pipeline repair procedures that comply with §195.422. This section requires that each repair be made in a safe manner. At the time of the inspection, there was no procedure requiring a written Non-Destructive Testing procedure when welds are nondestructively tested as required by §195.234(c), when using x-ray or gamma rays for the inspection of pipeline repairs.

- 2. §195.402 Procedural manual for operations, maintenance, and emergencies.**
(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.

At the time of the inspection, the ConocoPhillips procedures addressing perimeter security for facilities were ambiguous and confusing. Procedure CPPL-MPR-2001-WD2 (Security and Signs) Rev. 2- Effective Date: 2011-03-23, Section 6.1 did not state who is responsible for determining the type of perimeter security required at a given site, guidelines for determining security for various types of sites, and who is responsible for maintaining the level of security established as required by §195.436.

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 ninety 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.

It is requested (not mandated) that ConocoPhillips maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Chris Hoidal, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2012-5002M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Hoidal". The signature is fluid and cursive, with the first name "Chris" written in a larger, more prominent script than the last name "Hoidal".

Chris Hoidal
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*

cc: PHP-60 Compliance Registry
PHP-500 B. Brown (#13398)