



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 South Gessner, Suite 1110  
Houston, TX 77074

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 10, 2008

Mr. Rick A. Olsen  
Sr. Vice President Pipeline Operations  
Magellan Pipeline Company, L.P.  
One Williams Center  
Tulsa, OK 74121-2186

**CPF 4-2008-5014W**

Dear Mr. Olsen:

Between August 20, 2007 and September 19, 2007, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected the Longhorn Pipeline system. Records were reviewed in Tulsa, Oklahoma and then a field review was conducted over the entire pipeline system from Galena Park, Texas to El Paso, Texas.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation(s)

are:

1. **§195.403 Emergency Response Training.**
  - (a) **Each operator shall establish and conduct a continuing training program to instruct emergency response personnel to:**
    - (1) **Carry out the emergency procedures established under 195.402 that relate to their assignments;**
    - (2) **Know the characteristics and hazards of the hazardous liquids or carbon dioxide transported, including, in case of flammable HVL, flammability of mixtures with air, odorless vapors, and water reactions;**
    - (3) **Recognize conditions that are likely to cause emergencies, predict the consequences of facility malfunctions or failures and hazardous liquids or carbon dioxide spills, and take appropriate corrective action;**

- (4) Take steps necessary to control any accidental release of hazardous liquid or carbon dioxide and to minimize the potential for fire, explosion, toxicity, or environmental damage; and
- (5) Learn the potential causes, types, sizes, and consequences of fire and the appropriate use of portable fire extinguishers and other on-site fire control equipment, involving, where feasible, a simulated pipeline emergency condition.
  - (b) At the intervals not exceeding 15 months, but at least once each calendar year, each operator shall:
    - (1) Review with personnel their performance in meeting the objectives of the emergency response training program set forth in paragraph (a) of this section; and
    - (2) Make appropriate changes to the emergency response training program as necessary to ensure that it is effective.
  - (c) Each operator shall require and verify that its supervisors maintain a thorough knowledge of that portion of the emergency response procedures established under 195.402 for which they are responsible to ensure compliance.

During the inspection, individual records were reviewed. The records indicated that personnel's performance was reviewed in January 2006 and August/September 2007 in the Western unit. This meets the annual requirement, but exceeds the 15 month interval per 195.403(b)(1) by 4-5 months. This involved 14 employee's records.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violations persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item(s) identified in this letter. Be advised that failure to do so will result in Magellan Pipeline Company, LP being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 4-2008-5014W**. 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).

Sincerely,



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