



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

May 4, 2007

Mr. Mark Petersen
Sinclair Pipeline Company
550 East South Temple
Salt Lake City, UT 84102

SENT TO COMPLIANCE REGISTRY
Hardcopy Electronically
of Copies 1 / Date 5/4/07

CPF 5-2007-5022M

Dear Mr. Petersen:

On March 20-21, 2007, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code inspected Sinclair Pipeline Company's (Sinclair) procedures for operator qualification in Sinclair, Wyoming.

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

1. §195.505 Qualification Program

(b) Ensure through evaluation that individuals performing covered tasks are qualified;

Sinclair's Plan lacked a formal written process to qualify individuals from other companies performing covered tasks under mutual assistance agreements.

2. §195.505 Qualification Program

(b) Ensure through evaluation that individuals performing covered tasks are qualified;

Sinclair's Plan lacked a formal written process identifying the paper trail to ensure each covered task is performed by a qualified person at the time of performance.

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 5-2007-5022M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



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 J. Haddow (#118540)