

**NOTICE OF PROBABLE VIOLATION  
and  
PROPOSED COMPLIANCE ORDER**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

September 9, 2014

Mr. Geoffrey Craft  
Vice President, Operations  
ExxonMobil Pipeline Co.  
800 Bell Street  
Houston, TX 77252

**CPF 4-2014-5020**

Dear Mr. Craft:

On May 5 – 8, 2014, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your ExxonMobil Pipeline Company (EMPCo) procedures and records for the Pasadena Station Control Management Program in Pasadena, TX.

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. The items inspected and the probable violation(s) is:

**1. § 195.446 Control room management.**

**h) *Training.* Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator. In addition, the training program must include the following elements:**

**(2) Use of a computerized simulator or non-computerized (tabletop) method for training controllers to recognize abnormal operating conditions...**

EMPCo failed to conduct simulator or tabletop exercises for the purpose of training Pasadena Station Operators (PSO), controllers, on how to recognize and respond to abnormal operating conditions (AOC). During the inspection EMPCo had no record and representatives had no recollection of a simulator or tabletop exercise being provided to controllers at the Pasadena Station facility for training on how to recognize and respond to AOCs.

#### Proposed Compliance Order

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a related series of violations.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to propose a civil penalty assessment at this time.

With respect to item 1 pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration proposes to issue a Compliance Order to EMPCo. Please refer to the *Proposed Compliance Order*, which is enclosed and made a part of this Notice.

#### Response to this Notice

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.

In your correspondence on this matter, please refer to **CPF 4-2014-5020** 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 Materials Safety Administration

Enclosures: *Proposed Compliance Order*  
*Response Options for Pipeline Operators in Compliance Proceedings*

## **PROPOSED COMPLIANCE ORDER**

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to ExxonMobile Pipeline Company (EMPCo) a Compliance Order incorporating the following remedial requirements to ensure the compliance of EMPCo with the pipeline safety regulations:

1. In regard to Item Number 1 of the Notice pertaining to EMPCo's failure to conduct simulator or tabletop exercises for the purpose of training Pasadena Station Operators on how to recognize and respond to AOCs. EMPCo shall include in its controller training program, the instruction and recording of simulator or tabletop exercises for the purpose of training Pasadena Station Operators on how to recognize and respond to AOCs.
2. In regard to Item Number 1 of the Notice pertaining to EMPCo's failure to conduct simulator or tabletop exercises; EMPCo shall develop and implement a program to train the Pasadena Station Operators to recognize and respond to AOCs. EMPCo shall submit a copy of the program to PHMSA, Southwest Region for review.
3. EMPCo should complete item 1 above within 90 days of receipt of a Final Order.
4. It is requested (not mandated) that EMPCo maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. It is requested that these costs be reported in two categories: 1) total cost associated with preparation/revision of plans, procedures, studies and analyses, and 2) total cost associated with replacements, additions and other changes to pipeline infrastructure.