

**WARNING LETTER**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

November 21, 2011

Robert L. Rose  
President  
Tampa Bay Pipeline Company  
Tampa Pipeline Corporation  
Post Office Box 25236  
Sarasota, Florida 34242

**CPF 2-2011-6010W**

Dear Mr. Rose:

On August 29 - September 2, and September 12, 2011, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected the Tampa Bay Pipeline Company (TBPL) procedures and records in Tampa, Florida, and pipeline facilities in Hillsborough and Polk Counties, Florida.

As a result of the inspection, it appears that TBPL has committed probable violations of the Pipeline Safety Regulations, Title 49 Code of Federal Regulations. The items inspected and the probable violations are as follows:

**1. §195.406 Maximum operating pressure.**

**.... (b) No operator may permit the pressure in a pipeline during surges or other variations from normal operations to exceed 110 percent of the operating pressure limit established under paragraph (a) of this section. Each operator must provide adequate controls and protective equipment to control the pressure within this limit.**

TBPL failed to provide adequate controls for the pipeline operating pressure to ensure that the pressure would not exceed 110 percent of the Maximum Operating Pressure (MOP) because its relief valves were set at 750 psig for pipelines with an MOP of 594 psig.

TBPL records show that adequate controls for the pipeline operating pressure were not in place to ensure the pressure would not exceed 110 percent of the MOP at the Yara - Port Sutton injection station and at the Kinder Morgan - Port Sutton injection station.

**1. Yara - Port Sutton injection station**

TBPL's *Semi-Annual Pump Station Inspection Report* on 5/10/2011 showed the "Required Set Point - found and left" values for the six relief valves to be 750 [psig.]

2. Kinder Morgan - Port Sutton injection station  
TBPL's *Semi-Annual Pump Station Inspection Reports* on 10/14/2010 and 4/14/2011 show "*Required Set Point - found and left*" values for the ten relief valves to be 720 [psig.]

Notwithstanding the above, the PHMSA inspector did not find any evidence that the MOP of these pipelines had been exceeded.

**2. §195.420 Valve maintenance.**

**.... (c) Each operator shall provide protection for each valve from unauthorized operation and from vandalism.**

TBPL's valve BV-25 was not protected from unauthorized operation and vandalism. During the field inspection the PHMSA inspector observed that BV-25 was not locked or otherwise secured to protect the valve from vandalism and prevent unauthorized operation. The valve is located on the Mosaic-Bartow plant property. Subsequent to the inspection TBPL reported to the PHMSA Southern Region that the valve was now secured by a padlock.

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 violation 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 items identified in this letter. Failure to do so will result in Tampa Bay Pipeline Company 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 2-2011-6010W**. 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,

Wayne T. Lemoi  
Director, Office of Pipeline Safety  
PHMSA Southern Region