

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 11, 2014

Mr. Marius Green
Vice President & Operations Manager
Wolverine Pipeline Company
8075 Creekside Drive, Suite 210
Portage, MI 49024

CPF 2-2014-5004W

Dear Mr. Green:

On June 16-20, 2014, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Southern Region, Office of Pipeline Safety (OPS) inspected the Wolverine Pipeline Company (Wolverine) control room management program at Portage, Michigan, pursuant to Chapter 601 of 49 United States Code.

As a result of the inspection, it appears that Wolverine 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. § 195.446 Control room management.

... (e) Alarm management. Each operator using a SCADA system must have a written alarm management plan to provide for effective controller response to alarms. An operator's plan must include provisions to:

...(5) Monitor the content and volume of general activity being directed to and required of each controller at least once each calendar year, but at intervals not exceeding 15 months, that will assure controllers have sufficient time to analyze and react to incoming alarms; and

Wolverine did not monitor the content and volume of general activity being directed to and required of each controller at least once each calendar year, but at intervals not exceeding 15 months.

That is, Wolverine did not present to the OPS inspector records to demonstrate that it had monitored the content and volume of general activity being directed to, and required of, each controller in calendar year 2013.

2. § 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:

Wolverine did not review the training program content at least once each calendar year, but at intervals not exceed 15 months, to identify potential improvements.

That is, Wolverine did not present to the OPS inspector records to demonstrate that it had reviewed the training program content in calendar year 2013 to identify potential improvements.

Under 49 United States Code, § 60122, Wolverine is 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 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 Wolverine 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 2-2014-5004W**. 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