

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 8, 2012

Mr. Robert L. Rose
President
Tampa Airport Pipeline Corporation
P.O. Box 35236
Sarasota, FL 34242

CPF 2-2012-6003M

Dear Mr. Rose:

On November 7-10, 2011, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) inspected the Tampa Airport Pipeline Corporation (TAPC) operations and maintenance written procedures in Tampa, Florida pursuant to Chapter 601 of 49 United States Code.

On the basis of the inspection, PHMSA has identified apparent inadequacies within TAPC's written procedures, as described below:

1. §195.52 Immediate notice of certain accidents.

... (c) Calculation. A pipeline operator must have a written procedure to calculate and provide a reasonable initial estimate of the amount of released product.

TAPC's written procedure 4.4 REPORTING ACCIDENTS AND SAFETY-RELATED CONDITIONS 195.50 was inadequate because the procedure did not include a process to calculate a reasonable initial estimate of the amount of released product.

2. §195.569 Do I have to examine exposed portions of buried pipelines?

Whenever you have knowledge that any portion of a buried pipeline is exposed, you must examine the exposed portion for evidence of external corrosion if the pipe is bare, or if the coating is deteriorated. If you find external corrosion requiring corrective action under §195.585, you must investigate circumferentially and longitudinally beyond the exposed portion (by visual examination, indirect method, or both) to determine whether additional corrosion requiring remedial action exists in the vicinity of the exposed portion.

TAPC's written procedures were inadequate because they did not require TAPC to examine the pipeline whenever any portion of the buried pipeline is exposed and that

further investigation be done if external corrosion requiring corrective action under §195.585 is found.

Subsequent to the PHMSA inspection, TAPC submitted a modified written procedure 4.3 Investigation of Failures 195.50, 195.402(c)(2), 195.402(c)(5) which states, “Any time the pipeline is uncovered and/or cut apart for maintenance, the pipeline must be inspected and a report made of the conditions found.” This subsequent written procedure remains inadequate because it also does not adequately address the requirement that the buried pipeline be investigated circumferentially and longitudinally beyond the exposed portion of the pipeline if external corrosion requiring corrective action is found.

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.

It is requested (not mandated) that Tampa Airport Pipeline Corporation maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Wayne T. Lemoi, Director, Southern Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 2-2012-6003M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*