

October 29, 2013

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Ms. Linda Daugherty  
Director, Central Region  
Pipeline and Hazardous Materials Safety Administration  
901 Locust Street, Suite 462  
Kansas City, MO 64106-2641

RE: Response to PHMSA Notice of Probable Violation – CPF No. 3-2013-5025 TransMontaigne Operating Company L.P. ~ OPID 30909

Dear Ms. Daugherty:

On behalf of TransMontaigne Operating Company L.P. (TransMontaigne), and in response to the October 2012 inspection of the Razorback pipeline system facilities in Missouri and Arkansas, the Operations and Maintenance Manual (OMM) has been amended to address the items identified during the October 2012 PHMSA inspection. The resolution of the items identified in the inspection is as follows:

- Item No. 1     **§195.402 Procedural manual for operations, maintenance, and emergencies.**  
**(c) Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:**
- (13) Periodically reviewing the work done by operator personnel to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found.**

TransMontaigne has an existing process to address OMM implementation and compliance by individual employees during their annual performance review but the Form (*DOT Employee Appraisal Form*) did not specifically require feedback on the adequacy and effectiveness of the procedures being performed in normal operation.

Status:        TMG has amended its *DOT Employee Appraisal Form* to include additional questions to ensure proper review of work performed to determined effectiveness of operation and maintenance procedures for employee feedback on the normal operating process.

Mrs. Linda Daugherty  
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Amended Section(s):

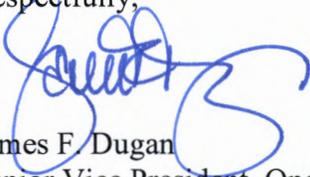
12. Employee Feedback on Normal Operating Procedure Effectiveness (comprehensiveness, communication, adequacy, deficiencies, etc.) per §195.402 (c) (13).

13. Employee Feedback on Normal Operating Procedure Effectiveness (suggested corrective actions, improvements, additional job training, etc.) per §195.402 (c) (13).

The amended DOT Employee Appraisal Form is attached for your review.

Should you have any further questions, please contact me at 770-518-3670.

Respectfully,



James F. Dugan  
Senior Vice President, Operations and Engineering  
TransMontaigne Operating Company, L.P.

Attachment

**TransMontaigne Operating Company L.P.**


Name: \_\_\_\_\_

## DOT EMPLOYEE APPRAISAL

**DOT Part 195.402 (c) (13) requires periodic review of the work done by operator personnel.**

Please rate your satisfaction level with each of the following statements.

- 1 = Outstanding
- 2 = Exceeds Requirements
- 3 = Proficient
- 4 = Marginal
- 5 = Unsatisfactory

<b>Daily Operations and Maintenance</b>	1	2	3	4
<b>5</b>				
1. The employee is familiar with the procedures guide and its use in day-to-day operations. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the employee able to perform assigned tasks without incident? <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Employee is able to recognize and respond to operational problems and take corrective actions? <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Can the employee perform assigned tasks without direct supervision? <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Overall rating of this section. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Abnormal Operations</b>				
6. Is the employee able to identify abnormal operational conditions? <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Does the employee know the required procedures to follow during and AOC? <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Overall rating this section <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Combined Rating</b>				
9. Overall Rating <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Employee Development (what training, schools or other activities can be utilized to increase the employees knowledge and skills)


11. Employee Feedback (skills development, job progression, etc.)


12. Employee Feedback on Normal Operating Procedure Effectiveness (comprehensiveness, communication, adequacy, deficiencies, etc.) per §195.402 (e) (13)


13. Employee Feedback on Normal Operating Procedure Effectiveness (suggested corrective actions, improvements, additional job training, etc.) per §195.402 (e) (13)


Employee Signature: \_\_\_\_\_ Manager Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_