

## NOTICE OF AMENDMENT

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 9, 2011

Mr. Dennis Smith  
President  
ConocoPhillips Pipe Line Company  
600 North Dairy Ashford Road  
TA 2010  
Houston, TX 77079

**CPF 5-2011-5009M**

Dear Mr. Smith:

On August 2 through August 6, August 9 through 13, and September 13 through 15, 2010, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected ConocoPhillips' Operation and Maintenance (O&M) procedures in the state of Colorado.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within ConocoPhillips' O&M procedures, as described below:

**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:**

**(4) Determining which pipeline facilities are located in areas that would require an immediate response by the operator to prevent hazards to the public if the facilities failed or malfunctioned.**

At the time of the inspection, ConocoPhillips' O&M manual did not include the prescriptive requirements of Part 195.402(c)(4). CPPL is required to establish a written procedure to address the requirement of Part 195.402(c)(4), including the determination which pipeline facilities are located in areas that would require an immediate response by the operator to prevent hazards to the public if the facilities failure or malfunctioned. A significant portion of this pipeline system traverses residential and commercial High Consequence Areas (HCA's) that are not addressed in their O&M manual as needing an immediate response by CPPL.

**2. §195.442 Damage prevention program.**

**(c) The damage prevention program required by paragraph (a) of this section must, at a minimum:**

**(2) Provides for notification of the public in the vicinity of the pipeline and actual notification of persons identified in paragraph (c)(1) of this section of the following as often as needed to make them aware of the damage prevention program:**

**(i) The program's existence and purpose; and**

**(ii) How to learn the location of underground pipelines before excavation activities are begun.**

At the time of the inspection, ConocoPhillips' O&M manual did not include the prescriptive requirements to provide notifications of persons identified in paragraph (c)(1) of the program's existence and purpose, and how to learn the location of underground pipelines before commencing excavation activities. CPPL is required to establish a written procedure to address the requirement of Part 195.442(c)(2).

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 ConocoPhillips Pipe Line Company maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Chris Hoidal, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2011-5009M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Chris Hoidal  
Director, Western Region  
Pipeline and Hazardous Materials Safety Administration

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

cc: PHP-60 Compliance Registry  
PHP-500 J. Kenerson (#128440)