

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 25, 2012

Mr. Joe Giglotto
Senior Vice President Operations
Hunt Crude Oil Supply Company
2200 Jack Warner Pkwy., Suite 400
Tuscaloosa, AL 35401

CPF 2-2012-5010M

Dear Mr. Giglotto:

From June 4-5, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) inspected the Hunt Crude Oil Supply Company (Hunt) written Public Awareness Program at your Tuscaloosa, AL refinery office pursuant to Chapter 601 of 49 United States Code.

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

1. §195.440 Public awareness.

(a) Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §195.3).

Hunt's written Public Awareness Program (PAP) procedures listed "*Newspaper Ads*" as a baseline message material. *American Petroleum Institute Recommended Practice 1162 (API RP 1162), Table 2-1 Summary Public Awareness Communications for Hazardous Liquids and Natural Gas Transmission Pipeline Operators* states an acceptable method of message delivery is "*Targeted distribution of print materials.*"

While newspaper ads are printed materials, they are not targeted to a specific stakeholder audience. Also, there is no way for an operator to assure or measure receipt of newspaper ads by a given stakeholder audience. PAP baseline messages need to be distributed in a manner that assures the material is received by the intended audience.

2. §195.440 Public awareness.

(a) Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §195.3).

Hunt's written PAP procedures did not provide for conducting a program effectiveness evaluation for all stakeholder audiences. *API RP 1162; Section 8.4 Measuring Program Effectiveness* requires a program effectiveness evaluation be conducted for all stakeholder audiences.

The Hunt PAP procedures addressed conducting a program effectiveness evaluation for the Affected Public but did not address Emergency Officials, Public Officials and Excavators.

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 Hunt Crude Oil Supply 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 Wayne T. Lemoi, Director, Southern Region, Pipeline and Hazardous Materials Safety Administration. In

correspondence concerning this matter, please refer to **CPF 2-2012- 5010M** 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*