

WITHDRAWAL of NOTICE LETTER

VIA ELECTRONIC MAIL TO: Kurt Barclay@wplco.com

May 20, 2022

Mr. Kurt Barclay
President and Chief Executive Officer
Wolverine Pipe Line Company
8075 Creekside Drive, Suite 210
Portage, Michigan 49024

CPF 1-2022-023-NOPV

Dear Mr. Barclay:

On March 31, 2022, Wolverine Pipe Line Company (Wolverine) was issued a Notice of Probable Violation letter (Notice) for the case number referenced above. This Notice cited Wolverine for not complying with the following 49 CFR Part 195 codes:

1. § 195.446 Control room management.

(a) *General.* This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section...

Wolverine failed to follow its WPLCO OCC Control Room Management Plan, Section 8.27 Alarm Management Review...

2. § 195.446 Control room management.

(a) ...

(c) *Provide adequate information.* Each operator must provide its controllers with the information, tools, processes and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following:

(1) ...

(3) Test and verify an internal communication plan to provide adequate means for manual operation of the pipeline safely, at least once each calendar year, but at intervals not to exceed 15 months.

Wolverine failed to test and verify an internal communication plan for providing adequate means for manual operation of its pipeline safely, at least once each calendar year, but at intervals not to exceed 15 months...

3. § 195.446 Control room management.

(a) ...

(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:

(1) ...

(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;

Wolverine failed to include in its written alarm management plan provisions to 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, to assure controllers have sufficient time to analyze and react to incoming alarms.

4. § 195.446 Control room management.

(a) ...

(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:

(1) ...

(5) For pipeline operating setups that are periodically, but infrequently used, providing an opportunity for controllers to review relevant procedures in advance of their application.

Wolverine failed to establish a controller training program that included an opportunity for controllers to review relevant procedures in advance of their application for pipeline operating setups that are periodically, but infrequently, used.

On April 29, 2022, Wolverine responded to the Notice wherein it requested a hearing on Item 3 and responded to the other three Notice items in writing. On May 12, 2022, Wolverine and

PHMSA conducted an informal settlement meeting to settle or simplify the issues. Based on those discussions and additional documentation submitted by Wolverine after the meeting, PHMSA has agreed to withdraw this Notice. PHMSA intends to clarify and issue Item 3 as a Notice of Amendment, and re-issue the remaining three items as a Warning Letter.

This letter is to inform you that PHMSA hereby withdraws the Notice and that the case is now closed.

Sincerely,

Robert Burrough
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Cc: Mr. Matthew Dunne, Vice President and Manager, Wolverine Pipe Line Company,
<matthew_dunne@wplco.com>

Ms. Roina Baker, Associate Attorney, Murchison Law Firm, PLLC
<Roina.Baker@pipelinelegal.com>