



U.S. Department
of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

409 3rd St. S.W. Suite 300
Washington, D.C. 20024

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 3, 2008

IMTT
Mr. Richard R. Fisette, Vice President
IMTT-Pipeline
250 E. 22nd St. P.O. Box 67
Bayonne, NJ 07002

CPF 1-2008-5007M

Dear Fisette:

On May 5-8, 2008, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your transmission pipeline in Bayonne, New Jersey.

On the basis of the inspection, PHMSA has identified the apparent inadequacies within IMTT's plans or procedures, as described below:

1. **§191.15 Transmission and gathering systems: Incident Report**

§191.15(b) Where additional related information is obtained after a report is submitted under paragraph (a) of this section, the operator shall make a supplemental report as soon as practicable with a clear reference by date and subject to the original report

IMTT - Pipeline procedures do not address filing a supplemental report, if needed, in conjunction with filing original NRC reports.

2. **§195.310 Records**

§195.310(b)(10) Temperature of the test medium or pipe during the test period

Recording of temperature during a pipeline pressure test is not in IMTT - Pipeline procedures. Temperatures are recorded on actual IMTT – Pipeline test reports.

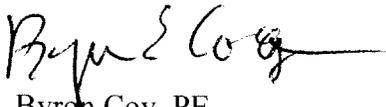
Response to this Notice

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.

In correspondence concerning this matter, please refer to **CPF 1-2008-5007M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Byron Coy", with a long horizontal flourish extending to the right.

Byron Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

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