

## WARNING LETTER

### OVERNIGHT EXPRESS DELIVERY

March 2, 2018

Mr. Jeffery Coleman  
Refinery Manager  
Toledo Refining Company, LLC  
1819 Woodville Road  
Oregon, OH 43616

**CPF 1-2018-5013W**

Dear Mr. Coleman:

From June 5 – 9, 2017, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Toledo Refining Company, LLC's (TRC) pipeline facilities in Toledo, Ohio.

As a result of the inspection, it is alleged that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violation(s) are:

**1. § 195.567 Which pipelines must have test leads and what must I do to install and maintain the leads.**

**(c) *Maintenance.* You must maintain the test lead wires in a condition that enables you to obtain electrical measurements to determine whether cathodic protection complies with § 195.571.**

TRC failed to maintain test lead wires in a condition that enables them to obtain electrical measurements to determine whether cathodic protection complies with § 195.571.

During field observations conducted as part of the inspection, the PHMSA Inspector noted that electrical contact with the pipeline could not be made at a test station located just north of Navarre Ave. As a result, pipe-to-soil potential voltages could not be obtained.

This test station was in an area of potential stray currents from overhead transmission lines and a railroad.

Therefore, TRC failed to maintain test lead wires in accordance with § 195.567(c).

**2. § 195.589 What corrosion control information do I have to maintain?**

**(a) You must maintain current records or maps to show the location of-**

- (1) Cathodically protected pipelines;**
- (2) Cathodic protection facilities, including galvanic anodes, installed after January 28, 2002; and**
- (3) Neighboring structures bonded to cathodic protection systems.**

TRC failed to maintain current records or maps to show the location of cathodic protection facilities required by § 195.589(a).

During the inspection, the PHMSA inspector requested and reviewed existing maps of the pipeline system. The maps provided did not clearly and accurately depict current cathodic protection information such as test stations, rectifiers, anode beds, bonded systems, and cathodic protection systems for the breakout tanks.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$209,002 per violation per day the violation persists, up to a maximum of \$2,090,022 for a related series of violations. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 for a related series of violations.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item(s) identified in this letter. Failure to do so will result in Toledo Refining Company, LLC being subject to additional enforcement action.

Please 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).

No reply to this letter is required. If you choose to reply, please submit all correspondence in this matter to Robert Burrough, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please refer to **CPF 1- 2018-5013W** on each document you submit, and whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to [robert.burrough@dot.gov](mailto:robert.burrough@dot.gov). Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

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