

## NOTICE OF AMENDMENT

### OVERNIGHT EXPRESS DELIVERY

April 17, 2018

Joseph A. Blount Jr.  
President and CEO  
Colonial Pipeline Company  
1185 Sanctuary Parkway  
Suite 100  
Atlanta, GA 30009

**CPF 1-2018-5018M**

Dear Mr. Blount:

From June 20–22, 2017, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Colonial Pipeline Company's (Colonial) Operations, Maintenance, and Emergencies Manual and Public Awareness Program in Woodbine, Maryland.

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

1. **§195.402 Procedural manual for operations, maintenance, and emergencies.**
  - (a) ***General.*** Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies...
  - (e) ***Emergencies.*** The manual required by paragraph (a) of this section must include procedures for the following to provide safety when an emergency condition occurs: ...
  - (7) **Notifying fire, police, and other appropriate public officials of hazardous liquid or carbon dioxide pipeline emergencies and coordinating with them preplanned and actual responses during an emergency, including additional precautions necessary for an emergency involving a pipeline system transporting a highly volatile liquid.**

Colonial's procedure for notifying fire, police, and other appropriate public officials of hazardous

liquid or carbon dioxide pipeline emergencies and coordinating with them preplanned and actual responses during an emergency was inadequate.

During the inspection, Colonial presented *Appendix C: Tank Fire Emergency Checklist* (Checklist) of *Fire Prevention & Response Plan Dorsey Junction, February 1, 2014, Issue No.2* (FPRP) as its procedure for coordinating with fire, police, and other public officials preplanned responses for an emergency at Dorsey Junction facility. On page 17, under *C. Discussion Points During Incident Command Meeting with Emergency Responders* of the Checklist stated, in part: “The following issues should be discussed with the Emergency Responders prior to an actual incident. However, as each incident is unique and actual conditions will not be known prior, all parties should be prepared to discuss these during an event: ...” The Checklist did not contain sufficient instructions on coordinating preplanning emergencies with fire, police, and other public officials. For instance, the Checklist did not address (1) how often Colonial would meet with fire, police, and other public officials to coordinate preplanning emergencies, (2) who would be responsible for conducting the discussions, (3) documenting the discussions and decisions, and (4) how and when Colonial would communicate the decisions to the fire, police, and other public officials.

Therefore, Colonial’s FPRP was inadequate as prescribed in §195.402(e)(7).

**2. § 195.402 Procedural manual for operations, maintenance, and emergencies.**

- (a) General.** Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations 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: ...
- (3) Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of this part.**

Colonial’s procedure for operating, maintaining and repairing the pipeline system in accordance with each of the requirements of Subpart F and Subpart H of Part 195 was inadequate. Specifically, Colonial’s *DOT Reference Guide, Procedure for Monthly Tank Inspection Checklist, Form #3345, Revised 1/26/2015, Effective 2/10/2015* (Procedure) did not contain sufficient guidance on inspecting for corrosion and condition of paint coating on a breakout tank during routine in-service inspection as required by §195.432(b).

Pursuant to §195.432(b), an operator must inspect the physical integrity of in-service atmospheric and low-pressure steel above-ground breakout tanks according to American Petroleum Institute (API) Standard (Std) 653 (incorporated by reference, see §195.3). API Std 653, Subsection 6.3.1.3 states: “this routine in-service inspection shall include a visual inspection of the tank’s exterior surfaces. Evidence of...corrosion... and condition of paint coatings... should be documented for follow-up action by an authorized inspector.”

During the inspection, the PHMSA inspector reviewed Colonial’s Procedure. On page 2 of the Procedure in stated: “5. Inspect tank exterior for signs of paint coating failure and any subsequent corrosion. Colonial tanks were constructed with extra thick steel to allow for some corrosion. Paint failure is most likely not a reason for concern, but, should be noted and addressed when the

condition is too bad. Colonial performs a thorough three-year inspection of tank coatings with qualified experts (emphasis added).” First, the Procedure did not explain the term “some corrosion.” Second, the Procedure did not provide guidance for determining “when the condition [of paint failure] is too bad.” Finally, the Procedure did not include a written criteria to measure the severity of paint coating condition or corrosion that are necessary for follow-up actions in accordance with Subsection 6.3.1.3 of API Std 653.

Therefore, Colonial’s Procedure was inadequate for inspecting in-service breakout tanks in accordance with §195.432(b), as prescribed in §195.402(c)(3).

### 3. §195.440 Public awareness.

(a) ...

**(b) The operator’s program must follow the general program recommendations of API RP 1162 and assess the unique attributes and characteristics of the operator’s pipeline and facilities.**

Colonial’s written continuing public education program did not adequately follow the general program recommendations of American Petroleum Institute’s (API) Recommended Practice (RP) 1162 (incorporated by reference, see §195.3) and assess the unique attributes and characteristics of its pipeline and facilities. Specifically, Colonial’s *Public Awareness Program Manual, Effective Date: 11/18/2016, Appendix III, Emergency Responder Liaison Program Guidelines* (2016 PAP) did not have a detailed process for establishing a liaison with emergency responders as described under API RP 1162 Sections 2 Public Awareness Program Development and Section 4 Message Content.

API RP 1162, Subsection 2.8 Summary of Program Recommendations states in part:

Guidance is also provided to assist the operators in determining if supplemental efforts affecting the frequency or method of message delivery and/or message content are called for, by evaluating the effectiveness of the program and the specifics of the pipeline segment or environment... Further information of stakeholder audiences... message types (section 4) ....

API RP 1162, Subsection 4.4.4 Emergency Preparedness – Drills and Exercises states:

A supplemental means of two-way communication about emergency preparedness is to establish a liaison with emergency response officials through operator or joint emergency response drills, exercise or deployment practices. Information on ‘unified command system’ roles, operating procedures and preparedness for various emergency scenarios can be communicated effectively and thoroughly through a hands-on drill or exercise.

According to Colonial’s 2016 PAP, “Colonial has recognized a need to enhance its partnership with emergency responders.” The 2016 PAP described Colonial’s emergency responder liaison program. On page 27 of the 2016 PAP, it stated, “Colonial has established a three-year rolling schedule for county-specific ER liaison meetings (emphasis added).” The 2016 PAP indicated that Colonial’s liaison meeting included an emergency scenario discussion to evaluate how the county and it would interact during a pipeline incident “whenever possible.” The words “whenever possible” did not provide a definitive timeframe. Therefore, it is unclear if the emergency scenario

discussions were required to occur every three years. In addition, the 2016 PAP did not mention who conducted the emergency scenario discussions and documentation of the emergency scenario discussions.

Therefore, Colonial's 2016 PAP was inadequate as prescribed in § 195.440(b)

#### Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. 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).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. 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 an Order Directing Amendment. If 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. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within **60 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 Colonial maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Robert Burrough, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please refer to **CPF 1-2018-5018M** 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.

Additionally, if you choose to respond to this (or any other case), please ensure that any response letter pertains solely to one CPF case number.

Sincerely,

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

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