



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628
609.771.7800

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

April 26, 2022

Mr. Michael Farris
General Manager
Menzies Aviation
6000 De Havilland Drive
Anchorage, Alaska 99502

CPF 1-2022-047-NOA

Dear Mr. Farris:

From May 3, 2021 through May 7, 2021, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Menzies Aviation's control room management procedures for its Jet Fuel Crosstown Pipeline located in Anchorage, Alaska.

On the basis of the inspection, PHMSA has identified an apparent inadequacy found within Menzies Aviation's procedures, as described below:

1. § 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) **Responding to abnormal operating conditions likely to occur simultaneously or in sequence;**

Menzies Aviation's control room management training program procedures were inadequate to

assure safe operation of a pipeline facility. Specifically, Menzies Aviation's training program procedures failed to include elements for responding to abnormal operating conditions that are likely to occur simultaneously or in sequence.

During the inspection, PHMSA requested training procedures and documentation relevant to § 195.446(h)(1). Menzies Aviation provided its *Jet Fuel Pipeline Control Room Management Compliance Manual* (CRM Manual), Section 10 - Training. This section repeated the regulations but did not provide any training details or a list of abnormal operating conditions likely to occur simultaneously or in sequence.

Therefore, Menzies Aviation's training program procedures failed to include elements for responding to abnormal operating conditions that are likely to occur simultaneously or in sequence. Menzies Aviation must revise its procedures to include details of its process for complying with § 195.446(h)(1).

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 Enforcement 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 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 Menzies Aviation 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, Eastern Region, Pipeline and Hazardous Materials Safety Administration, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. In correspondence concerning this matter, please refer to **CPF 1-2022-047-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible. Smaller

files may be emailed to robert.burrough@dot.gov. Larger files should be sent on USB flash drive accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

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

Enclosure: Response Options for Pipeline Operators in Enforcement Proceedings