

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 16, 2009

Jim Lamanna, President
BP Pipelines (North America) Inc.
Mail Code 7018
28100 Torch Parkway
Warrenville, IL 60555

CPF 3-2009-5008M

Dear Mr. Lamanna:

During the weeks of November 12, 2007 and February 25, 2008, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your records and facilities in Ohio.

On the basis of the inspection, PHMSA had identified the apparent need for improvement of BP's Operator Qualification Program, as described below:

1. §195.505 Qualification program.

Each operator shall have and follow a written qualification program. The program shall include provisions to:

(h) After December 16, 2004, provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities.

During the audit, two main line block valves were identified on the Lima to Columbus pipeline as not being in good working order as required by 195.420 and an inadequate inspection for atmospheric corrosion as required by 195.583 was identified on an exposed section of piping on the Bromley to Tennessee Ave. Terminal pipeline. Both Inspect/Maintain Valves and Visual Inspection for Atmospheric Corrosion are identified in your OQ Plan as covered tasks. As a result, the OQ qualifications of the individuals involved with the performance of these covered tasks were suspended. An investigation was undertaken into the adequacy of your procedures

associated with these covered tasks. In both cases the Study Guides associated with the performance of the covered tasks were found to be in need of improvement. These issues were discussed with your representative in charge of the OQ program and program improvements were made.

BP submitted its amended procedures on February 2, 2009. My staff reviewed the amended procedures, and it appears that the areas outlined in this Notice of Amendment have been improved.

This letter is to inform you no further action is necessary and this case is now closed. Thank you for your cooperation.

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 [number of days] 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 3-2009-5008M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Ivan A. Huntoon
Director, Central Region
Pipeline and Hazardous Materials Safety Administration

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