



August 22, 2013

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. David Barrett  
Director, Central Region  
Pipeline and Hazardous Materials Safety Administration  
901 Locust Street, Suite 462  
Kansas City, MO 64106-2641

RECEIVED AUG 29 2013

**Re: Response to Notice of Amendment  
CPF 3-2013-5023M**

Dear Mr. Barrett:

This letter is in response to the above referenced Notice of Amendment (NOA) dated July 24, 2013 from the Central Region of the Pipeline and Hazardous Materials Safety Administration (PHMSA). As discussed with PHMSA during its November 7-9, 2011 public awareness program inspection, NuStar Pipeline Operating Partnership L.P. (NuStar) is fully committed to operating a safe and reliable pipeline system and to meeting the requirements of the guidelines set forth in API RP 1162 for public awareness programs. NuStar respectfully requests that, after the below responses are considered, this NOA be closed.

The following addresses each item found in the NOA as described in the July 24, 2013 letter:

*1. §195.440 Public Awareness*

*(c) The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program of procedural manual as to why compliance with all or certain provisions or the recommended practice is not practicable and not necessary for safety.*

PHMSA alleges that NuStar's procedures are inadequate because they do not include provisions for responding to inquiries for additional information on the pipeline from the various audiences. The documentation reviewed indicated that various audience members were interested in receiving more information about the pipeline, but there was no defined process for providing the requested information back to the interested party.

Response: Stakeholder's can request additional information, raise concerns, or ask questions in a number of ways including face-to-face meetings, response cards, and e-mail. During NuStar's annual public awareness plan review in October 2013, we will outline a specific process that outlines how stakeholders can communicate with NuStar and how those requests are being handled by NuStar.

In addition, PHMSA alleges that NuStar's procedures are inadequate because the process for conducting annual reviews did not include the time frames for completing the various aspects of the review, a requirement that the plan itself be reviewed, and a methodology for tracking supplemental activities.



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Response: Although NuStar's written program clearly states that we will perform annual assessments, we will address the annual review process during its October 2013 public awareness plan review and will adjust the plan accordingly.

And finally, PHMSA alleges that NuStar's procedures are inadequate because they do not include provisions to ensure NuStar personnel regularly attend the outreach meetings provided at selected locations throughout its system. Ongoing liaison with emergency response personnel is essential, especially when transporting products, such as anhydrous ammonia, that may not be commonly associated with pipelines.

Response: NuStar contends that "NuStar personnel" may not always be an employee of NuStar, such as when we hire a representative to attend outreach meetings because many of the products are common to emergency response officials (i.e. gasoline, crude oil, etc.). However, NuStar will evaluate our procedures during its October 2013 annual review and adjust the plan accordingly. Provisions to ensure NuStar personnel regularly attend the outreach meetings associated with transporting products not commonly associated with pipelines, such as anhydrous ammonia, will be addressed and incorporated into the plan.

NuStar will implement corrective actions during our annual review scheduled for October 2013 to address the alleged inadequacies identified by PHMSA during its November 7-9, 2011 public awareness program inspection and respectfully request that this NOA be closed.

Please do not hesitate to contact me at (210) 918-2385 or by email at Gary.Koegeboehn@nustarenergy.com if you have any questions or require further information regarding this matter.

Sincerely,

Gerald R. Koegeboehn  
Vice President

cc: Dan Tibbits, NuStar, Wichita, KS  
Mark Arguilles, NuStar, Corpus Christi, TX