



## CITGO Petroleum Corporation

Foot of 36th St. & Delaware River  
P.O. Box 655  
Pennsauken, NJ 08110

December 4, 2020

VIA EMAIL AND FEDEX

U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
901 Locust Street  
Kansas City, MO 64016  
Mr. Gregory Ochs  
Director, Central Region, OPS

Re: **CPF 3-2020-5029M**

Dear Mr. Ochs:

On November 5, 2020, CITGO Petroleum Corporation received email notification of subject Notice of Amendment (NOA) and is herein responding in accordance with the "*Response Options for Pipeline Operators in Enforcement Proceedings*" that was included with the NOA email.

Be advised that CITGO Petroleum Corporation is contesting this Notice of Amendment but is not requesting an oral hearing. Attached to this cover letter we have included written explanations, information, and other materials in answer to the allegations in the Notice and are stating our reasons for objecting to the Notice of Amendment items in whole and in part.

Should you have questions or need additional information please contact Mr. Scott Buckner at [SBuckne@citgo.com](mailto:SBuckne@citgo.com) or (847) 867-2420.

Best Regards

A handwritten signature in blue ink, appearing to read "J. McCrossin", written in a cursive style.

Jack McCrossin  
Manager EHSS  
Terminal Facilities and Pipelines

Cc: S. Buckner  
P. Krivas  
L. Perez  
K. Sivinski  
S. Sullivan

PHMSA Notice of Amendment Letter dated 11/5/2020  
CITGO Petroleum Corporation Response

1. PHMSA Allegation: Citgo's procedure for testing the overfill protection device at the grade level on Aboveground Storage Tanks is inadequate because it does not provide a process on what needs to be performed and documented under this specific testing method. During the inspection, PHMSA reviewed Citgo's overfill protection device testing procedure and informed Citgo that it did not incorporate the method used by the East Chicago Terminal for testing the overfill protection system at the grade level on tanks equipped with a cable attached to the alarm chain at the top of the tank. Although Citgo subsequently revised the procedure to include the testing of the alarms at the grade level, it remains inadequate because there is no step-by-step detail on what needed to be performed and documented under this specific testing method.

*CITGO RESPONSE: Our procedure for testing overfill protections systems (a.k.a high level alarms) as documented in our O&M Manual is adequate as currently written and provides adequate detail on what needs to be performed and documented.*

2. PHMSA Allegation: Citgo's Emergencies Plan is inadequate because it did not contain processes or procedures including taking necessary action, such as emergency shutdown or pressure reduction, to minimize the volume of hazardous liquid that is released from any section of a pipeline system in the event of a failure. Instead, the necessary response actions addressing the referenced code requirement are in Citgo's Facility Response Plan (FRP). This process needs to be adequately established and/or referenced back to the FRP within the written Emergencies Plan to satisfy the regulatory requirement of 195.402(e)(4).

*CITGO RESPONSE: Procedures including taking necessary action, such as emergency shutdown or pressure reduction, to minimize the volume of hazardous liquid that is released from any section of a pipeline system in the event of a failure are addressed in the East Chicago Facility Response Plan and Emergency Response Action Plan (FRP/ERAP) – these procedures meet the regulatory requirements of 195.402(e)(4). CITGO'S position is that an additional Emergencies Plan is not required so long as the necessary emergency procedures are included in the FRP/ERAP.*

3. PHMSA Allegation: Citgo's Emergencies Plan and FRP did not specifically include procedures for the control of released highly volatile liquid (HVL) and minimizing the hazards, including possible intentional ignition of an HVL release. This aspect of the regularity requirement applies to the East Chicago Terminal since the terminal receives Butane (among other hazardous liquids) which is classified as an HVL. The procedures reviewed in Citgo's FRP include a step for controlling and minimizing hazardous liquid releases whereas the Emergencies Plan did not contain detailed guidance similar to the FRP and/or a reference to it.

After the inspection, Citgo's FRP was revised to add a section specific to Butane Release Response which includes hazards minimization and intentional ignition of the vapor cloud under certain circumstances. However, this information needs to be adequately established in and/or referenced back to the revised FRP in the written Emergencies Plan to satisfy the regulatory requirement of 195.402(e)(5).

*CITGO RESPONSE: Procedures for the control of released highly volatile liquid (HVL) and minimizing the hazards, including possible intentional ignition of an HVL release are included in the CITGO East Chicago FRP. CITGO's position is that the requirements in 195.402(e)(5) are met through the procedures outlined in our FRP and that an additional Emergencies Plan is not required so long as the necessary emergency procedures are included in the FRP/ERAP.*

4. PHMSA Allegation: Citgo's Emergencies Plan is inadequate because it did not contain detailed procedures for minimizing public exposure to injury and probability of accidental ignition. The necessary response steps were found in the FRP. However, this information needs to be adequately established and/or referenced back to the FRP in the written Emergencies Plan to satisfy the regulatory requirement prescribed by 195.402(e)(6).

*CITGO RESPONSE: CITGO meets the regulatory requirements of 195.402(e)(6) through the procedures included in the FRP/ERAP for this facility. CITGO'S position is that an additional Emergencies Plan is not required so long as the necessary emergency procedures are included in the FRP/ERAP.*

5. PHMSA Allegation: Citgo's FRP and Emergencies Plan did not specifically include a procedure for the use of appropriate instruments to assess the extent and coverage of the vapor cloud and determine the hazardous areas resulting from highly volatile liquid releases. This aspect of the regularity requirement applies to the East Chicago Terminal since the terminal receives Butane (among other hazardous liquids) which is classified as an HVL.  
After the inspection, Citgo's FRP was revised by adding a section specific to Butane Release Response. However, this information needs to be adequately established in the written Emergencies Plan and/or referenced back to the revised FRP to satisfy the regulatory requirement of 195.402(e)(8)

*CITGO RESPONSE: CITGO meets the regulatory requirements of 195.402(e)(8) through the procedures included in the FRP/ERAP for this facility. CITGO'S position is that an additional Emergencies Plan is not required so long as the necessary emergency procedures are included in the FRP/ERAP.*