

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: gerald.maret@bp.com and Timothy.Smith@bp.com

January 29, 2021

Mr. Gerald Maret, President
Olympic Pipeline Company
30 S Wacker Drive,
Chicago, IL 60606

CPF 3-2021-004-NOA

Dear Mr. Maret:

From August 3 through 19, and October 12 through October 16, 2020, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your pipeline procedures for repairs virtually.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within Olympic Pipeline Company (Olympic) plans or procedures, as described below:

- 1. §195.402 Procedure manual for operations, maintenance, and emergencies.**
 - (a) Procedural manual for operations, maintenance, and emergencies.**

Olympic's Operations and Maintenance (O&M) manual failed to address criteria for repairs in a high consequence area (HCA) and is therefore inadequate to comply with §§ 195.402(c)(3) and 195.452(f). Olympic's repair procedure, P 195.422, directs Olympic personnel or contractors to follow the ASME B 31.4 repair criteria in HCAs. Section 195.402(c)(3) requires an operator to include in the O&M manual procedures for "operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart [subpart F] and subpart H of this part." Section 195.452(f), which is included within subpart F, governs what must be included in an operators' integrity management program, and that section specifically references § 195.452(h) as the regulatory section controlling remedial actions to address integrity issues in

HCA's. These regulatory sections taken together require operators to include the repair criteria specified in § 195.452(h) in a written Integrity Management program. The omission of a reference to the repair criteria under § 195.452(h) for repairs in HCA's renders the procedure inadequate to comply with the regulation.

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 [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.

It is requested (not mandated) that Olympic Pipeline Company maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Gregory A. Ochs, Director, Central Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2021-004-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Gregory A. Ochs
Director, Central Region, OPS
Pipeline and Hazardous Materials Safety Administration

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

CC: Mr. Timothy Smith, Manager, DOT Compliance, 30 S. Wacker Drive,
Chicago, IL 60606 (Timothy.Smith@bp.com)