

## NOTICE OF AMENDMENT

### ELECTRONIC MAIL - RETURN RECEIPT REQUESTED

August 24, 2020

Karl Schmidt  
Vice President  
CITGO Pipeline Company  
P.O. Box 4689 N1100  
Houston, Texas 77210

CPF 4-2020-005-NOA

Dear Mr. Schmidt:

On March 9-13, 2020, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Citgo Pipeline Company's (Citgo) procedures and records for Control Room Management at your offices in Bryan, Texas.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Citgo's Control Room Management plans or procedures, as described below:

**1. §195.446 Control room management.**

**(a) General. This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by §195.402...**

Citgo's written Control Room Management Plan TPL-EPCC-CRM01 12/09/19 Rev. 8 (CRM) did not include a procedure for determining which facilities meet the definition of a Control Room that would be subject to 49 CFR Part 195. Additionally, the definitions for a controller and a control room in the CRM are inadequate because they appear parrot from the definitions and regulations in §195.2.

Citgo must amend its procedures to include a process for determining which facilities fall under the definition of a Control Room and expand its definitions for controller and control room.

2. **§195.446 Control room management.**

**(b) Roles and responsibilities.** Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following:

**(5) The roles, responsibilities and qualifications of others who have the authority to direct or supersede the specific technical actions of controllers.**

Citgo's CRM is inadequate as it does not identify or define who has the authority to supersede the actions of the controller or the qualifications of the superseding person. Citgo indicated during the inspection that its control room supervisor has the authority to supersede the controller; however, this is not included as part of the CRM. Specifically, Citgo indicated that it trains and instructs all staff that only the control room supervisor has the authority to supersede the actions of a controller.

Citgo must amend its procedures to include the provisions for defining those authorized to direct or supersede the specific technical actions of its controllers, and a process to implement any direction or action taken to supersede decisions of a controller.

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 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 Citgo maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Mary L. McDaniel, P.E. Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 4-2020-005-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Mary L. McDaniel, P.E.  
Director, Southwest Region  
Pipeline and Hazardous Materials Safety Administration

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