



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

12300 W. Dakota Ave., Suite 110  
Lakewood, CO 80228

## NOTICE OF AMENDMENT

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 8, 2007

Dan Knepper  
VP Energy Operations  
Cenex Harvest  
803 Highway 212 South  
Laurel, MT 59044

SENT TO COMPLIANCE REGISTRY  
Hardcopy  Electronically   
# of Copies 1 / Date 2/9/07

**CPF 5-2007-5007M**

Dear Mr. Knepper:

From June 12-15, 2006, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected your procedures for operation and maintenance in Laurel, Montana.

As a result of the inspection, it appears that your written procedures are inadequate according to the requirements of §190.237:

- 1. §195.402 Procedural manual for operations, maintenance, and emergencies.**
  - (d) Abnormal operation. The manual required by paragraph (a) of this section must include procedures for the following to provide safety when operating design limits have been exceeded;**
  - (5) Periodically reviewing the response of operator personnel to determine the effectiveness of the procedures controlling abnormal operation and taking corrective action where deficiencies are found.**

There is no procedure for the periodic review of work for abnormal operations to determine the effectiveness of procedures.

Response to this Notice

If, after notice and opportunity for a hearing, your procedures are found to be inadequate, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237).

This letter serves as your notice of inadequate plans or procedures. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to the Notice of Amendment portion of this document and note the response options. 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 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.

In your correspondence on this matter, please refer to **CPF 5-2007-5007M** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



Chris Hoidal  
Director, Western Region  
Pipeline and Hazardous Materials Safety Administration

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

cc: PHP-60 Compliance Registry  
PHP-500 (G. Davis, #116721)