

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 12, 2017

Mr. Robert Rose
President
Idaho Pipeline Corporation
P.O. Box 35236
Sarasota, FL 34242

Revised CPF 5-2017-6019W

Dear Mr. Rose:

On October 17 through 21, 2016, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected your Boise Aviation Fuel Pipeline (BAFP) in Boise, Idaho.

As a result of the inspection, it is alleged that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violation(s) are:

1. **§194.107 General response plan requirements.**
 - (c) **Each response plan must include:**
 - (1) **A core plan consisting of –**
 - (ix) **Drill program – an operator will satisfy the requirements for a drill program by following the National Preparedness for Response Exercise Program (PREP) guidelines. An operator choosing not to follow PREP guidelines must have a drill program that is equivalent to PREP. The operator must describe the drill**

program in the response plan and OPS will determine if the plan is equivalent to PREP.

During the records review of BAFP's facility response plan, BAFP failed to demonstrate that they are performing quarterly notification drills, yearly field equipment deployment drills, or a drill that exercises the entire response plan for each response zone at least every three (3) years in accordance with Section 7 of their Drill Procedures.

2. §194.107 General response plan requirements.

(c) Each response plan must include:

(1) A core plan consisting of –

(viii) Equipment testing.

BAFP failed to demonstrate that their OSRO is performing the testing of their emergency response equipment as required by §194.107(c)(1)(viii).

3. §194.111 Response plan retention.

(b) Each operator shall provide a copy of its response plan to each qualified individual.

During the records review of BAFP's response plan, it was determined that a copy of BAFP's facility response plan (FRP) was located at the Gowen Road Facility; however, a copy was not provided to the Qualified Individuals (QI) as required by §194.111(b).

4. §194.117 Training.

(b) Each operator shall maintain a training record for each individual that has been trained as required by this section. These records must be maintained in the following manner as long as the individual is assigned duties under the response plan:

(2) Records for personnel engaged in response, other than operator personnel, shall be maintained as determined by the operator.

During the records review of BAFP's response training program, it was determined that Section 6 of BAFP's FRP states they have a training program for IDPC (Idaho Pipeline Company) personnel and OSRO personnel engaged in response. However, BAFP failed to provide any training documents for their OSRO personnel engaged in response as required by §194.117(b)(2). The training program consists of a list of suggested training elements but does not indicate which ones are being used. The only training documents that were provided for the QIs was Hazwoper refresher training.

5. **§194.117 Training.**

(c) Nothing in this section relieves an operator from the responsibility to ensure that all response personnel are trained to meet the Occupational Safety and Health Administration (OSHA) standards for emergency response operations in 29 CFR 1910.120, including volunteers or casual laborers employed during a response who are subject to those standards pursuant to 40 CFR part 311.

During the records review of BAFP's response training program, BAFP failed to provide documentation that the response plan training is being performed outside of Hazwoper, Hazcom training, and initial fire extinguisher that are provided through Energy Worldnet.

6. **§195.403 Emergency response training.**

(a) Each operator shall establish and conduct a continuing training program to instruct emergency response personnel to:

(5) Learn the potential causes, types, sizes, and consequences of fire and the appropriate use of portable fire extinguishers and other on-site fire control equipment, involving, where feasible, a simulated pipeline emergency condition.

During the records review of BAFP's emergency response training program, it was determined that BAFP's FRP states they have a training program for IDPC (Idaho Pipeline Company) personnel and OSRO personnel. However, the training program is not well documented nor describes what is included in the program. Section 6 of BAFP's FRP states that the operator is conducting hands on fire training to all employees but documents could not be provided to demonstrate that the training is occurring as required by §195.403(a)(5).

7. **§195.440 Public Awareness.**

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

During the records review of BAFP's public awareness program, BAFP provided two (2) sign-in sheets for attendance at the ADA County UCC. The documents did not include date or years on them. In addition, the operator states they are maintaining a liaison(s) with public officials; however, they failed to provide any documentation that had occurred.

8. **§195.452 Pipeline integrity management in high consequence areas.**
(i) What preventive and mitigative measures must an operator take to protect the high consequence area?—(1) General requirements. An operator must take measures to prevent and mitigate the consequences of a pipeline failure that could affect a high consequence area. These measures include conducting a risk analysis of the pipeline segment to identify additional actions to enhance public safety or environmental protection. Such actions may include, but are not limited to, implementing damage prevention best practices, better monitoring of cathodic protection where corrosion is a concern, establishing shorter inspection intervals, installing EFRDs on the pipeline segment, modifying the systems that monitor pressure and detect leaks, providing additional training to personnel on response procedures, conducting drills with local emergency responders and adopting other management controls.

Section 6 of BAFP's IMP only identifies the operations and maintenance activities that they are required to perform as their preventative and mitigative measures, such as: ROW patrols, one call, and Public Awareness. There was no documentation to identify additional preventative and mitigative actions that have been considered or implemented.

9. **§195.507 Recordkeeping.**
Each operator shall maintain records that demonstrate compliance with this subpart.
(a) Qualification records shall include:
(2) Identification of the covered tasks the individual is qualified to perform.

During the records review of BAFP's Operator Qualification (OQ) program, BAFP failed to provide OQ documents to demonstrate that their cathodic protection personnel, during the years of 2013 through October 2016, were qualified to perform cathodic protection covered tasks. Additionally, BAFP failed to provide OQ records for other covered tasks for the years covering 2013 and 2014.

10. **§195.579 What must I do to mitigate internal corrosion?**
(b) Inhibitors. If you use corrosion inhibitors to mitigate internal corrosion, you must -
(2) Use coupons or other monitoring equipment to determine the effectiveness of the inhibitors in mitigating internal corrosion.

During the records review of BAFP's internal corrosion control program, it was determined that BAFP injects DCI-4A into their breakout tanks, which leads to the pipeline to the Idaho Air National Guard facility. Interviews of BAFP personnel revealed that the Department of Defense (DOD) requires corrosion inhibitors to be injected into the jet fuel prior to it is transported by pipeline. However, BAFP failed to perform any type of monitoring program to determine if the inhibitor is used in sufficient quantity.

11. **§195.589 What corrosion control information do I have to maintain?**
(c) You must maintain a record of each analysis, check, demonstration, examination, inspection, investigation, review, survey, and test required by this subpart in sufficient detail to demonstrate the adequacy of corrosion control measures or that corrosion requiring control measures does not exist. You must retain these records for at least 5 years, except that records related to 105.569, 195.573(a) and (b), and 195.579(b)(3) and (c) must be retained for as long as the pipe remains in service.

During the records review of BAFP's corrosion control program, it was determined that BAFP exposed the pipeline to install an anode in August 2015. However, the documentation doesn't indicate the condition of the coating, but no damage was annotated on the form. Furthermore, no details or procedures were found in the O&M manual to address how to complete exposed piping inspection form.

As of April 27, 2017, under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$209,002 per violation per day the violation persists up to a maximum of \$2,090,022 for a related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item(s) identified in this letter. Failure to do so will result in Idaho Pipeline Corporation being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 5-2017-6019W**. 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).

Sincerely,

Kim West
Acting Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry
PHP-500 D. Fehling (#154378)