

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 27, 2019

Mr. Donnie W. Brown
VP Operations
BP Pipelines (Alaska), Inc.
PO Box 196612
900 East Benson Boulevard
Anchorage, AK 99519

CPF 5-2019-6011W

Dear Mr. Brown:

On February 25 through 26, 2019 and July 18, 2019, 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 Oil Transit Lines-North Slope, Lisburne Pipeline, and Greater Prudhoe Bay (NGL) units in Prudhoe Bay, Alaska.

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 violations are:

1. § 194.111 Response plan retention.

(a) Each operator shall maintain relevant portions of its response plan at the operator's headquarters and at other locations from which response activities may be conducted, for example, in field offices, supervisors' vehicles, or spill response trailers.

On February 26, 2019, the control room operator at Gathering Center 1 was asked to produce a copy of the oil spill response plan along with a list of qualified individuals.

A copy of the oil spill response plan along with a list of qualified individuals was never produced. The control room operator stated that her responsibility was to contact the Environmental Coordinator in the event of an oil spill.

2. § 195.208 Welding of supports and braces.

Supports or braces may not be welded directly to pipe that will be operated at a pressure of more than 100 p.s.i. (689 kPa) gage.

Supports were welded directly to the Lisburne Pipeline.

There were six instances on the Lisburne pipeline where supports or braces have been welded directly to pipe which was operated at pressures greater than 100 p.s.i. gage. Two of these welds were located on piping within Module 4920, two of these welds were located on piping immediately outside of Module 4920, and two of these welds were located on piping within Module 4921. The Maximum Operating Pressure (MOP) of this system was 950 p.s.i. gage.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 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 items identified in this letter. Failure to do so will result in BP Pipelines (Alaska), 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 5-2019-6011W**. 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,

Dustin B. Hubbard
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry
PHP-500 M. Chard (# 164510)
Ms. Storm Herring, Operation Specialist, BPXA, via email