

NOTICE OF AMENDMENT

VIA E-MAIL TO MR. BRIGHAM MCCOWN

April 14, 2021

Mr. Brigham McCown
President
Alyeska Pipeline Service Company
3700 Centerpoint Drive
P.O. Box 196660
Anchorage, AK, 99515

CPF 5-2021-014-NOA

Dear Mr. McCown:

During the week of August 17 through 21, 2020, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), performed a virtual inspection of the Alyeska Pipeline Service Company's Control Room located in Anchorage, Alaska. This inspection included procedures, records, and virtual observations associated with the Control Room Management Program.

On the basis of the inspection, PHMSA has identified an apparent inadequacy found within Alyeska Pipeline Service Company's plans or procedures, as described below:

1. **§ 195.446 - Control room management.**
 - (a) ...
 - (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:**
 - (1) ...

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

Alyeska revised their procedure after the inspection to include a statement identifying who has the authority to direct or supersede the technical actions of a controller. However, the revised procedure is unclear, and therefore inadequate to assure the safe operation of the pipeline facilities.

The operator added the following to Document DO-14-2, Edition 9, Revision 2 (November 11, 2020), Section 3 - Controller Authority, Roles, and Responsibilities; Section 3.1 - Operations:

"To help ensure that the Roles and Responsibilities of the controllers are safely and effectively carried out, the only personnel that can direct or supersede the controller's technical actions are the OCC Supervisor(s) and Lead Controller(s). Personnel in these positions are required to maintain operator qualification (OQ) for both the Pipeline and Terminal Consoles. *Any technical requests for TAPS are channeled/directed through these positions.*"

PHMSA is unsure what the last sentence (in italics) is trying to convey or how it relates to the operator's authority to direct or supersede. Alyeska should consider revising the statement to clearly identify how it relates to the authority to direct or supersede, or consider removing the sentence.

The procedure continues and provides the following guidelines:

"In the event, it becomes necessary to supersede the controller's actions, follow these guidelines:

- The OCC Supervisor or Lead Controller will complete the following:
 - Analyze the current operating condition to using all the latest information they have about the situation to determine the best course of action to protect personnel, the environment, and the integrity of the TAPS system.
 - Instruct the controller to take action based on their assessment of the situation.
- The OCC controller will repeat the instruction back to the OCC Supervisor or Lead Controller to confirm their understanding of the direction, upon confirmation, they will initiate the response based on the direction of the OCC Supervisor or Lead Controller.
- The OCC Supervisor or Lead Controller will confirm or repeat the instruction, as necessary.
- In the unlikely event it becomes necessary for the OCC Supervisor or designee to replace an OCC controller at a console:
 - The on-shift OCC Supervisor will request the OCC Lead Controller to ensure the Pipeline or Terminal console is covered and request to speak to the controller in the supervisor's office.
 - Turnover will commence following the normal process outlines in OCC 3.13, OCC Shift Change."

These guidelines are unclear and appear to confuse the authority to direct with the authority to supersede.

If the operator decides to grant the authority to direct or supersede, the operator must amend the procedure to clearly describe the process how the authority to direct the technical actions of a controller will be implemented and documented; and clearly describe how the authority to supersede the technical actions of a controller will be implemented and documented.

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 Alyeska Pipeline Service 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 Dustin Hubbard, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2021-014-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Dustin Hubbard
Director, Western Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

Enclosure: Response Options for Pipeline Operators in Enforcement Proceedings

cc: PHP-60 Compliance Registry
PHP-500 D. Fehling (#20-173102)