



U.S. Department
Of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.989.2171

WARNING LETTER

OVERNIGHT EXPRESS MAIL

July 17, 2012

Myron L. Turfitt, President
United Refining Company
15 Bradley St
Warren, PA 16365

CPF 1-2012-5014W

Dear Mr. Turfitt:

During the week of December 5, 2011, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Kiantone Pipeline Company's hazardous liquid transmission pipelines located in Warren, PA, to the PA/NY state line. Kiantone Pipeline Company is owned by United Refining Corporation.

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

- 1. 195.402 Procedural manual for operations, maintenance, and emergencies.**
 - (a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Kiantone did not review their O&M manual in 2008. In 2008 Kiantone did an overhaul of its operations including installation of a new control room and transition to electronics record keeping. According to James Hare, Kiantone Pipeline Manager, due to excessive work load Kiantone was not able to review the O&M manual in 2008.

2. **195.404 Maps and Records.**

**(c) Each operator shall maintain the following records for the periods specified;
(3) A record of each inspection and test required by this subpart shall be maintained for at least 2 years or until the next inspection or test is performed, whichever is longer.**

Kiantone did not maintain 2010 (entire year) and 2011 (January to July) monthly fire extinguisher inspection records. According to Dan Sobina, Kiantone Regulatory Compliance Manager, Kiantone did inspect its fire extinguishers on a monthly basis and it did check off the inspection tags. However Kiantone disposed of those tags and it did not keep a record of its inspections.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any 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 Kiantone Pipeline Corp being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please send to the PHMSA, Eastern Region Director at the address above and refer to **CPF 1-2012-5014W**. 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,

Byron Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration