

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

October 14, 2021

Mr. James Fedena
VP Sr, Logistics
Collins Pipeline Co
4550 Wrangle Hill Rd
Delaware City, DE 19706

CPF 1-2021-062-WL

Dear Mr. Fedena:

From April 13th to April 17th, 2020 representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Collins Pipeline Co's (Collins) facilities that are operated and controlled from PBF Energy's Control Room in The Woodlands, Texas.

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. § 195.446 Control room Management

(a) General. This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. The procedures required by paragraphs (b), (c)(5), (d)(2) and (d)(3), (f) and (g) of this section must be implemented no later than October 1, 2011. The procedures required by paragraphs (c)(1) through (4), (d)(1), (d)(4), and (e) must be implemented no later than August 1, 2012. The training procedures required by paragraph (h) must be implemented

no later than August 1, 2012, except that any training required by another paragraph of this section must be implemented no later than the deadline for that paragraph.

Collins failed to follow its CRM procedures. Specifically, Collins failed to follow its (the) *PBF Logistics Pipeline Control Center, Control Room Management Plan*, Revision No.4, Issued Date 5/5/2017, Section F3.0 INFORMATION TO EXCHANGE, sub-paragraphs F and G (Info Exchange Procedure), regarding information exchange during a controller handover.

The Info Exchange Procedure required that the outgoing controller exchange several items of information with the incoming controller. This information included at least alarm reviews and third-party incidents potentially impacting operations. The items to be reviewed include active alarms, inhibited/shelved alarms, nuisance alarms, maintenance overrides/manually inserted values and alarm limit changes.

On April 14, 2020, a controller handover was observed by the PHMSA inspectors. While the handover was observed, there was no discussion of alarms and third-party activity as required by the CRM Plan.

Therefore, Collins failed to follow the requirements of its Info Exchange Procedure.

2. § 195.446 Control room management.

(a) ...

(c) *Provide adequate information.* Each operator must provide its controllers with the information, tools, processes, and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following:

(1) Implement API RP 1165 (incorporated by reference, see 195.3) whenever a SCADA system is added, expanded, or replaced, unless the operator demonstrates that certain provisions of API RP 1165 are not practical for the SCADA system used;

Collins failed to implement API RP 1165 on its SCADA system. Specifically, Collins failed to implement Section 5.3 of API RP 1165 regarding periodic review of display response times.

Section 5.3 of API RP 1165 states in part (emphasis added), “Display sub-system response is a function of both hardware performance and software design. In modern SCADA systems that use client server architecture, both the host (server) and HMI computer (client) can affect the initial display call-up time and data refresh rate. **Once installed, display response times should be periodically reviewed.**”

During the inspection, the inspectors requested records demonstrating that display response times had been periodically reviewed and were within Collins’ design requirements. Collins failed to provide any records or data pertinent to this request.

Therefore, Collins failed to comply with § 195.446(c)(1).

3. § 195.446 Control room management.

(a) ...

(h) *Training.* Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator. In addition, the training program must include the following elements:

(5) For pipeline operating setups that are periodically, but infrequently used, providing an opportunity for controllers to review relevant procedures in advance of their application:

Collins' training program failed to provide opportunities for controllers to review relevant procedures in advance of the application of pipeline operating setups that are periodically, but infrequently used.

During the inspection, PHMSA inspectors asked Collins to provide records showing that controllers are provided an opportunity to review operational setups that are used at greater than quarterly intervals before implementation. Collins had no records to show that a process had been implemented to accomplish this requirement. No records were available to substantiate this as an aspect of its training program.

Therefore, Collins failed to meet the requirements of § 195.446(h)(5).

4. § 195.446 Control room management.

(a) ...

(h) *Training.* Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator. In addition, the training program must include the following elements:

(6) Control room team training and exercises that include both controllers and other individuals, defined by the operator, who would reasonably be expected to operationally collaborate with controllers (control room personnel) during normal, abnormal or emergency situations. Operators must comply with team training requirements under this paragraph no later than January 23, 2018.

Collins failed to provide team training which included individuals other than controllers who would reasonably be expected to operationally collaborate with controllers during normal, abnormal or emergency situations.

During the inspection, the PHMSA inspectors requested records showing that Collins had conducted team training before the deadline required by the regulations. The records provided demonstrated that a tabletop LDS training was conducted on 2/13/2019. However, the attendance list included only control room personnel. The records did not conclusively establish that the operator conducted team training of both controllers and other individuals who would reasonably be expected to operationally collaborate with control room personnel. An invitation for Team Training was sent to Controllers and others on 7/17/2019 but no records were submitted to establish that Team training actually took place.

Therefore, Collins failed to comply with the requirements of § 195.446(h)(6).

5. § 195.446 Control room management.

(a) ...

(j) Compliance and deviations. An operator must maintain for review during inspection:

(1) Records that demonstrate compliance with the requirements of this section;

Collins failed to maintain records demonstrating compliance with the requirements of § 195.446(h)(1).

Section 195.446(h)(1) requires that operators establish a controller training program which addresses how controllers are to respond to abnormal operating conditions likely to occur simultaneously or in sequence.

During the inspection, PHMSA inspectors requested records demonstrating that the controller training included elements related to abnormal operating conditions that are likely to occur simultaneously or in sequence. Although the Operator's CRM Plan Section T1.4 Program Description requires providing training addressing this topic, there was no record of actual training covering this specific condition. While operating instructions do define abnormal operations, this was not currently identified as a training record for abnormal operations occurring simultaneous or in sequence. Thus, no records were available to substantiate actual implementation of this aspect of the training program.

Therefore, Collins failed to maintain records demonstrating compliance with the requirements of § 195.446(h)(1), as required by § 195.446(j)(1).

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not 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.

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 Collins Pipeline Co 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 1-2021-062-WL**. 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,

Robert Burrough
Director, Eastern Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration