

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

August 18, 2022

Mr. Kurt Barclay
President and Chief Executive Officer
Wolverine Pipe Line Company
8075 Creekside Drive, Suite 210
Portage, Michigan 49024

CPF 1-2022-059-NOA

Dear Mr. Barclay:

From November 16, 2020, to November 20, 2020, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Wolverine Pipe Line Company's (Wolverine) Control Room in Portage, Michigan that controls and monitors Wolverine Pipe Line facilities in Michigan.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within Wolverine's plans or procedures, as described below:

1. § 195.446 Control room management.

(a) ...

(e) *Alarm management.* Each operator using a SCADA system must have a written alarm management plan to provide for effective controller response to alarms. An operator's plan must include provisions to:

(1) ...

(5) Monitor the content and volume of general activity being directed to and required of each controller at least once each calendar year, but at intervals not exceeding 15 months, that will assure controllers have sufficient time to analyze and react to incoming alarms;

Wolverine failed to include in its written alarm management plan provisions to monitor the content and volume of general activity being directed to and required of each controller at least once each calendar year, but at intervals not exceeding 15 months, to assure controllers have sufficient time to analyze and react to incoming alarms.

During the inspection, PHMSA requested Wolverine's procedures for monitoring the content and volume of general activity being directed at the controllers to assure that the controllers have sufficient time to analyze and react to incoming alarms. Wolverine provided its WPLCO OCC Control Room Management Plan, Section 8.26 (CRM Section 8.26), which contained a one sentence recitation of the regulation. CRM Section 8.26 did not contain a process or methodology describing how to assure that the controller has sufficient time to analyze and react to incoming alarms.

The intent of the regulation is to assure that controllers have adequate time to respond to alarms and operational activity while still undertaking other activities, including but not limited to, monitoring and observing pipeline operations, handling SCADA alarms, conducting shift change, responding to abnormal operations, responding to calls from the public, administrative tasks, impromptu requests, telephone calls, faxes, or other activities such as monitoring weather and news reports, checking security and video surveillance systems, interacting with colleagues, supervisors, and managers¹. Best practices suggest a quantitative study of all the tasks undertaken by the controllers per season, per console, per shift and possibly on weekends. The regulation is also intended to help the operator determine if additional controller shifts or consoles may be necessary.

Wolverine's procedure failed to identify the functional responsibility for undertaking the workload study, analyzing the results, and determining if they are satisfactory. It also did not describe who will identify and approve potential corrective actions from the findings of the study. A workload target for determining whether a controller's workload was balanced, overloaded or underloaded needs to be established. Finally, the procedures failed to identify what records will be maintained and what the record retention schedule is for the study documentation.

Therefore, Wolverine failed to include in its written alarm management plan provisions to monitor the content and volume of general activity being directed to and required of each controller to assure controllers have sufficient time to analyze and react to incoming alarms.

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 Enforcement 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

¹ See PHMSA's *Control Room Management Frequently Asked Questions (FAQs)*, Revised 1/16/2018 – FAQ E.10

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 Wolverine Pipe Line 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 Robert Burrough, Director, Eastern Region, Pipeline and Hazardous Materials Safety Administration, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. In correspondence concerning this matter, please refer to **CPF 1-2022-059-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible. Smaller files may be emailed to robert.burrough@dot.gov. Larger files should be sent on USB flash drive accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

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

Enclosure: Response Options for Pipeline Operators in Enforcement Proceedings