



U.S. Terminals and Pipelines

**BP Pipelines (North America) Inc.
30 S. Wacker Drive, 10th Floor
Chicago, Illinois 60606**

January 3, 2025

VIA EMAIL

Mr. Gregory A. Ochs
Director, Central Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration
901 Locust Street, Suite 480
Kansas City, MO 64106

Re: CPF No. 3-2024-058-NOPV

Dear Mr. Ochs:

BP Pipelines (North America) Inc. (bp) is writing in response to the referenced Notice of Proposed Violation (NOPV) letter, received in our offices on December 04, 2024, regarding the October 14 to 18, 2023 inspection of BP Oil Pipeline Company (BP) pipeline facility located in Ohio and Kentucky. bp is not contesting the NOPV but wishes to submit additional information to clarify the alleged finding. For ease of response, the code citation and DOT's statement have been copied below in italics and are followed by the bp response.

- 1. *§ 195.412 Inspection of rights-of-way and crossings under navigable waters.***
 - a) *Each operator shall, at intervals not exceeding 3 weeks, but at least 26 times each calendar year, inspect the surface conditions on or adjacent to each pipeline right of-way. Methods of inspection include walking, driving, flying or other appropriate means of traversing the right-of-way.***

Finding:

BP failed to properly inspect its right-of-way (ROW), per the requirements of § 195.412(a), due to BP's failure to maintain the vegetation in the ROW, which made adequate inspection impossible. Specifically, BP did not adequately clear its ROW in a manner that allowed for inspection of the pipeline by walking, driving, flying or other appropriate means. During PHMSA's inspection, inspectors observed that the ROW was not properly cleared near the Regency Apartments in Cincinnati, Ohio (pipeline segment Brom TN Ave BOCI 6"). The ROW could not be observed by air nor was it able to be patrolled by foot due to the dense vegetation. BP provided PHMSA its Ground Patrol Report Form, "Form #F-195.412(a) GP," for multiple patrols conducted from December 31, 2021, to January 8, 2024 for the pipeline segment Brom TN Ave BOCI 6".¹ On all provided Form # F-195.412(a) GP, BP stated in response to Item 14 that there was excessive vegetation, which might impede inspection and/or maintenance. Thus, the ground patrol reports showed that BP was aware of the excessive vegetation issue and noted that it may affect its ability to inspect and maintain the pipeline since December 2021. Therefore, due to BP's failure to properly maintain its ROW, BP failed to properly inspect its ROW, per the requirements of § 195.412(a).

bp Response

bp would like to communicate that the observed ROW in Cincinnati, Ohio was cleared in September 2023 to improve accessibility for technicians to perform ground patrols.

Should you have any questions or require any further information, please free to contact me at 331-239-9745.

Sincerely,

Timothy J. R. Smith

Timothy J. R. Smith
Compliance Manager
BP Pipelines (North America) Inc.

cc: Chris Vodicka - Vice President, BP Pipelines (North America) Inc.