



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

901 Locust Street, Suite 480
Kansas City, MO 64106

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: Chris.Vodicka@bp.com; Jim.Bruen@bp.com;
John.Page@bp.com; Scott.Fitzgerald@bp.com; Lori.knutson@bp.com

December 23, 2024

Chris Vodicka
Vice President
BP Pipeline (North America) Inc.
30 S. Wacker Drive
Chicago, IL, 60606

CPF 3-2024-080-NOA

Dear Mr. Vodicka:

From September 23, 2024, through September 27, 2024, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected BP Pipeline (North America) Inc.'s (BP) procedures for its hazardous liquid pipeline system in Merrillville, Indiana.

As a result of the inspection, PHMSA has identified the apparent inadequacy found within BP's plans or procedures. The item inspected and the inadequacy are described below:

1. **§ 195.452 Pipeline integrity management in high consequence areas.**
 - (a)
 - (h) What actions must an operator take to address integrity issues?
 - (1)
 - (4) *Special requirements for scheduling remediation* —
 - (i) *Immediate repair conditions.* An operator's evaluation and remediation schedule must provide for immediate repair conditions. To maintain safety, an operator must temporarily reduce the operating pressure or shut down the pipeline until the operator completes the repair of these conditions. An operator must calculate the temporary reduction in operating pressure using the formulas referenced in paragraph (h)(4)(i)(B) of this section. If no suitable remaining strength calculation method can be identified, an operator must implement a minimum 20 percent or

greater operating pressure reduction, based on actual operating pressure for two months prior to the date of inspection, until the anomaly is repaired. An operator must treat the following conditions as immediate repair conditions:

(A)

(C) A dent located on the top of the pipeline (above the 4 and 8 o'clock positions) that has any indication of metal loss, cracking or a stress riser.

BP's written process for scheduling the evaluation and remediation of immediate repair conditions in high consequence areas (HCAs) was inadequate to address the requirements of § 195.452(h)(4)(i)(C). Specifically, section 7.2 of BP's Technical Practice document, USPL-GP 32-0200, entitled, "In-Line Inspection (ILI) Data Evaluation and Resulting Repair Program Procedures for ILI Repair Projects" (July 14, 2024), did not adequately describe the criteria for the excavation, inspection and repair of topside dents (above the 4 and 8 o'clock positions) of a regulated liquid pipeline that have any indication of metal loss, cracking or a stress riser. Section 7.2 categorizes anomalous conditions into seven categories where "Category (1) Conditions" are intended to identify immediate repair conditions regardless of the location of the condition (HCA or Non-HCA). However, the criteria provided for treating a topside dent with an indication of metal loss, cracking, or stress riser as a "Category (1) Condition" is specific to pipeline segments that are either subject to very aggressive cyclic operating conditions or those segments that are not subject to very aggressive cyclic conditions, but whose topside dents are greater than or equal to 1 percent of nominal diameter. These criteria are inconsistent with the regulatory requirement of treating any topside dent with a metal loss, cracking, or stress riser indication as an immediate repair condition, as required by § 195.452(h)(4)(i)(C). BP's Technical practice document, therefore, has to be amended to address the requirement for properly classifying a topside dent with a metal loss, cracking, or stress riser indication as an immediate repair condition in HCA in accordance with § 195.452(h)(4)(i)(C).

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 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 45 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 BP maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Gregory A. Ochs, Director, Central Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2024-080-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Gregory A. Ochs
Director, Central Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

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Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*