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

8701 South Gessner, Suite 1110
Houston, TX 77074

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 9, 2012

Ms. Deborah Adams
President, Transportation
ConocoPhillips
600 North Dairy Ashford
Houston, TX 77079

CPF 4-2012-5006M

Dear Ms. Adams:

On May 2-6, 19-20, and May 25, 2011, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected ConocoPhillips procedures for your breakout tank facilities in Cushing, OK.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within the ConocoPhillips plans or procedures, as described below:

1. 195.132 Aboveground breakout tank.

(a) Each aboveground breakout tank must be designed and constructed to withstand the internal pressure produced by the hazardous liquid to be stored therein and any anticipated external loads.
(b) For aboveground breakout tank first placed in service after October 2, 2000, compliance with paragraph (a) of this section requires one of the following:
(1) Shop-fabricated, vertical, cylindrical, closed top, welded steel tanks with nominal capacities of 90 to 750 barrels (14.3 to 119.2 m \3\) and with internal vapor space pressures that are approximately atmospheric must be designed and constructed in accordance with API Specification 12F.

The ConocoPhillips procedures do not state that shop-fabricated tanks fitting the description in this regulation will be designed and constructed to API 12F as required by 192.132(b) (1). CPPL procedure MI-0310, Tanks, Vessels, Piping, and Other Atmospheric Storage Tanks, lists API 12F as an industry standard but states "The listed documents are not by reference part of this procedure. Reference is made only to the paragraph or section listed and not the entire document." The ConocoPhillips procedure does not include any specific references to paragraphs in API 12F. ConocoPhillips must modify their procedures to reference, incorporate, or include the requirements of the correct version of API 12F for shop-fabricated tanks.

2. 195.132 Aboveground breakout tank.

(a) Each aboveground breakout tank must be designed and constructed to withstand the internal pressure produced by the hazardous liquid to be stored therein and any anticipated external loads.
(b) For aboveground breakout tank first placed in service after October 2, 2000, compliance with paragraph (a) of this section requires one of the following:
(4) High pressure steel tanks (i.e., internal gas or vapor space pressures greater than 15 psig (103.4 kPa)) with a nominal capacity of 2000 gallons (7571 liters) or more of liquefied petroleum gas (LPG) must be designed and constructed in accordance with API Standard 2510.

The ConocoPhillips procedures do not state that high pressure steel tanks fitting the description in 195.132(b) (4) will be designed and constructed to API 2510. The ConocoPhillips procedure, MI-0320, Pressure Storage Tanks, specifies inspections will be done according to API 510. The MI-0320 procedure lists API 510 and API 2510 as references but does not state that high pressure tanks will be designed and constructed according to API 2510. MI-0320 also states "The listed documents are not by reference part of this procedure. Reference is made only to the paragraph or section listed and not the entire document." Since there are no specific references to API 2510 in the text of the ConocoPhillips procedure, the ConocoPhillips MI-0320 procedure and any other applicable procedures pertaining to construction of high pressure tanks, must be modified to require that high pressure tanks be designed and constructed to the correct version of API 2510.

3. 195.205 Repair, alteration and reconstruction of aboveground breakout tanks that have been in service.

(a) Aboveground breakout tanks that have been repaired, altered, or reconstructed and returned to service must be capable of withstanding the internal pressure produced by the hazardous liquid to be stored therein and any anticipated external loads.
(b) After October 2, 2000, compliance with paragraph (a) of this section requires the following for the tanks specified:
(1) For tanks designed for approximately atmospheric pressure constructed of carbon and low alloy steel, welded or riveted, and non-refrigerated and tanks built to API Standard 650 or its predecessor Standard 12C, repair, alteration, and reconstruction

must be in accordance with API Standard 653.

The ConocoPhillips procedure for inspecting atmospheric storage tanks, MI-0310, Tanks, Vessels, Piping, and Other – Atmospheric Storage Tanks, does not refer to the Operator's confined space procedures. API 653, 1.4 Safe Working Practices, states "Finally, procedures must comply with any federal or state safety regulations pertaining to 'confined spaces' or any other relevant provisions. The ConocoPhillips procedure states "The listed documents are not by reference part of this procedure. Reference is made only to the paragraph or section listed and not the entire document." ConocoPhillips must modify its procedures to reference, incorporate, or include the requirements of the correct version of API 653, and reference to the Operator's confined space procedures in section 3.4 of MI-0310. Also, all applicable Operator procedures necessary to prepare a tank for an internal inspection should be referenced by this procedure.

4. 195.205 Repair, alteration and reconstruction of aboveground breakout tanks that have been in service.

(a) Aboveground breakout tanks that have been repaired, altered, or reconstructed and returned to service must be capable of withstanding the internal pressure produced by the hazardous liquid to be stored therein and any anticipated external loads.
(b) After October 2, 2000, compliance with paragraph (a) of this section requires the following for the tanks specified:
(2) For tanks built to API Specification 12F or API Standard 620, the repair, alteration, and reconstruction must be in accordance with the design, welding, examination, and material requirements of those respective standards.

The ConocoPhillips procedure for inspecting atmospheric storage tanks, MI-310, Tanks, Vessels, and Other Atmospheric Storage Tanks, does not state that tanks built to API 12F must be repaired, altered, and reconstructed, according to this standard. ConocoPhillips must have a procedure for the repair, alteration, and reconstruction of tanks built to the API 12F standard.

5. 195.205 Repair, alteration and reconstruction of aboveground breakout tanks that have been in service.

(a) Aboveground breakout tanks that have been repaired, altered, or reconstructed and returned to service must be capable of withstanding the internal pressure produced by the hazardous liquid to be stored therein and any anticipated external loads.
(b) After October 2, 2000, compliance with paragraph (a) of this section requires the following for the tanks specified:(3) For high pressure tanks built to API Standard 2510, repairs, alterations, and reconstruction must be in accordance with API 510.

The ConocoPhillips procedure MI-0320, Pressure Storage Tanks, does not include the requirement that high-pressure tanks built to API 2510 will be repaired, altered, and reconstructed according to API 510. The CPPL procedure lists API 2510 and API 510 as references, but does not state in the procedures that the repairs, alterations, and reconstruction for tanks built to the API 2510 standard will be done according to API 510. The ConocoPhillips

procedure states "The listed documents are not by reference part of this procedure. Reference is made only to the paragraph or section listed and not the entire document." Section 3.3 of MI-0320 refers only to API 510 pressure testing and does not reference or incorporate any other API 510 requirements. ConocoPhillips must modify its procedures to reference, incorporate, or include the requirements of the correct version of API 510 for repairs, alterations, and reconstruction of API 2510 tanks.

6. **195.264 Impoundment, protection against entry, normal/emergency venting or pressure/vacuum relief for aboveground breakout tanks.**

   (a) A means must be provided for containing hazardous liquids in the event of spillage or failure of an aboveground breakout tanks.
   (b) After October 2, 2000, compliance with paragraph (a) of this section requires the following for the aboveground breakout tanks specified:
   (1) For tanks built to API Specification 12F, API Standard 620, and others (such as API Standard 650 or its predecessor Standard 12C), the installation of impoundment must be in accordance with the following sections of NFPA 30:
   (i) Impoundment around a breakout tank must be installed in accordance with section 4.3.2.3.2; and
   (ii) Impoundment by drainage to a remote impounding area must be installed in accordance with section 4.3.2.3.1.

The CPPL procedure, Atmospheric Storage Tank Standard Design Package, Section 8, Spill Containment and Dikes, Revision 5, Effective 09/15/2008, does not state when dikes are required, specifically reference NFPA 30, or contain all of the requirements specified by NFPA 30 for the design of diked areas and remote impoundment. The procedure lists NFPA 30 as a referenced standard but it is not clear from the procedure that ConocoPhillips requires all of the requirements of NFPA 30 be followed for impoundment by diking and remote impoundment. The ConocoPhillips procedure must be modified to require that impoundment by diking and remote impoundment be done according to the requirements of the correct version of NFPA 30.

7. **195.264 Impoundment, protection against entry, normal/emergency venting or pressure/vacuum relief for aboveground breakout tanks.**
   (c) Aboveground breakout tanks areas must be adequately protected against unauthorized entry.

The procedure, CPPL-MPR-2201, Security and Signs, provides a list of allowable security types but does not specify how the security requirements will be determined and consistently applied for the identified threats. CPPL states that if any one of the options is present, the Operator believes that it is in compliance with Part 195. It is unclear to PHMSA how ConocoPhillips decides the security measures that are needed based on the threats and then applies these measures consistently to all CPPL assets. It appears that the specific security measures are left to local management to decide and implement and there may not be consistency in the application of security measures. ConocoPhillips must modify its procedures to clarify the process of determining appropriate security measures and how these security measures will be consistently

applied at each ConocoPhillips location.

8. **195.264 Impoundment, protection against entry, normal/emergency venting or pressure/vacuum relief for aboveground breakout tanks.**

(d) Normal/emergency relief venting must be provided for each atmospheric pressure breakout tank. Pressure/vacuum-relieving devices must be provided for each low-pressure and high-pressure breakout tank.

(e) For normal/emergency relief venting and pressure/vacuum- relieving devices installed on aboveground breakout tanks after October 2, 2000, compliance with paragraph (d) of this section requires the following for the tanks specified:

(1) Normal/emergency relief venting installed on atmospheric pressure tanks built to API Specification 12F (incorporated by reference, see § 195.3) must be in accordance with Section 4, and Appendices B and C, of API Specification 12F (incorporated by reference, see § 195.3).

(2) Normal/emergency relief venting installed on atmospheric pressure tanks (such as those built to API Standard 650 or its predecessor Standard 12C) must be in accordance with API Standard 2000 (incorporated by reference, see § 195.3).

(3) Pressure-relieving and emergency vacuum-relieving devices installed on low pressure tanks built to API Standard 620 (incorporated by reference, see § 195.3) must be in accordance with section 9 of API Standard 620 (incorporated by reference, see § 195.3) and its references to the normal and emergency venting requirements in API Standard 2000 (incorporated by reference, see § 195.3).

(4) Pressure and vacuum-relieving devices installed on high pressure tanks built to API Standard 2510 (incorporated by reference, see § 195.3) must be in accordance with sections 7 or 11 of API Standard 2510 (incorporated by reference, see § 195.3).

The ConocoPhillips procedures do not reference or incorporate the industry standard required by 195.264 for tank venting. The procedures must cover venting requirements for each category of tank. The ConocoPhillips Atmospheric Storage Tank Standard Design Package, Revision 5, Effective 09/15/2008, Section 27 does not reference or incorporate the normal/emergency relief venting requirements of API 12F or API 650. The ConocoPhillips procedure, TSD-3302, Standard for Pressure Relieving Devices, Revision 0, Effective 07/12/2005, lists API 2510 in Section 4, Design, Installation, and Maintenance, paragraph 1, but does not require that relief devices for high pressure tanks be designed and installed according to the requirements of API 2510. ConocoPhillips must modify its procedures to cover venting and relief devices according to the applicable standards for each category of tank as required by 195.264. ConocoPhillips states they do not operate any API 620 tanks so procedural coverage of this category of tanks is not required.

9. **195.307 Pressure testing aboveground breakout tanks.**

(a) For aboveground breakout tanks built into API Specification 12F and first placed in service after October 2, 2000, pneumatic testing must be in accordance with section 5.3 of API Specification 12 F (incorporated by reference, see § 195.3).

(b) For aboveground breakout tanks built to API Standard 620 and first placed in service after October 2, 2000, hydrostatic and pneumatic testing must be in accordance with section 7.18 of API Standard 620 (incorporated by reference, see §195.3).
(c) For aboveground breakout tanks built to API Standard 650 (incorporated by reference, see § 195.3 and first placed in service after October 2, 2000, testing must be in accordance with Section 5.2 of API Standard 650 (incorporated by reference, see § 195.3).
(d) For aboveground atmospheric pressure breakout tanks constructed of carbon and low alloy steel, welded or riveted, and non-refrigerated and tanks built to API Standard 650 or its predecessor Standard 12C that are returned to service after October 2, 2000, the necessity for the hydrostatic testing of repair, alteration, and reconstruction is covered in section 10.3 of API Standard 653.
(e) For aboveground breakout tanks built to API Standard 2510 and first placed in service after October 2, 2000, pressure testing must be in accordance with ASME Boiler and Pressure Vessel Code, Section VIII, Division 1 or 2.

ConocoPhillips does not have a procedure for hydrostatic and pneumatic testing of API 12F tanks. Also, the Operator's procedure CPPL-MPR-6202, Hydrostatic Testing – Atmospheric Storage Tanks, Revision 1, Effective 12/17/2009, paragraph 1.2 states the current version of API 650 and API 653 will be used. The procedure needs to state that the version of the standards incorporated by reference into Part 195 will be used. The ConocoPhillips procedure, CPPL-MPR-6202, Hydrostatic Testing, states the procedure is for new and repaired atmospheric tanks but should include tanks that have had a major alteration/major repair requiring hydrostatic testing according to API 653 definition 3.20. The ConocoPhillips procedure MI-320, Pressure Storage Tanks, Section 3.3, requires pressure testing be done according to API-510 or ASME Section VIII, Section UG-99. Part 195 (195.307(e)) requires that tanks first placed in service after October 2, 2000 be tested according to ASME Boiler and Pressure Vessel Code, Section VIII, Division 1 or 2. The CPPL procedures states API 510 or ASME VIII, so the Operator must modify the procedure to be consistent with the requirements of 195.307(e) for PHMSA regulated high pressure tanks.

10. 195.405 Protection against ignitions and safe access/egress involving floating roofs.

(a) After October 2, 2000, protection provided against ignitions arising out of static electricity, lightning, and stray currents during operation and maintenance activities involving aboveground breakout tanks must be in accordance with API Recommended Practice 2003, unless the operator notes in the procedural manual (§195.402(c)) why compliance with all or certain provisions of API Recommended Practice 2003 is not necessary for the safety of a particular breakout tank.

The ConocoPhillips procedure, MPR-4017, Safety Precautions – Protection against Ignition due to Static Electricity, Lightning, and Stray Currents is not consistently referenced in related procedures so that personnel will know to refer to this procedure to determine the appropriate requirements. For example, the ConocoPhillips procedure, Atmospheric Storage Tank Standard Design Package, Section 30, Nozzles, manholes, and Clean Out Doors refers to MPR-4017, but

is not listed in Section 32, External Grounding. The ConocoPhillips procedure MI-0310, Tanks, Vessels, Piping, and Other – Atmospheric Storage Tanks, does not refer to MPR-4017 for grounding requirements. Also, the Operator's procedure MPR-4017, lists API RP 2003 as a standard incorporated into its procedures but restricts the incorporation to Section 4.5 only. Part 195 incorporates by reference, all of API RP 2003 (Section 5.4.2 of API 2003 also covers atmospheric storage tanks). In addition, the ConocoPhillips procedure, MI-0320, Pressure Storage Tanks, and MI-0204, API-510 Pressure Vessel Policy, does not provide for grounding requirements. ConocoPhillips must modify its procedures to include the requirements of 195.405(a) or note in its procedures why compliance is not necessary for the safety of a particular breakout tank.

11. 195.405 Protection against ignitions and safe access/egress involving floating roofs.

(b) The hazards associated with access/egress onto floating roofs of in-service aboveground breakout tanks to perform inspection, service, maintenance or repair activities (other than specified general considerations, specified routine tasks or entering tanks removed from service for cleaning) are addressed in API Publication 2026. After October 2, 2000, the operator must review and consider the potentially hazardous conditions, safety practices and procedures in API Publication 2026 for inclusion in the procedure manual (§195.402(c)).

The ConocoPhillips procedures for atmospheric storage tanks do not reference or incorporate the requirements of API 2026, Safe Access/Ingress Involving Floating Roofs of Storage Tanks in Petroleum Service. ConocoPhillips must modify their procedures to include the potentially hazardous conditions, safety practices, and procedures in API 2026.

12. 195.428 Overpressure safety devices and overfill protection systems

(c) Aboveground breakout tanks that are constructed or significantly altered according to API Standard 2510 after October 2, 2000, must have an overfill protection system installed according to section 5.1.2 of API Standard 2510. Other aboveground breakout tanks with 600 gallons (2271 liters) or more of storage capacity that are constructed or significantly altered after October 2, 2000, must have an overfill protection system installed according to API Recommended Practice 2350. However, operators need not comply with any part of API Recommended Practice 2350 for a particular breakout tank if the operator notes in the manual required by §195.402 why compliance with that part is not necessary for safety of the tank.

The ConocoPhillips procedures for the inspection of pressure vessels, MI-0320, Pressure Storage Tanks and MI-0204, Pressure Vessel Policy, does not refer to the overfill requirements in API RP 2350. ConocoPhillips has a procedure that references API RP 2350, MPR-6023, Inspection and Testing of Overfill Protection Systems, but this procedure does not mention or refer to API 2510 tanks. The ConocoPhillips procedures for constructing atmospheric tanks, Atmospheric Storage Tank Standard Design Package, incorporates API 2350 but in Section 26 refers to the ConocoPhillips procedure TPO-4001, Atmospheric Storage Tank Level Alarm Policy, for

Overfill Protection. However, TPO-4001 states "The listed documents are not by reference part of this procedure. Reference is made only to the paragraph or section listed and not the entire document." The listed documents include API 2350, but the procedure does not specify the API 2350 paragraphs that the operator has chosen to incorporate. Also, the ConocoPhillips procedure for inspecting atmospheric tanks, MI-0310, Tanks, Vessels, Piping, and Other – Atmospheric Storage Tanks, does not reference API 2510 or ConocoPhillips procedure TPO-4001, Atmospheric Storage Tank Level Alarm Policy. The ConocoPhillips procedures for overfill protection must be revised to cover API 2510 tanks and make appropriate incorporations or references of API RP 2350 in the Operator's atmospheric tank procedures, including MI-0310, Tanks, Vessels, Piping, and Other – Atmospheric Storage Tanks, and TPO-4001, Atmospheric Storage Tank Level Alarm Policy.

13. 195.430 Firefighting equipment.

Each operator shall maintain adequate firefighting equipment at each pump station and breakout tank area. The equipment must be-
(a) In proper operating condition at all times;
(b) Plainly marked so that its identity as firefighting equipment is clear; and,
(c) Located so that it is easily accessible during a fire.

The ConocoPhillips HSE Policy, Inspection, Testing, and Maintenance - Fire Protection does not specify how the Operator determines what equipment is needed at each facility or assign responsibility for deciding what equipment is needed at each facility. When ConocoPhillips relies on a public, private, or cooperative firefighting agency to provide equipment and personnel to fight a fire at the Operator's facility, the ConocoPhillips procedures do not specify how the Operator verifies that the agency has equipment adequate to respond to firefighting requirements at the location. ConocoPhillips must modify their procedures to specify requirements for ensuring the adequacy of equipment provided by public, private, or cooperative firefighting agencies the operator relies on to satisfy the requirements of 195.430.

14. 195.432 Inspection of in-service breakout tanks.

(b) Each operator must inspect the physical integrity of in-service atmospheric and low-pressure steel aboveground breakout tanks according to API Standard 653 (incorporated by reference, see § 195.3). However, if structural conditions prevent access to the tank bottom, the bottom integrity may be assessed according to a plan included in the operations and maintenance manual under § 195.402(c)(3).

The ConocoPhillips procedure, MI-310, Tanks, Vessels, Piping, and Other – Atmospheric Storage Tanks, uses the term "qualified inspector" or "inspector" for inspections requiring an inspector certified according to API 653, Appendix D. API 653 defines this as an "*authorized inspector.*" External and internal inspections must be performed or supervised by an *authorized inspector.* Routine monthly inspections do not require an *authorized inspector* but must be qualified under the Operator's Qualification program required by 195.505. The operator must

revise its procedures to be consistent with the terminology in API 653 to ensure an inspector with the required credentials performs each type of inspection.

15. 195.432 Inspection of in-service breakout tanks.

(c) Each operator shall inspect the physical integrity of in-service steel aboveground breakout tanks built to API Standard 2510 according to section 6 of API 510.

The ConocoPhillips procedures MPR-2813A, PI Form – GPL – 192A – Instructions, Routine Pressure Vessel Inspection Report, and AIP-08, Pressure Vessel Program, does not refer to or mention ConocoPhillips procedure MI-0204, API 510 – Pressure Vessel Policy, nor does MI – 0204 refer to either of these procedures. However, all three involve inspection of pressure vessels so it is unclear when each of these procedures is applied. The ConocoPhillips procedure MI-0320, Pressure Storage Tanks, also establishes requirements for the inspection of pressure vessels and includes a reference to ConocoPhillips MPR-2813A but does not mention the procedure AIP-08, Pressure Vessel Program. ConocoPhillips must modify its procedures to provide adequate definitions of scope and cross-references so that it is clear when each of the procedures pertaining to the inspection of PHMSA regulated pressure vessels should be used.

Also, the ConocoPhillips procedure MI-320, Pressure Storage Tanks, does not use the proper term to specify the individual required to perform API 510 inspections on tanks built to the API 2510 standard. MI-0320 uses the term *"authorized inspector"* to describe the qualification of the individual performing inspections on pressure vessels. The term *"authorized inspector"* is an API 653 defined term. The defined term in API 510 used to designate an individual with the proper qualifications to perform all types of inspections on a tank built to API 2510 standards is *"authorized pressure vessel inspector."* ConocoPhillips must modify its procedures to be consistent with the term used to describe a qualified inspector according to API 510.

16. 195.436 Security of facilities.

Each operator shall provide protection for each pumping station and breakout tank area and other exposed facility (such as scraper traps) from vandalism and unauthorized entry.

The ConocoPhillips procedure MPR-2201, Facilities – Security and Signs, does not specify how the decision is made as to the specific type of security facilities that are employed at a location. ConocoPhillips must modify its procedures to provide a basis for consistently determining which of the allowable types of security facilities will be installed at a given location.

17. 195.565 How do I install cathodic protection on breakout tanks?

After October 2, 2000, when you install cathodic protection under Sec. 195.563(a) to protect the bottom of an aboveground breakout tank of more than 500 barrels (79.5m3) capacity built to API Specification 12F, API Standard 620, or API Standard

650 (or its predecessor Standard 12C), you must install the system in accordance with API Recommended Practice 651. However, installation of the system need not comply with API Recommended Practice 651 on any tank for which you note in the corrosion control procedures established under Sec. 195.402(c)(3) why compliance with all or certain provisions of API Recommended Practice 651 is not necessary for the safety of the tank.

The ConocoPhillips procedure, MPR-7002, Corrosion Control – Cathodic Protection Requirements, does not reference the correct version of API 651, incorporated by reference. On page 3 of the procedure the document references API 651, 2nd Ed. Also, the ConocoPhillips procedure does not specify that cathodic protection facilities installed on breakout tanks after October 2, 2000 must be built in accordance with API 651, Cathodic Protection of Aboveground Petroleum Storage Tanks. ConocoPhillips must modify their procedures to reference API 651, 3rd Ed., 2007 and require that cathodic protection facilities installed on breakout tanks after October 2, 2000 must be built in accordance with API 651.

18. 195.571 What criteria must I use to determine the adequacy of cathodic protection?

Cathodic protection required by this Subpart must comply with one or more of the applicable criteria and other considerations for cathodic protection contained in paragraphs 6.2 and 6.3 of NACE SP 0169 (incorporated by reference, see § 195.3).

The ConocoPhillips procedure MPR-7002, Corrosion Control – Cathodic Protection Requirements, does not reference the correct version of NACE standard, NACE SP0169-2007, "Control of External Corrosion on Underground or Submerged Metallic Piping Systems." Also, the ConocoPhillips procedure does not specify the criteria that will be used to determine the adequacy of the cathodic protection. The ConocoPhillips procedure references an older version of the standard, NACE RP0169-96. The procedure also states "The listed documents are not by reference part of this procedure. Reference is made only to the paragraph or section listed and not the entire document." There is no reference to paragraphs 6.2 and 6.3 of NACE SP0169 in the ConocoPhillips procedure so the requirements are apparently not incorporated. Section 5 of the ConocoPhillips procedure, Determining Required Cathodic Protection Current, lists some general considerations for determining the cathodic protection current but does not list any specific required criteria. Without referencing or incorporating paragraphs 6.2 and 6.3 of the correct version of NACE SP0169 or listing the required cathodic protection criteria in the procedure, the ConocoPhillips cathodic protection procedure is inadequate. The Operator must modify its procedure to reference the required cathodic protection criteria in NACE SP0169-2007 or list the required criteria in the procedure.

19. 195.573 What must I do to monitor external corrosion control?

(d) Breakout tanks. You must inspect each cathodic protection system used to control corrosion on the bottom of an aboveground breakout tank to ensure that operation and maintenance of the system are in accordance with API Recommended Practice 651. However, this inspection is not required if you note in the corrosion control

procedures established under Sec. 195.402(c)(3) why compliance with all or certain operation and maintenance provisions of API Recommended Practice 651 is not necessary for the safety of the tank.

The ConocoPhillips procedure MPR-7002, Corrosion Control – Cathodic Protection Requirements, does not reference the correct version of API RP 651. The ConocoPhillips procedure references API 651, 2nd Ed., but the version incorporated by reference is the 3rd Ed., 2007. Also, the ConocoPhillips procedure, MPR-7002 states "The listed documents are not by reference part of this procedure. Reference is made only to the paragraph or section listed and not the entire document." There is considerable applicable content in API RP 651 that is not specifically referenced in ConocoPhillips procedure MPR-7002 or ConocoPhillips procedure MI-0310, Tanks, Vessels, Piping and Other – Atmospheric Storage Tanks. This includes requirements such as API RP 651, 11.3.2.5, which states "The tank bottom should be examined for evidence of corrosion whenever access to the bottom is possible. This may be during repairs or modifications, or in conjunction with inspections required by API Std. 653. Examination of bottom-side corrosion may be achieved by making coupon cutouts or by nondestructive methods such as ultrasonic inspections or electromagnetic flux leakage." ConocoPhillips must modify their procedures to reference the correct version of API RP 651 and reference, incorporate, or include the requirements of this standard in their corrosion control procedures, including but not limited to API RP 651, 11.3.2.5.

20. 195.579 What must I do to mitigate internal corrosion?

(d) Breakout tanks. After October 2, 2000, when you install a tank bottom lining in an aboveground breakout tank built to API Specification 12F, API Standard 620, or API Standard 650 (or its predecessor Standard 12C), you must install the lining in accordance with API Recommended Practice 652. However, installation of the lining need not comply with API Recommended Practice 652 on any tank for which you note in the corrosion control procedures established under Sec. 195.402(c)(3) why compliance with all or certain provisions of API Recommended Practice 652 is not necessary for the safety of the tank.

The ConocoPhillips procedure TRP-4002, Recommended Practice for Protective Coatings for Storage Tank Interiors, does not require that tank linings installed after October 2, 2000 be done according to API RP 652, 3rd Ed., 2005. In addition, ConocoPhillips procedure TSP-8003, Internal Tank Linings – Protective Paint Coatings for on Shore Above-Grade Tanks and Vessels also does not specify this requirement. ConocoPhillips must modify its procedures to require installation of tank linings after October 2, 2000 be done according to API RP 652, 3rd Ed., 2005.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance 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). 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 a Final Order.

If, after opportunity for a hearing, 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. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 60 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 ConocoPhillips maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 4-2012-5006M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

R. M. Seeley
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration

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