

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 13, 2012

Mr. Leonard G. Bloom
Director of Pipelines
Western Refining Pipeline Company
111 County Road 4990
Bloomfield, New Mexico 87413

CPF 4-2012-5031M

Dear Mr. Bloom:

During the dates of July 30 – August 3, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Western Refining procedures for the control room management in Bloomfield, New Mexico.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Western Refining's procedures, as described below:

1. **§195.446 Control room management.**
 - (b) ***Roles and responsibilities.*** Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following:
 - (3) A controller's role during an emergency, even if the controller is not the first to detect the emergency, including the controllers' responsibility to take specific actions and to communicate with others; and

Western Refining (WR) procedures are inadequate as they do not specifically detail all methods of contacting supervision. Specifically, WR utilizes text messaging through a website called "iamresponding.com." Procedures are inadequate as the text messaging is not addressed in the Control Room Management plan.

2. **§195.446 Control room management**

(b) *Roles and responsibilities.* Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following:

(4) A method of recording controller shift-changes and any hand-over of responsibility between controllers.

WR's procedures are inadequate as they do not address the responsibilities of the current controller and/or management to address a controller that is late in arriving. Specifically, procedures need to detail what the responsibility of the current controller is or what actions management is to do when a controller is late in arriving.

3. **§195.446 Control room management.**

(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) Review SCADA safety-related alarm operations using a process that ensures alarms are accurate and support safe pipeline operations;

WR's procedures are inadequate as they do not include specific procedures and practices for managing stale or unreliable data. Specifically, WR needs to update procedures to include stale alarms and to include as part of the 'pass down' process and to add to the review of safety related alarms and to include this in their instructions to be completed on the 'pass down' form.

4. **§195.446 Control room management.**

(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:

(2) Identify at least once each calendar month points affecting safety that have been taken off scan in the SCAD host, have had alarms inhibited, generated false alarms, or that have had forced or manual values for periods of time exceeding that required for associated maintenance or operating activities;

WR's Alarm Management plan is inadequate as their procedures are inadequate for promptly correcting identified problems (points) and for returning these points to service. Specifically, procedures do not denote promptly correcting identified problems and for returning these points to service.

5. **§195.446 Control room management.**

(g) Operating experience. Each operator must assure that lessons learned from its operating experience are incorporated, as appropriate, into its control room management procedures by performing each of the following;

(2) Include lessons learned from the operator's experience in the training program required by this section.

WR's procedures did not specifically include other operating events in addition to those required by §195.446(g)(1). WR's procedures are inadequate as they do not include other operating events, like near misses, leaks, operational and maintenance errors.

6. §195.446 Control room management.

(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.

WR's training program is inadequate. The training program does not address the backup SCADA system and/or the backup control room. WR has a backup SCADA system and this is not covered in the training program.

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 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 Western Refining 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 4-2012-5031M** 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*