



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

SENT TO COMPLIANCE REGISTRY

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12300 W. Dakota Ave., Suite 110
Lakewood, CO 80228

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 6, 2007

Mr. Duane Dudics
Manager, Environmental, Safety & Health
Thums Long Beach Company
111 W. Ocean Boulevard
Long Beach, CA 90802

CPF 5-2007-2002W -

Dear Mr. Dudics:

On June 12, 2006, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) and a representative of the California State Fire Marshall Office (SFM), pursuant to Chapter 601 of 49 United States Code, conducted an inspection of Thums Long Beach Company (Thums), Operator Qualification (OQ) program for your pipeline personnel in Long Beach, California.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

1. **§ 192.807 Recordkeeping.**
 - (a) **Qualification records shall include:**
 - (2) **Identification of the covered tasks the individual is qualified to perform;**

Thums Operator Qualifications (OQ) Plan described the maintenance of program records, but our review of qualification records for specific individuals indicated inadequate supporting documentation for identifying covered tasks the individuals

were qualified to perform. The analogous code citation for your hazardous liquid pipelines operator qualification program is §195.507.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in Thums Long Beach Company being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 5-2007-2002W**. 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).

Sincerely,



Chris Hoidal
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry
PHP-500 P. Nguyen (#118307)