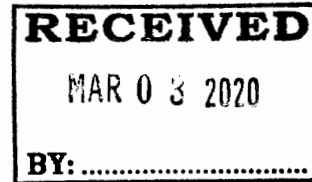


Todd Tullio
Manager, Regulatory Compliance

PHILLIPS 66 PIPELINE LLC
5820-05 Headquarters
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Houston, TX 77042
Phone 832-765-1636



February 17, 2020

Dustin Hubbard Director, Western Region
Pipeline Hazardous Materials Safety Administration
12300 West Dakota Ave, Suite 110
Lakewood, CO 80228

RE: CPF No. 5-2019-5013W

Dear Mr. Hubbard:

From March 6, April 22 through 25, July 29 through August 5 and September 4 through 5, 2019, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected Phillips 66's Borger to Denver HL line located in Texas, Oklahoma, and Colorado.

This letter is in response to the Warning Letter dated December 9, 2019 issued by the U.S. Department of Transportation Pipeline Hazardous Materials Safety Administration (PHMSA) and received by Phillips 66 Pipeline LLC (Phillips 66) on December 26, 2019.

By submitting this response, Phillips 66 does not waive any right, privilege or objection that it may have in any separate or subsequent proceeding related in any way to the information provided in this response.

As a result of the inspection, it is alleged that Phillips 66 may have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item inspected and the probable violation is:

Warning Letter Item 1: § 194.107 General response plan requirements.

(c) Each response plan must include:

(1) A core plan consisting of-

(ix) Drill program - an operator will satisfy the requirement for a drill program by following the National Preparedness for Response Exercise Program (PREP) guidelines. An operator choosing not to follow PREP guidelines must

have a drill program that is equivalent to PREP. The operator must describe the drill program in the response plan and OPS will determine if the program is equivalent to PREP.

PHMSA Concerns:

On October 31, 2017, Phillips 66 performed an Equipment Deployment Exercise in La Junta, Colorado. Phillips 66 deployed company-owned spill collection booms into the Arkansas River and self-certified that they followed National PREP guidelines. Upon inspection, it was determined that Phillips 66 did not follow National PREP guidelines for proper documentation, for self-certification. The Objectives Met and Lessons Learned were not addressed as required and a description of the drill was lacking in detail. As the National Preparedness for Response Exercise Program (PREP) Guidelines state: "Self-certification is where the plan holder declares that he or she has met the following standards: (1) completion of the exercise; (2) conducting of the exercise in accordance with the PREP guidelines, meeting all objectives listed; and (3) evaluation of the exercise using a mechanism that appraises the effectiveness of the response or contingency plan." (1-8). "Proper documentation for self-certification should include, as a minimum, the following information:

- The type of exercise.
- Date and time of exercise.
- A description of the exercise.
- The objectives met in the exercise.
- The components of the response plan exercised.
- Lessons learned.

This documentation must be in writing and signed by an individual empowered by the plan holder organization." (2-23). Furthermore, as stated on 5-6 under the Certification section "Self-certification as indicated in the response plan. Each plan should have a written description of the company's certification process." These requirements were not met, so Phillip 66 should not be able to receive the Credit Section as stated: "Plan holder should take credit for this exercise when conducted in conjunction with other exercises as long as all objectives are met, the exercise is evaluated, and a proper record is generated. Credit should be taken for an actual spill response when these objectives are met, the response is evaluated, and a proper record is generated".

Phillips 66 Response:

Phillips 66 has corrected the items listed above. The Equipment Deployment Form that was incorrectly completed and missing information has been corrected and digitized in Phillips 66 Mobile Work Center (MWC). If the required information is not entered, the form will not save in MWC until the person editing the form satisfies the requirements needed to have a

completed and legible form. In addition, an Emergency Response Training Policy has been established. This Policy expands on what is in the ICP and PREP and provides how-to guides that local supervisors shall leverage to assist them in ensuring they are properly documenting their efforts.

Please let me know if you have any questions or comments regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Tullio', with a large, sweeping flourish at the end.

Todd Tullio
Manager, Regulatory Compliance

CC. Stephanie Willison/Phillips 66
Van Williams/Phillips 66
Jared Angelle/Phillips 66