



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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Ref. No. Docket PL-111555

**CERTIFIED MAIL**

December 14, 2011

Dennis McVicker  
President  
Tidewater Terminal Company  
P.O. Box 1210  
6305 NW Old Lower River Rd  
Vancouver, WA 98660

Dear Mr. McVicker:

**RE: 2011 Review of Snake River Terminal's Operations and Maintenance Manual**

We recently conducted an office review of Tidewater Terminal Company's D.O.T. Operations and Maintenance Manual (O&M Manual) for the Snake River Terminal. The review included both the O&M and the Operational Procedures and Policies Manual.

Our inspection indicates 29 probable violations as noted in the enclosed report and one informational item for your consideration.

**Your response needed**

Please review the attached report and respond in writing by January 17, 2012. The response should include how and when you plan to bring the probable violations into full compliance.

**What happens after you respond to this letter?**

The attached report presents staff's decision on probable violations and does not constitute a finding of violation by the commission at this time.

After you respond in writing to this letter, there are several possible actions the commission, in its discretion, may take with respect to this matter. For example, the commission may:

- Issue an administrative penalty under RCW 81.88.040, or
- Institute a complaint, seeking monetary penalties, changes in the company's, practices, or other relief authorized by law, and justified by the circumstances, or
- Consider the matter resolved without further commission action.



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We have not yet decided whether to pursue a complaint or penalty in this matter. Should an administrative law judge decide to pursue a complaint or penalty, your company will have an opportunity to present its position directly to the commissioners.

If you have any questions, or if we may be of any assistance, please contact Dennis Ritter at (360) 664-1159. Please refer to Docket PL-111555 in any future correspondence regarding this inspection.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Lykken', with a long horizontal flourish extending to the right.

David D. Lykken  
Pipeline Safety Director

cc: Pat Jensen, General Manager

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**  
**2011 Intrastate Hazardous Liquid Pipeline Safety Inspection**  
**Tidewater Terminal Company, Inc., Snake River Terminal, Pasco, WA**  
**D.O.T. Operation and Maintenance Manual Review**  
**Docket PL-111555**

The following probable violations of Title 49, CFR Part 195 and WAC 480-75 were noted as a result of the review of Tidewater Terminal Company's D.O.T. Operations and Maintenance Manual (Manual). The review included an investigation of specific policies and procedures referenced in the Manual but located in Tidewater's Operational Procedures and Policies Manual, to determine compliance with specific regulations.

**PROBABLE VIOLATIONS**

1. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**
  - (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*
  - (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*
    - (2) *Gathering of data needed for reporting accidents under Subpart B of this part in a timely and effective manner.*

**49 CFR§ 195.52 Immediate notice of certain accidents.**

  - (c) *Calculation. A pipeline operator must have a written procedure to calculate and provide a reasonable initial estimate of the amount of released product.*

**Finding(s):**

49 CFR §195.52(c) requires each operator to have a written procedure to calculate the volume of product released for such an event. This procedure needs to be added to the Manual and/or the Operational Procedures & Policies Manual.

2. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**
  - (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*
  - (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*
    - (2) *Gathering of data needed for reporting accidents under Subpart B of this part in a timely and effective manner.*

**49 CFR §195.64 National Registry of Pipeline and LNG Operators.**

  - (a) *OPID Request. Effective January 1, 2012, each operator of a hazardous liquid pipeline or pipeline facility must obtain from PHMSA an Operator Identification Number (OPID). An OPID is*

*assigned to an operator for the pipeline or pipeline system for which the operator has primary responsibility. To obtain an OPID or a change to an OPID, an operator must complete an OPID Assignment Request DOT Form PHMSA F 1000.1 through the National Registry of Pipeline and LNG Operators in accordance with § 195.58.*

- (b) OPID validation. An operator who has already been assigned one or more OPID by January 1, 2011 must validate the information associated with each such OPID through the National Registry of Pipeline and LNG Operators at <http://opsweb.phmsa.dot.gov>, and correct that information as necessary, no later than June 30, 2012.*
- (c) Changes. Each operator must notify PHMSA electronically through the National Registry of Pipeline and LNG Operators at <http://opsweb.phmsa.dot.gov>, of certain events.*

  - (1) An operator must notify PHMSA of any of the following events not later than 60 days before the event occurs:*

    - (i) Construction or any planned rehabilitation, replacement, modification, upgrade, uprate, or update of a facility, other than a section of line pipe, that costs \$10 million or more. If 60 day notice is not feasible because of an emergency, an operator must notify PHMSA as soon as practicable;*
    - (ii) Construction of 10 or more miles of a new hazardous liquid pipeline; or*
    - (iii) Construction of a new pipeline facility.*
  - (2) An operator must notify PHMSA of any following event not later than 60 days after the event occurs:*

    - (i) A change in the primary entity responsible (i.e., with an assigned OPID) for managing or administering a safety program required by this part covering pipeline facilities operated under multiple OPIDs.*
    - (ii) A change in the name of the operator;*
    - (iii) A change in the entity (e.g., company, municipality) responsible for operating an existing pipeline, pipeline segment, or pipeline facility;*
    - (iv) The acquisition or divestiture of 50 or more miles of pipeline or pipeline system subject to this part; or*
    - (v) The acquisition or divestiture of an existing pipeline facility subject to this part.*
- (d) Reporting. An operator must use the OPID issued by PHMSA for all reporting requirements covered under this subchapter and for submissions to the National Pipeline Mapping System.*

**Finding(s):**

49 CFR §195.64 becomes effective 01/01/2012. Although Tidewater has an OPID issued by PHMSA, the Manual does not reference an OPID. As all future submissions to PHMSA and to the National Pipeline Mapping System will require using this unique identifier, all of Tidewater's reporting policies and procedures required under 49 CFR Part 195 need reflect this.

3. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**

(a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*

(c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

(2) *Gathering of data needed for reporting accidents under Subpart B of this part in a timely and effective manner.*

**Subpart B 49 CFR §195.58 Report submission requirements.**

(a) *General. Except as provided in paragraph (b) of this section, an operator must submit each report required by this part electronically to PHMSA at <http://opsweb.phmsa.dot.gov> unless an alternative reporting method is authorized in accordance with paragraph (d) of this section.*

**Finding(s):**

49 CFR §195.58(a) requires operators file reports electronically except as noted. Tidewater's Manual and/or Operational Procedures & Policies Manual does not have any electronic reporting requirements or procedures for doing so.

4. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**

(a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*

(c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

(3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR 195.422 Pipeline repairs.**

(a) *Each operator shall, in repairing its pipeline systems, insure that the repairs are made in a safe manner and are made so as to prevent damage to persons or property.*

(b) *No operator may use any pipe, valve, or fitting, for replacement in repairing pipeline facilities, unless it is designed and constructed as required by this part.*

**49 CFR §195.214 Welding procedures.**

- (a) *Welding must be performed by qualified welders using qualified welding procedures.*

**Finding(s):**

49 CFR 195.214(a) requires any welding to be performed by qualified welders using qualified procedures. The AWS Standard Welding Procedures cited in the Manual are not signed indicating they are Tidewater's qualified procedures. Also, these procedures prescribe an uphill direction of travel for the weld. The qualification testing documents for the individual welders indicate a downhill direction of travel.

5. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**

- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be updated at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective.*

**Finding(s):**

49 CFR §195.402(a) requires TTCI to update the Manual annually. Although revision language is included in Section 201.1 of the Manual, part of this update must include a review of applicable federal and state code revisions which need to be reflected in the Manual. Many of the findings presented here are the result of not incorporating these code revisions into the Manual. The procedure needs to include who is responsible for insuring any applicable revisions are included into the annual update.

6. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**

- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*
- (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*
- (11) *Minimizing the likelihood of accidental ignition of vapors in areas near facilities identified under paragraph (c)(4) of this section where the potential exists for the presence of flammable liquids or gases.*

**Finding(s):**

49 CFR §195.402(c)(11) requires operators to identify locations, if any, near their facilities where the potential exists for the presence of flammable liquids or gases. The Manual needs to address which locations, if any, would meet these criteria for Tidewater's operations at the Snake River Terminal.

7. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**
- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*
  - (d) *Abnormal operation. The manual required by paragraph (a) of this section must include procedures for the following to provide safety when operating design limits have been exceeded.*
    - (2) *Checking variations from normal operation after abnormal operations have ended at sufficient critical locations in the system to determine continued integrity and safe operations.*

**Finding(s):**

49 CFR 195.402(d)(2) requires the operator to identify specific critical system locations to check to determine system integrity and safe operation. These “critical locations” need to be identified in the Manual.

8. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**
- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*
  - (e) *Emergencies. The manual required by paragraph (a) of this section must include procedures for the following to provide safety when an emergency condition occurs.*
    - (7) *Notifying fire, police, and other appropriate public officials of hazardous liquid or carbon dioxide pipeline emergencies and coordinating with them preplanned and actual responses during an emergency, including additional precautions necessary for an emergency involving a pipeline transporting a highly volatile liquid.*

**Finding(s):**

49 CFR §195.402(e)(7) requires notification and coordination with local emergency response personnel and public officials. The “Cross Reference” in the Manual references Figure 502.1 to satisfy this part of the regulation; however, this figure could not be located. Additionally, the Manual needs to specifically address if emergency responders are consulted on the hazards of Tidewater’s operations and what resources those agencies can bring to bear during an emergency.

9. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**
- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*
  - (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

- (3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR §195.403 (a) Emergency response training.**

- (5) *Learn the potential causes, types, sizes, and consequences of fire and the appropriate use of portable fire extinguishers and other on-site fire control equipment, involving, where feasible, a simulated pipeline emergency condition.*

**Finding(s):**

49 CFR §195.403(a) (part of subpart F) states, "...where feasible, a simulated pipeline emergency condition." There is no reference in the Manual that this training has been determined to be feasible or whether it is included as part of routine training.

10. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies**

(a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.*

(c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

- (3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR §195.403 Emergency response training.**

- (c) *Each operator shall require and verify that its supervisors maintain a thorough knowledge of the emergency response procedures for which they are responsible to ensure compliance.*

**Finding(s):**

49 CFR 195.403(c) (part of subpart F) requires supervisors to maintain a thorough knowledge of emergency response procedures under their responsibility. The Manual does not detail how Tidewater verifies that supervisors are maintaining appropriate knowledge of their area of responsibility for emergency response procedures.

11. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies**

(a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*

(c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

- (1) *Making construction records, maps, and operating history available as necessary for safe operation and maintenance.*



**49 CFR §195.404 Maps and Records**

- (a) *Each operator shall maintain current maps and records of its pipeline systems that include at least the following information:*
  - (4) *The diameter, grade, type, and nominal wall thickness of all pipe.*

**Finding(s):**

49 CFR §195.404 (part of subpart F) requires minimum information to be available for operations and maintenance procedures. The Manual references Appendix 300A to satisfy this portion of the regulation, however, this appendix does not provide diameter, grade, type, and nominal wall thickness of pipe.

12. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies**

- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*
- (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*
  - (3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR §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.*

**Finding(s):**

49 CFR §195.428(c) requires aboveground breakout tanks which meet this criteria to have overfill protection per API 2350. It cannot be determined which, if any, of Tidewater's regulated breakout tanks meet this criteria or if Tidewater's overfill protection meets API 2350. Tidewater should have procedures in place to meet this regulation should a breakout tank be significantly altered.

13. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies.**
- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*
  - (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*
    - (3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR §195.440 Public awareness.**

- (d) *The operators program must specifically include provisions to educate the public, appropriate government organizations, and persons engaged in excavation related activities on:*
  - (2) *Possible hazards associated with unintended releases from a hazardous liquids or carbon dioxide pipeline facility;*

**Finding(s):**

49 CFR §195.440(d)(2) (part of subpart F) specifically requires educating the public regarding the hazards associated with activities at Tidewater's Snake River Terminal. However, the Manual only describes how Tidewater helps its excavators and other interested parties identify their pipe. The Manual does not indicate that Tidewater has shared the hazards associated with unintended releases from the pipeline with the general public or the other interested parties.

14. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies**
- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*
  - (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*
    - (3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR §195.440 Public awareness**

- (d) *The operators program must specifically include provisions to educate the public, appropriate government organizations, and persons engaged in excavation related activities on:*
  - (3) *Physical indications of a possible release;*
  - (4) *Steps to be taken for public safety in the event of a hazardous liquid or carbon dioxide pipeline release;*

**Finding(s):**

49 CFR 195.440(d)(3) and (4) (part of subpart F) require the operator of hazardous liquid pipeline to educate the public as to physical indications of a possible release and what to

do if a release does happen. The Manual does not specify if Tidewater has 1) notified potentially affected parties what to look for and 2) what to do if a release occurs.

15. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies**

(a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*

(c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

(3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR §195.442 Damage prevention program.**

(a) *Except as provided for in paragraph (d) of this section, each operator of a buried pipeline must carry out, in accordance to this section, a written program to prevent damage to that pipeline from excavation activities.*

(c) *The damage prevention program...must, at a minimum:*

(1) *Include the identity, on a current basis, of persons who normally engage in excavation activities in the area in which the pipeline is located.*

**Finding(s):**

49 CFR §195.442(c)(1) requires the operator to include the identity of persons normally engaged in excavation activities. The Manual does note that a list of such excavators is kept by Tidewater, however, this list is not in the Manual or a specific location identified.

16. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies**

(a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*

(c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

(3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*

**49 CFR §195.442 Damage prevention program**

(a) *Except as provided for in paragraph (d) of this section, each operator of a buried pipeline must carry out, in accordance to this section, a written program to prevent damage to that pipeline from excavation activities. The damage prevention program...must at a minimum:*

(c) *The damage prevention program...must at a minimum:*

- (2) *Provide for notification to the public in the vicinity of the pipeline and actual notification to the persons identified in paragraph (c)(1) of this section of the following, as often as needed to make them aware of the damage prevention program.*
  - (i) *The program's existence and purpose.*
  - (ii) *How to learn the location of underground pipelines before excavation activities are begun.*

**Finding(s):**

49 CFR §195.442(c)(2) requires specific notice to affected persons around the operator's pipeline system. The Manual does not address how the general public in the vicinity of the pipeline is informed on the existence of the pipeline or the damage prevention program or how to locate an underground pipeline before excavation activities begin.

17. **49 U.S.C. 60132, Subsection (b) ADB-08-07**

*Updates to NPMS: Operators are required to make update submissions every 12 months if any system modifications have occurred. Go to <http://www.npms.phmsa.dot.gov/submission/> to review existing data on record. Also report no modifications if none have occurred since the last complete submission. Include operator contact information with all updates.*

**Finding(s):**

49 USC 60132(b) requires operators to annually update the National Pipeline Mapping System. The Manual does not indicate that Tidewater submits mapping updates annually or reports "no modifications have occurred."

18. **49 CFR §195.402 Procedural manual for operations, maintenance and emergencies**

- (a) *General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies*
- (c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*
  - (3) *Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart (subpart F) and subpart H of this part.*  
**Subpart H 49 CFR §195.555 What are the qualifications for supervisors?**  
*You must require and verify that supervisors maintain a thorough knowledge of that portion of the corrosion control procedures established under 195.402(c)(3) for which they are responsible for insuring compliance.*

**Finding(s):**

49 CFR §195.555 requires supervisors to maintain a thorough knowledge of each portion of the corrosion control procedures for which they are responsible. The Manual does not detail how Tidewater verifies that supervisors are maintaining appropriate knowledge of their area of responsibility for corrosion control procedures.

19. **49 CFR §195.264 Impoundment, protection against entry, normal/emergency venting or pressure/vacuum relief for above ground breakout tanks. Design and construction of 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 installations 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.*

**Finding(s):**

49 CFR §195.264(b)(1)(i)(ii) requires the operator to use a specific NFPA standard. The Manual references an incorrect or outdated NFPA standard. The correct standard is NFPA 30 Sec 4.3.2.3.2 and 30 Sec 4.3.2.3.1 for remote impoundments.

20. **49 CFR §195.307 Pressure testing aboveground breakout tanks.**

(d) *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 12.3 of API Standard 653, (applicable editions IBR at time of testing).*

**Finding(s):**

49 CFR 195.307(d) Section 205.5 of the Manual indicates an incorrect reference to API Standard 653. The Manual indicates section 10.3 and the correct reference is 12.3.

21. **49 CFR §195.310 Records.**

(a) *A record must be made of each pressure test required by this subpart, and the record of the latest test must be retained as long as the facility tested is in use.*

(b) *The record required by paragraph (a) of this section must include:*

(1) *The pressure recording charts;*

(2) *Test instrument calibration data;*

(3) *The name of the operator, the name of the person responsible for making the test, and the name of the test company used, if any;*

(4) *The date and time of the test;*

- (5) *The minimum test pressure;*
- (6) *The test medium;*
- (7) *A description of the facility tested and the test apparatus;*
- (8) *An explanation of any pressure discontinuities, including test failures, that appear on the pressure recording charts;*
- (9) *Where elevation differences in the section under test exceed 100 feet (30 meters), a profile of the pipeline that shows the elevation and test sites over the entire length of the test section; and*
- (10) *Temperature of the test medium or pipe during the test period.*

**Finding(s):**

49 CFR §195.310(a) and (b) give specific requirements for pressure testing. The Manual does not cite specific Tidewater policy and/or procedure to comply with these regulations.

22. **49 CFR §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, lighting 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 is not necessary for the safety of a particular breakout tank.*

**Finding(s):**

49 CFR §195.405 requires specific procedures for protection against certain ignition sources. The Manual does not indicate how Tidewater complies with this regulation.

23. **49 CFR §195.428 Overpressure safety devices and overfill protection systems.**

- (c) *...Other aboveground breakout tanks with 600 gallons or more of storage capacity that are constructed or significantly altered after October 2000, must have an overfill protection system installed according to API Recommended Practice 2350.*

**Finding(s):**

49 CFR §195.428 applies if Tidewater significantly alters or repairs a regulated breakout tank. Tidewater needs to have a procedure in place to ensure the regulation is met in the event a repair is necessary.

24. **49 CFR §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 above ground breakout tank to ensure that operation and maintenance of the system are in accordance with API Recommended practice 651.*

**Finding(s):**

Tidewater's Manual references NACE RP0193-2001 not the API Standard 651. Additionally, the Manual does not reference a specific breakout tank cathodic protection survey procedure.

25. **49 CFR §195.577 What must I do to alleviate interference currents?**

- (a) *For pipelines exposed to stray currents, you must have a program to identify, test for, and minimize the detrimental effects of such currents.*

**Finding(s):**

Section 402.5(b) of the Manual states that interference currents will be checked for during routine Right-of-way inspections and during annual pipe-to-soil readings. However, TO-SRT-026 does not mention looking for possible interference issues as part of routine inspection. Also, TO-SRT-029 does not discuss an annual pipe-to-soil reading as part of the procedure, nor who performs it.

26. **WAC 480-75-620 Pressure testing reporting requirements**

*If a pipeline company uses pressure testing as part of an effort to increase the maximum operating pressure of the pipeline, the pipeline company must file a report with the commission at least forty-five days prior to pressure testing.*

**Finding(s):**

WAC 480-75-620 requires operators to file a report to the UTC 45 days prior to pressure testing. This requirement is not identified in the Manual or the written Tidewater Hydrostatic Test-DOT Piping Systems procedure TM-SRT-005.

27. **WAC 480-75-300 Leak detection.**

- (1) *Pipeline companies must rapidly locate leaks from their pipeline. Pipeline companies must provide leak detection under flow and no flow conditions.*

**Finding(s):**

WAC 480-75-620 requires operators be able to detect a leak under flow or no flow conditions. The Manual does not specify whether the leak detection system can detect a leak under no flow conditions.

28. **WAC 480-75-400 Backfill and bed requirements**

- (1) *When a pipeline company constructs a new pipeline or conducts maintenance on an existing pipeline, the backfill and bed must provide firm support for the pipeline such that neither the pipe nor the pipe coating is damaged by the backfill material or by subsequent surface activities.*
- (2) *If the backfill material contains rocks or hard lumps that could damage the pipeline coating, the pipeline company must take care to protect the pipe and the pipe coating from damage, such as using mechanical shield material.*

**Finding(s):**

WAC 480-75-400 has objective material requirements for bedding and backfill to ensure damage to the pipeline will not occur. However, Tidewater does not specify a material for acceptable backfill which would ensure the requirements of this regulation are met.

29. **WAC 480-75-660 Procedural manual for operations, maintenance, and emergencies.**

- (1) *Each pipeline company must prepare and follow a procedural manual that includes the following:*
  - (a) *Procedures required in 49 CFR Section 195.402;*
  - (b) *Procedures for responding to earthquakes, including a threshold for line shutoff, and procedures for integrity monitoring prior to restart; and*
  - (c) *Procedure for assessing the potential for impacts on the pipeline system due to landslides. Pipeline companies with facilities located within potential landslide areas must develop monitoring and remediation procedures for ensuring that pipeline integrity is maintained in these areas.*
- (2) *Each pipeline company shall submit a copy of its current procedural manual to the commission and must submit any revisions to the procedural manual to the commission within thirty days of the procedural manual change. A new pipeline company must submit its procedural manual no later than sixty days prior to startup.*

**Finding(s):**

WAC 480-75-660 has been revised. Please ensure the Manual is updated as necessary to conform to new regulations and any subsequent changes to Tidewater O&M policies and procedures.

**The following finding is for information only. It addresses an upcoming change in the regulations, a change in the referenced standard or addresses an operational concern.**

1. **49 CFR §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)*

**Finding(s):**

There is a new NACE reference for this section. The Manual should be updated as necessary to conform to new referenced standard and subsequent changes to Tidewater O&M policies and procedures.