



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

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

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**RECEIVED**

December 14, 2007

DEC 18 2007

WASH. UT. & TP. COMM

Mr. David Lykken  
Acting Pipeline Safety Director  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive SW  
PO Box 47250  
Olympia, WA 98504-7250

Dear Mr. Lykken:

Between August 13-17, 2007 and August 27-31, 2007, I evaluated the Pipeline Safety Program administered by the Washington Utilities and Transportation Commission (WUTC) from January 1 through December 31, 2006. During this on-site evaluation, I validated information submitted on the Pipeline Safety Compliance Program as part of the WUTC's Annual Certification under Section 60105(a), Title 49, United States Code. In addition, Mr. Jerry Kenerson from PHMSA observed your inspector, Mr. Joe Subsits, as the WUTC's lead inspector conducting a standard inspection of BP Pipelines (North America), Inc. in Bellingham, Washington and field activities near Ferndale, Washington. Thank you for the courtesies extended by you and your staff to Mr. Kenerson and myself.

Based on both the evaluation and the validation of Certification documents, I would like to bring the following items to your attention:

1. There was a discrepancy between the numbers of State compliance actions listed on Attachment 5 that were carried over from 2005 to 2006. However, even though you did not carry 4 of these compliance actions over from 2005 to 2006 on the Certification for Hazardous Liquids you did follow up on these 4 compliance actions and did clear them in 2006. On the Certification for Natural Gas you had 35 compliance actions for 2006 but should have carried over the full 56 compliance actions for Intrastate Compliance Actions.
2. You did not inspect units in accordance with time intervals established in your written procedures for your Hazardous Liquids units and your Natural Gas units. Per

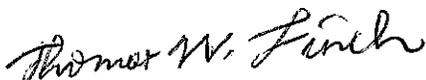
our discussion and your comments you were in the process of changing and are changing your time intervals in your procedures.

3. Verify that operators continue public education programs required under Part 192.616.
4. My review of your CY 2006 State Program Evaluation, Part A, Question A.12 for Natural Gas and Part A, Question A.14 for Hazardous Liquids indicates that the WUTC is making efforts to enroll your two new pipeline inspectors at PHMSA's Training and Qualifications (T&Q) Division for required training in a timely manner. Again I encourage you to maintain all pertinent documentation of your enrollment efforts with T&Q.

I appreciate the hospitality that you, Mr. Joe Subsits, and Ms. Patricia Johnson afforded to me while I was in Olympia, Washington and while our Mr. Jerry Kenerson was in Bellingham and Ferndale, Washington performing your annual Pipeline Safety Program office and field audit. In the last three years you have attained scores from a perfect 100% to an excellent 98% on my portion of your annual audits. This is a tremendous record that you and your Pipeline Safety Program have attained and this indicates that you have a solid Pipeline Safety Program in Washington State.

I would appreciate your comments on the items listed above within 45 days of your receipt of this letter. Thank you for your continuing efforts to maintain the Washington Pipeline Safety Program at such a high level and for your continuing cooperation concerning pipeline safety matters.

Sincerely,



Thomas W. Finch  
State Liaison, Western Region  
Pipeline and Hazardous Materials Safety Administration

Enclosure: 2006 Hazardous Liquid Program Evaluation Document  
2006 Natural Gas Program Evaluation Document

cc: PHP-50  
PHP-500 (T. Finch)