



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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*Sent via email*

September 27, 2023

Edward Luebke  
VP Pipeline Operations  
Seaport Sound Terminal, LLC  
4130 East 11<sup>th</sup> St  
Tacoma, WA 98421

**RE: 2023 Hazardous Liquid Control Management Plan Inspection – Seaport Sound Terminal, LLC – (Insp. No. 8632)**

Dear Mr. Luebke:

Staff from the Washington Utilities and Transportation Commission (staff) conducted a Control Room Management Plan inspection of Seaport Sound Terminal, LLC (Seaport) from August 28, 2023, to August 30, 2023. This inspection included a records review and inspection of the pipeline facilities. Our inspection indicates two probable violations as noted in the enclosed report.

**Your response is needed.**

Please review the attached report and respond in writing by October 30, 2023. 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 represents 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 81.04.405](#); or
- Issue a complaint under [RCW 81.88.040](#), seeking monetary penalties, changes in the company's practices, or other relief authorized by law, and justified by the circumstances. Any pipeline company that violates any pipeline safety provision of any commission order, or any rule in this chapter including those rules adopted by reference, or chapter [81.88](#) RCW is subject to a civil penalty not to exceed \$239,142 for each violation for

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each day that the violation persists. The maximum civil penalty for a related series of violations is \$2,391,412; or

- Consider the matter resolved without further commission action.

We have not yet decided whether to pursue a penalty or complaint in this matter. Should the commission decide to assess a penalty or initiate a complaint, your company will have an opportunity to respond and formally present its position.

If you have any questions or if we may be of any assistance, please contact Derek Norwood at (360) 259-2525. Please refer to the subject matter described above in any future correspondence pertaining to this inspection.

Sincerely,

Scott Rukke  
Pipeline Safety Director

cc: Ted Lilyblade, Terminal Manager, Seaport  
Robert Cohee, Pipeline Supervisor, Seaport  
Mathew Kolata, Environment, Health & Safety Specialist, Seaport

**UTILITIES AND TRANSPORTATION COMMISSION**  
**2023 Hazardous Liquid Control Management Plan Inspection**  
**Seaport Sound Terminal, LLC (Insp. No. 8632)**

The following probable violations of Title 49 CFR Part 195 were noted as a result of the 2023 inspection of Seaport Sound Terminal, LLC. The inspection included a review of records, procedures and field observations related to the control room at Seaport Sound Terminal.

**PROBABLE VIOLATIONS**

1. **49 CFR §195.446(a) Control Room Management**

(a) *General. This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section.*

**Finding(s):**

The control management regulations require operators to have and *follow* written control room management procedures. Section 14 of Seaport's Control Room Management Plan (CRM Plan) outlines four items that shall be reviewed when completing the annual training program review. These include:

- a) Documentation of the training topics covered in the training sessions to ensure all required Roles and Responsibilities have been addressed and covered.
- b) Abnormal Operations Logs and associated documentation to ensure controllers properly implement the abnormal operating procedures.
- c) Incident Investigation Reports to determine lessons learned and that controllers properly implement emergency procedures.
- d) Interviews of controllers for their suggestions to improve the training program.

Of these four items, Seaport provided records for review of Abnormal Operations Logs (Item B). There were no incident investigation reports (Item C) to review but Seaport should have completed and kept records for review of Items A and D. Based on the records provided, Seaport has not completed the annual training program review.

2. **49 CFR §195.446(h)(6) 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. In addition, the training program must include the following elements:*

- (6) *Control room team training and exercises that include both controllers and other individuals, defined by the operator, who would reasonably be expected to operationally collaborate with controllers (control room personnel) during normal, abnormal or emergency situations. Operators must comply with the team training requirements under this paragraph no later than January 23, 2018.*

**Finding(s):**

Seaport does not have a process to include team training and exercises as part of the controller training program. They were able to provide examples of team exercises that were completed but there is no formal process outlining frequency, personnel and methods of team training and exercises. As required by 49 CFR 195.446(h)(6), Seaport must develop a program to include team training and exercises into their controller training program and ensure all appropriate personnel are included. The program should include frequency, methods and documentation requirements.