

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 16, 2015

Mr. Robert Neufeld  
Vice President  
Environmental and Governmental Affairs  
Wyoming Pipeline Company  
1600 Broadway, Suite 2300  
Denver, CO 80202

**CPF 5-2015-6007W**

Dear Mr. Neufeld:

On August 25, 2015, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected your Crude Oil pipeline system near Newcastle, Wyoming.

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 items inspected and the probable violation is:

**1. §195.54 Accident reports.**

**(a) Each operator that experiences an accident that is required to be reported under § 195.50 must, as soon as practicable, but not later than 30 days after discovery of the accident, file an accident report on DOT Form 7000-1.**

Per Wyoming Pipeline Company's (WPC) "Spill Reports", there were 79 releases between

January 6, 2009 and August 24, 2015 on DOT-jurisdictional segments of their crude oil system. These releases were five (5) gallons or more that were not identified as a maintenance activity exempted from reporting by §195.50(b). Contrary to the requirements of §§195.54(a) and (b), WPC submitted only one (1) 30-day report for a release that was occurred on August 24, 2015. Meanwhile, additional 78 releases that are required to be reported under §195.50 have not been submitted as required by §195.54(a).

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a related series of violations. Also, for LNG facilities, an additional penalty of not more than \$50,000 for each violation may be imposed. 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 Wyoming Pipeline 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 5-2015-6007W**. 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 C. Allen (#151022)