

January 31, 2022

**VIA ELECTRONIC MAIL TO: charlie.gates@calpine.com**

Mr. Charlie Gates  
Executive Vice President of Power Operations  
Fore River Energy Center  
9 Bridge Street  
Weymouth, Massachusetts 02191

**Re: CPF No. 1-2021-065-NOPV**

Dear Mr. Gates:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Eastern Region, this enforcement action will be closed. Service of the Final Order by e-mail is effective upon the date of transmission as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Robert Burrough, Director, Eastern Region, Office of Pipeline Safety, PHMSA  
Mr. Scott Vickers, Compliance Manager, CPN Pipeline Co., scott.vickers@calpine.com  
Mr. Charles Parnell, Plant Manager, FREC, charles.parnell@calpine.com  
Mr. Chris Delaney, Engineering and Compliance Manager, CPN Pipeline Co.,  
chris.delaney@calpine.com  
Mr. Lyle Fedje, Director, Pipeline Operations, CPN Pipeline Co., lyle.fedje@calpine.com  
Mr. David Lamoreaux, Calpine Regional Managing Counsel,  
david.lamoreaux@calpine.com

**CONFIRMATION OF RECEIPT REQUESTED**

**U.S. DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

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<b>In the Matter of</b>	)		
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<b>Fore River Energy Center,</b>	)	<b>CPF No. 1-2021-065-NOPV</b>	
	)		
<b>Respondent.</b>	)		
	)		

**FINAL ORDER**

On December 10, 2021, pursuant to 49 C.F.R. § 190.207, the Director, Eastern Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation and Proposed Compliance Order (Notice) to Fore River Energy Center (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195. The Notice also proposed certain measures to correct the violations. Respondent did not contest the allegations of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulation listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.402(a) (**Item 2**) — Respondent failed to follow its training procedure regarding training and knowledge verification of its supervisors.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

**Compliance Actions**

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violation. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

**Warning Items**

With respect to Items 1, 3, and 4, the Notice alleged probable violations of 49 C.F.R. §§ 195.402(a), 195.402(c)(13), and 195.577(a), respectively, but did not propose a civil penalty or compliance order for these items. Therefore, these are considered to be warning items. If OPS finds a violation of any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

January 31, 2022

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued