

October 14, 2021

**VIA ELECTRONIC MAIL TO: jschmidt@usoil.com**

John Schmidt  
President & Chief Executive Officer  
U.S. Venture, Inc.  
425 Better Way  
Appleton, Wisconsin 54915

**Re: CPF No. 3-2021-036-NOPV**

Dear Mr. Schmidt:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and assesses a civil penalty of \$81,900. When the civil penalty has been paid, 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. Gregory Ochs, Director, Central Region, Office of Pipeline Safety, PHMSA  
Ms. Melodie Briggs, Compliance Manager, U.S. Venture, Inc., mbriggs@usoil.com  
Mr. Eric Kessenich, President, U.S. Oil, U.S. Venture, Inc., ekessenich@usoil.com  
Mr. Dan Morrill, Vice President, Terminal Operations, U.S. Venture, Inc.,  
dmorrill@usoil.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>	)	
	)	
<b>U.S. Venture, Inc.,</b>	)	<b>CPF No. 3-2021-036-NOPV</b>
	)	
<b>Respondent.</b>	)	
	)	

**FINAL ORDER**

On August 25, 2021, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to U.S. Venture, Inc. (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195 and proposed a civil penalty of \$81,900. Respondent did not contest the allegation of violation or the proposed civil penalty.

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. § 195.505(b) (**Item 1**) — Respondent failed to identify covered tasks and to qualify seven terminal technicians responsible for performing monthly rectifier readings and/or rectifier calibrations until late October 2020.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent. In accordance with 49 C.F.R. § 190.223, Respondent is assessed a civil penalty amount of **\$81,900**.

Payment of the civil penalty must be made within 20 days of service. Federal regulations (49 C.F.R. § 89.21(b)(3)) require such payment to be made by wire transfer through the Federal Reserve Communications System (Fedwire), to the account of the U.S. Treasury. Detailed instructions are contained in the enclosure. Questions concerning wire transfers should be directed to: Financial Operations Division (AMK-325), Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 S MacArthur Blvd, Oklahoma City, Oklahoma 79169. The Financial Operations Division telephone number is (405) 954-8845.

Failure to pay the \$81,900 civil penalty will result in accrual of interest at the current annual rate in accordance with 31 U.S.C. § 3717, 31 C.F.R. § 901.9 and 49 C.F.R. § 89.23. Pursuant to

those same authorities, a late penalty charge of six percent (6%) per annum will be charged if payment is not made within 110 days of service. Furthermore, failure to pay the civil penalty may result in referral of the matter to the Attorney General for appropriate action in a district court of the United States.

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

October 14, 2021

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued