

WARNING LETTER

VIA ELECTRONIC MAIL TO: chris.shorokey@monroe-energy.com

January 28, 2022

Ms. Christine Shorokey
Vice President and General Manager
MIPC LLC
920 Cherry Tree Road
Aston, PA 19014

CPF 1-2022-008-WL

Dear Ms. Shorokey:

From April 6, 2021 through August 30, 2021, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected MIPC LLC's (MIPC) pipeline system located in Gloucester County, New Jersey, Philadelphia County, Pennsylvania and Delaware County, Pennsylvania.

As a result of the inspection, it is alleged that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item inspected and the probable violation is:

1. § 195.420 Valve maintenance.

(a) ...

(b) Each operator shall, at intervals not exceeding 7 1/2 months, but at least twice each calendar year, inspect each mainline valve to determine that it is functioning properly.

MIPC failed to inspect each of its mainline valves at intervals not exceeding 7 1/2 months, but at least twice each calendar year, to determine they are functioning properly. Specifically, MIPC failed to inspect 3 mainline valves on its 1.7 mile, 8" pipeline ID #PB0608PS between 2019 and 2021.

During the inspection, PHMSA reviewed *MIPC's Idled or Abandoned Pipelines Procedure, date May 2020* (Idle Procedure). The Idle Procedure Section 3.3 stated, "All regulations and Company

Policies shall continue to be followed on idle pipelines. This includes but is not limited to: Mainline valve inspections”

PHMSA also requested mainline valve records for 2019 through 2021. MIPC indicated that it did not have any records due to the line being idled. When the PHMSA inspector requested further information, MIPC was unable to provide a response.

Therefore, MIPC failed to, at intervals not exceeding 7 ½ months, but at least twice each calendar year, inspect each mainline valve to determine that it is functioning properly, as required by § 195.420(b).

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022.

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 MIPC LLC 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 1-2022-008-WL**. 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,

Robert Burrough
Director, Eastern Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration