



U.S. Department  
of Transportation

Pipeline and Hazardous Materials  
Safety Administration

901 Locust Street, Suite 462  
Kansas City, Missouri 64106-2641

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 11, 2017

Mr. David Minielly  
Vice President of Operations  
White Cliffs Pipeline, LLC  
6120 S. Yale Ave.  
Suite 1500  
Tulsa, Oklahoma 74136

**CPF 3-2017-5004W**

Dear Mr. Minielly:

On October 3rd – 14th, 2016, representatives of the Central Region office of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your records and facilities at your offices in Colorado, Kansas, and Oklahoma.

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(s) are:

**1. §195.404 Maps and records.**

- (a) Each operator shall maintain current maps and records of its pipeline systems that include at least the following information:**
- (c) Each operator shall maintain the following records for the periods specified:**
- (3) A record of each inspection and test required by this subpart shall be maintained for at least 2 years or until the next inspection or test is performed, whichever is longer.**

White Cliffs Pipeline did not document the effectiveness review of the procedures controlling abnormal operations and did not document the corrective actions taken where deficiencies were found. White Cliffs typically completes the review after each abnormal operation occurs and takes the necessary corrective actions, but the required documentation was not completed.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$205,638 per violation per day the violation persists up to a maximum of \$2,056,380 for a related series of violations. For violation occurring between January 4, 2012 to August 1, 2016, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$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. 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(s) identified in this letter. Failure to do so will result in White Cliffs Pipeline, 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 3-2017-5004W**. 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,



Allan C. Beshore  
Director, Central Region, OPS  
Pipeline and Hazardous Materials Safety Administration