

January 4, 2021

VIA ELECTRONIC MAIL TO: lbullock@mvpurchasing.com

Mr. Lee Bullock
President
KPC Pipeline, LLC
8301 E 21st Street, Suite 370
Wichita, Kansas 67206

Re: CPF 3-2020-001-NOPV

Dear Mr. Bullock:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings 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, Central Region, this enforcement action will be closed. Service of the Final Order by electronic 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
Mr. Rob Kitterman, Vice President, KPC Pipeline, LLC, rkitterman@mvpipelines.com
Mr. Adam Cowart, Manager of EHS, KPC Pipeline, LLC, acowart@mvpipelines.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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In the Matter of)		
)		
KPC Pipeline, LLC,)	CPF No. 3-2020-001-NOPV	
)		
Respondent.)		
)		

FINAL ORDER

On November 2, 2020, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation and Proposed Compliance Order (Notice) to KPC Pipeline, LLC (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Parts 191 and 192. 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 regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 191.17(a) (**Item 1**) — Respondent failed to report a leak that occurred on its P70 pipeline in April 2019 on the annual report for calendar year 2019 that was submitted to PHMSA;

49 C.F.R. § 192.167(a)(4) (**Item 2**) — Respondent failed to have an emergency shutdown device located near an exit gate and out of the gas area of the station;
and

49 C.F.R. § 192.709(c) (**Item 4**) — Respondent failed to maintain records validating the maximum allowable operating pressure, per the requirements § 192.619, for multiple pipeline segments.

These findings of violation will be considered prior offenses 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 violations. 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 3, 5, 6, and 7, the Notice alleged probable violations of 49 C.F.R. §§ 192.227(a), 192.709(c), 192.917(c), and 192.947(d), 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 4, 2021

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued