

December 10, 2020

**VIA ELECTRONIC MAIL TO: chuck.magro@nutrien.com**

Mr. Chuck Magro  
President and Chief Executive Officer  
Nutrien, Ltd.  
13131 Lake Fraser Drive SE  
Calgary Alberta  
Canada T2J 7E8

**Re: CPF No. 3-2020-6001**

Dear Mr. Magro:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation, and finds that the civil penalty amount of \$19,000 has been paid in full. This case is now 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. Matthew Haskin, Director - Terminals, Nutrien, Ltd., matthew.haskin@nutrien.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** )

**Nutrien, Ltd.,** )

**Respondent.** )  
\_\_\_\_\_ )

**CPF No. 3-2020-6001**

**FINAL ORDER**

On October 15, 2020, 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 Nutrien, Ltd.<sup>1</sup> (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 \$19,000. Respondent did not contest the allegations of violation and paid the proposed civil penalty on November 9, 2020.

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. § 195.64 (**Item 2**) — Respondent failed to obtain an Operator Identification Number from PHMSA until five years after its pipeline system had been in operation.

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 the proposed civil penalty amount of \$19,000, which Respondent has already paid in full.

**WARNING ITEMS**

With respect to Items 1 and 3, the Notice alleged probable violations of 49 C.F.R. §§ 195.49 and 195.402, respectively, but did not propose a civil penalty or compliance order for these

<sup>1</sup> The PHMSA Operator Identification Number identifies the operator as Agrium US, Inc. In January 2018, Agrium, Inc., and Potash Corporation of Saskatchewan, Inc., merged to form Nutrien, Ltd. *See* [https://www.nutrien.com/sites/default/files/uploads/2020-03/Nutrien\\_2019\\_Annual\\_Report\\_Enhanced.pdf](https://www.nutrien.com/sites/default/files/uploads/2020-03/Nutrien_2019_Annual_Report_Enhanced.pdf) (last accessed December 1, 2020).

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.

December 10, 2020

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued