



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

12300 W. Dakota Ave., Suite 110
Lakewood, CO 80228

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 8, 2014

Mr. Gary Buchler
TransColorado Pipeline Co.
1001 Louisiana Street, Suite 1000
Houston, TX 77002

CPF 5-2014-1004

Dear Mr. Buchler:

On April 7-11, 2014, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code, inspected the records for the TransColorado Pipeline, South Unit in Grand Junction, Colorado.

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 item inspected and the probable violation is:

1. §192.731 Compressor stations: Inspection and testing of relief devices.

(a) Except for rupture discs, each pressure relieving device in a compressor station must be inspected and tested in accordance with §§192.739 and 192.743, and must be operated periodically to determine that it opens at the correct set pressure.

TransColorado failed to inspect and test relief valves in accordance with §192.739. Section §192.739(a) requires that they be inspected and tested at intervals not exceeding 15 months, but at least once per calendar year. TransColorado's records, which are required by §192.603(b), indicated that the annual inspection and testing was not performed within the required time interval referenced in §192.739(a). The Blanco Compressor Station, Relief Valve Summary Report for Relief Valve, 1029-2927-RVO, during the years 2012 and 2013 show that the valve was inspected and tested on August 15, 2012 and December 18, 2013. Furthermore, TransColorado has received Warning Letters in 2009 (CPF 5-2009-0010W) and 2012 (CPF 5-2012-1002W) for exceeding inspection intervals of relief devices on their pipeline system. The fifteen month maximum time interval between test dates was exceeded again by one (1) month and three (3) days.

Proposed Civil Penalty

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$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. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation(s) and has recommended that you be preliminarily assessed a civil penalty of \$33,100.00 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$33,100.00

Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. All material submit in response to this enforcement action may be 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the

allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

In your correspondence on this matter, please refer to **CPF 5-2014-1004** and for each document you submit, please provide a copy in electronic format to PHP-WRADMIN@dot.gov , whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Hoidal". The signature is fluid and cursive, with a large initial "C" and "H".

Chris Hoidal
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*

cc: PHP-60 Compliance Registry
PHP-500 D. Hubbard (#146147)