

WARNING LETTER

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

September 5, 2017

Mr. Jeff Rust
Vice President of Operations
WBI Energy Transmission, Inc.
1250 West Century Ave.
Bismarck, ND 58503

CPF 5-2017-1011W

Dear Mr. Rust:

On April 10 through 14, 2017, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected the WBI Energy Transmission, Inc. (WBI) operating records at the WBI office in Glendive, Montana.

As a result of the inspection, it is alleged that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

1. **§192.739 Pressure limiting and regulating stations: Inspection and testing.**
 - (a) **Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is—**
 - (1) **In good mechanical condition;**
 - (2) **Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed.**

WBI did not inspect and test each pressure relief device to determine that it was in good mechanical condition, and was adequate from the standpoint of capacity and reliability of operation for the service in which it was employed at intervals not exceeding 15 months, but at least once each calendar year. At the time of the PHMSA inspection, the following facilities have a total of four (4) pressure safety devices which were not inspected and tested between 2013 and 2014:

- The Golva Compressor Station Unit #1 Relief Valve 2013 operational inspection was conducted on May 09, 2013. The 2014 operational inspection was due not later than August 09, 2014 but not completed until August 25, 2014 being 16 days late.
- The Golva Compressor Station Unit #2 Relief Valve 2013 operational inspection was conducted on May 09, 2013. The 2014 operational inspection was due not later than August 09, 2014 but not completed until August 25, 2014 being 16 days late.
- The Lovell Compressor Station Unit #1 Relief Valve 2013 capacity review was conducted on April 18, 2013. The 2014 operational inspection was due not later than July 18, 2014 but not completed until August 18, 2014 being 30 days late.
- The Lovell Compressor Station Unit #2 Relief Valve 2013 capacity review was conducted on April 18, 2013. The 2014 operational inspection was due not later than July 18, 2014 but not completed until August 18, 2014 being 30 days late.

2. §192.743 Pressure limiting and regulating stations: Capacity of relief devices. (a) Pressure relief devices at pressure limiting stations and pressure regulating stations must have sufficient capacity to protect the facilities to which they are connected. Except as provided in §192.739(b), the capacity must be consistent with the pressure limits of §192.201(a). This capacity must be determined at intervals not exceeding 15 months, but at least once each calendar year, by testing the devices in place or by review and calculations.

WBI did not review and calculate each pressure relief device to determine that it was sufficient capacity to protect the facilities to which they are connected and was determined at intervals not exceeding 15 months, but at least once each calendar year. At the time of the PHMSA inspection, the following facility have a total of two (2) pressure safety devices which were not reviewed and calculated between 2013 and 2014:

- The Golva Compressor Station Unit #1 Relief Valve 2013 capacity review was conducted on May 17, 2013. The 2014 capacity review was due not later than August 17, 2014 but not completed until September 12, 2014 being 26 days late.
- The Golva Compressor Station Unit #2 Relief Valve 2013 capacity review was conducted on May 17, 2013. The 2014 capacity review was due not later than August 17, 2014 but not completed until September 12, 2014 being 26 days late.

The operations procedure of completing the relief valve inspections in the field and then sending the relief valve inspection report including verification that operating parameters have

not changed to the Glendive office where the valve relieving capacity sufficiency is verified creates potential problems. If the field inspection is late the relieving capacity verification will by default also be late. Also, if the field inspection is conducted very close to the inspection due date, the inspection date may be within compliance but by the time the inspection results are reviewed in Glendive, the relieving capacity sufficiency verification will be late. Two of the six noted probable violations are the result of the Golva Station relief valve inspection simply being late. The other four probable violation involve verification that the respective relief valve relieving capacities are sufficient. These four probable violations in part or wholly the result in the delay between the field inspection and records being available in the Glendive office.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$209,002 per violation per day the violation persists up to a maximum of \$2,090,022 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 WBI Energy Transmission, Inc. 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 **5-2017-1011W**. 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,

Huy Nguyen
Acting Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry
PHP-500 B. Brown (#155458)