

## WARNING LETTER

### **CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

November 2, 2017

Mr. Drew Chambers  
Chief Executive Officer  
Discovery DJ Pipeline LLC  
7859 Walnut Hill Lane, Suite 335  
Dallas, TX 75230

**CPF 5-2017-6032W**

Dear Mr. Chambers:

On September 8, 2017, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, conducted a field construction inspection of Discovery DJ Pipeline LLC in your facility located at 560 N. 7th Ave, Brighton, Colorado 80601.

As a result of the visit, it is alleged that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item inspected and the probable violation is:

1. **§195.64 National Registry of Pipeline and LNG Operators.**
  - (c) **Changes.** Each operator must notify PHMSA electronically through the National Registry of Pipeline and LNG Operators at <http://opsweb.phmsa.dot.gov>, of certain events.
    - (1) **An operator must notify PHMSA of any of the following events not later than 60 days before the event occurs:**
      - (ii) **Construction of 10 or more miles of a new or replacement hazardous liquid or carbon dioxide pipeline.**

During the visit, it became evident that Discovery DJ Pipeline LLC owns and operates Discovery 12-inch Winchester Pipeline, and has started construction of the proposed 17.42-mile pipeline. PHMSA was notified of an OPID request on July 24, 2017. Construction notification was made on August 26, 2017. The weld logs indicated a start date of July 27, 2017.

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 identified in this letter. Failure to do so will result in Discovery DJ 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 5-2017-6032W**. 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 G. Ajiboye (#156658)  
Mr. Jordan Cory, President & COO, 7859 Walnut Hill Lane, Suite 335 Dallas, TX  
75230