

JUN 17 2019



P.O Box 51661 Casper, WY 82605 Phone: (307) 472-7275

Mr. Dustin Hubbard  
Director, Western Region  
12300 West Dakota Ave., Ste 110  
Lakewood, CO 80228

Dear Mr. Hubbard,

In regard to the Final Order 5-2018-6004, GP Energy Assets, LLC respectfully submit a Petition for Reconsideration of the above referenced case.

The Final Order references that on August 1, 2018, interest in the legal entity Bridger Swan Ranch, LLC (OPID# 39046) was purchased by "The Granite Peak Group". To provide clarification on this statement, "Granite Peak Group" is not a legal business entity. The correct legal business entity responsible for the purchase of ownership interest in Bridger Swan Ranch, LLC is GP Energy Assets, LLC. We request all future correspondence to Bridger Swan Ranch, LLC be addressed as follows:

1. Joshua Jamison, Managing Member
  - a. Phone: 307-472-7275
2. Paul Saffell, COO
  - a. Phone: 904-631-4714
3. John Russell, General Manager, Bridger Swan Ranch, LLC.
  - a. Phone: 307-441-4189
  - b. Physical Office: 5648 Berwick Dr., Cheyenne, WY 82007
4. Corporate Mailing address: PO Box 51661, Casper, WY 82605
5. Corporate Physical address: 2291 Renauna Ave., Casper, WY 82601
6. Facility address: 4900 West Wallick Road, Cheyenne, WY 82007

Further information regarding the specific business entities and structure of Granite Peak is available upon request.

Our executive management met with Ms. Kim West on Thursday September 20<sup>th</sup>, 2018, to provide details related to the nature of the ownership and management changes that took place. It was understood from that meeting that consideration would be given in light of the ownership changes and the ongoing efforts to bring the Bridger Swan Ranch facility into compliance.

On October 23, 2018, Bridger Swan Ranch, LLC sent a response letter, included as an attachment to this communication, detailing the new facility owner's commitment and the



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specific measures being implemented to bring the facility into compliance. It was not evident that these efforts had any bearing on the Final Order.

Additionally, we would like to bring to your attention to a matter concerning the alleged violation regarding cathodic protection rectifier electrical check records (Item 11 in the

Final Order – Findings of Violation). The finding alleged that a violation occurred with respect to 49 CFR §195.573 (c), which applies to rectifiers on cathodic protected pipe. The pipeline segments in question are protected by a passive anode system and no impressed current system (i.e. cathodic protection) is in use. As such, there are no rectifiers in place that would require electrical checks as provided in 49 CFR §195.573 (c). For this reason, it is not possible for a violation of 49 CFR §195.573 (c) to have occurred.

Regular checks as to the adequacy of the passive anode system were made and documentation was provided to PHMSA at the time of the inspection and the response to the letter of corrective action. Additionally, results of a close interval survey on the two pipeline segments were provided to PHMSA at the time of the inspection.

The electrical check records provided to PHMSA were associated with the cathodic protection rectifiers for the facility tanks, which are covered under §195.573 (d). Given the tanks' secondary containment berm capacity, it is not reasonable to assume that a product breach due to corrosion related failure on the bottom of the tanks would exit the facility.

The alleged violation of 49 CFR §195.573 (c) cited in the Final Order does not apply to the cathodic protection system on the facility tankage, and that because no cathodic protection system with rectifiers exists for the pipeline segments, no violation of 49 CFR §195.573 (c) could have occurred. We request that the \$47,800 penalty assessed for this alleged violation be rescinded considering this information.

Please find below a list of attachments and documentation as per the PHMSA requests contained in the Final Order:

1. Updated Integrity Management Plan to include the 2 pipeline segments as lines that could affect an HCA.
2. Updated Emergency Response Management plan and PHMSA approval letter of plan document.
3. Block valve inspection records for 2017 & 2018.
4. Current right-of-way inspection records. Bridger Swan Ranch, LLC now contracts aerial inspection services through a 3<sup>rd</sup> party.



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Additionally, as evidence of our commitment to maintain regulatory compliance, we are in the process of implementing the following efforts:

1. Bridger Swan Ranch, LLC Public Awareness Program, which can be made available to PHMSA upon request. This program has been developed in accordance with API 1162.
2. Bridger Swan Ranch, LLC Compliance Calendar. This program has been developed to ensure that all regulatory compliance requirements are completed at the required frequencies and by the required dates prescribed in the applicable regulations.

Through our completed corrective action measures and our implementation of a rigid compliance assurance program, it is our hope that PHMSA realizes our management team, along with our operations personnel, are fully committed to operating this facility in compliance with the applicable laws, rules, and regulations.

In consideration of the information provided with this letter, the measures we have undertaken to bring the facility into full compliance, and the compliance assurance measures we have implemented to eliminate the potential for future noncompliance, we humbly request that PHMSA reconsider and rescind the assessed penalties for past noncompliance at the facility.

We thank you for the opportunity to provide this response. Should you have any questions, please contact us at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JJ', is placed over a black rectangular background.

Joshua Jamison  
Managing Member