

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 25, 2019

Mr. Dean Christensen  
President  
Dead Horse Oil Company, LLC  
4880 Three Fountains, Apt. 139  
Murray, Utah 84107-5069

**CPF 5-2019-0024W**

Dear Mr. Christensen:

On May 9, 2019, Pacific Energy and Mining Company (PEMC) submitted the Operator Registry Notification Form PHMSA F 1000.2 (Notification) to our office. The Notification reported the ceasing of PEMC operatorship, effective on May 14, 2019, of approximately 21 miles of 16-inch diameter gas transmission pipeline located in Grand County, Utah.

As a result of the review of the Notification, it is alleged that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The probable violation is:

**1. §191.22 National Registry of Pipeline and LNG Operators.**

**(a) *OPID request.* Effective January 1, 2012, each operator of a gas pipeline, gas pipeline facility, underground natural gas storage facility, LNG plant or LNG facility must obtain from PHMSA an Operator Identification Number (OPID). An OPID is assigned to an operator for the pipeline or pipeline system for which the operator has primary responsibility. To obtain an OPID, an operator must complete an OPID Assignment Request DOT Form PHMSA F 1000.1 through the National Registry of Pipeline, Underground Natural Gas Storage Facility, and LNG Operators in accordance with §191.7.**

As the new owner/operator of the approximately 21 miles of 16-inch diameter gas transmission pipeline located in Grand County, Utah, Dead Horse Oil Company, LLC should have obtained from PHMSA an Operator Identification Number (OPID).

In order to obtain an assigned OPID, the new operator must request an OPID and provide company information at <https://portal.phmsa.dot.gov/opidmgmt/faces/jsp/opidmgmt.jspx> or have your DOT Compliance Primary contact request access to the PHMSA Portal for OpID 40009 at <https://portal.phmsa.dot.gov/phmsapub/faces/EnrollmentV2.jspx>

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 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 items identified in this letter within seven (7) days after receipt of this letter. Failure to do so will result in Dead Horse Oil Company, 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 5-2019-0024W**. 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,

Dustin B. Hubbard  
Director, Western Region  
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry  
PHP-500 N. Cruz (#166775)  
Mr. Al Zadeh, Pipeline Safety Engineer, Utah Public Service Commission