

**VIA EMAIL TO: john@omegapartnersllc.com, kmurphy@omegapartnersllc.com, and lwright@omegapartnersllc.com**

Mr. John Niemi  
Member and Compliance Manager  
Omega Partners, LLC  
16647 Chesterfield Grove Road, Suite 200  
St. Louis, Missouri 63005

**Re: CPF No. 5-2019-6002**

Dear Mr. Niemi:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation against your subsidiary, OP Reno, LLC, and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Western Region, this enforcement action will be closed. Service of the Final Order by e-mail is effective upon the date of mailing as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Dustin Hubbard, Western Region, Director, Office of Pipeline Safety, PHMSA  
Mr. Kameron Murphy, General Counsel, OP Reno, LLC  
Mr. Larry Wright, Manager – Terminal Operations, OP Reno, LLC

**VIA EMAIL – CONFIRMATION OF RECEIPT REQUESTED**

**U.S. DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

<b>In the Matter of</b>	)	
	)	
<b>OP Reno, LLC,</b>	)	<b>CPF No. 5-2019-6002</b>
<b>a subsidiary of Omega Partners, LLC,</b>	)	
	)	
<b>Respondent.</b>	)	
	)	

**FINAL ORDER**

On September 18, 2019, pursuant to 49 C.F.R. § 190.207, the Director, Western Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to OP Reno, LLC (Respondent).<sup>1</sup> The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195. The Notice also proposed certain measures to correct the violations. Respondent did not contest the allegations of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.452(b)(1)(5) (**Item 1**) — Respondent failed develop, implement and follow a written integrity management program despite operating for more than 10 years.

49 C.F.R. § 195.440(a) (**Item 2**) — Respondent failed to develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's Recommended Practice 1162, as required by § 195.440(a).

49 C.F.R. § 195.505 (**Item 3**) — Respondent failed to have and follow a written qualification program.

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<sup>1</sup> OP Reno, LLC, is a subsidiary of Omega Partners, LLC. Omega Partners, LLC, website, *available at* <https://omegapartnersllc.com/> (last accessed March 10, 2020); Omega Partners III filing with Missouri Secretary of State, *available at* <https://bsd.sos.mo.gov/Common/CorrespondenceItemViewHandler.ashx?IsTIFF=true&filedDocumentid=4611165&version=1> (April 15, 2019).

49 C.F.R. § 195.402(c)(12) (**Item 4**) — Respondent failed to have a procedure for establishing and maintaining liaison with fire, police and other appropriate public officials.

49 C.F.R. § 195.402(e)(1) (**Item 5**) — Respondent failed to have a procedure for receiving, identifying, and classifying notices of events which need immediate response by the operator or notice to fire, police, or other appropriate public officials and communicating this information to appropriate operator personnel for corrective action.

49 C.F.R. § 195.403(a) (**Item 6**) — Respondent failed to establish and conduct a continuing training program to instruct emergency response personnel.

49 C.F.R. § 195.402(c)(3) (**Item 7**) — Respondent's Operations and Maintenance Procedure Manual (OM&E) manual does not contain certain procedures for operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of Subpart F and Subpart H.

49 C.F.R. § 195.434 (**Item 8**) — Respondent failed to have appropriate signage around the Sparks Terminal.

49 C.F.R. § 195.402(f) (**Item 9**) — Respondent's OM&E Procedure Manual does not contain instructions that would enable personnel performing operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the reporting requirements of § 195.55.

49 C.F.R. § 195.402(c)(3) (**Item 10**) — Respondent's OM&E Procedure Manual does not contain certain procedures for operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of Subpart F and Subpart H. Specifically, it does not contain procedures for the protection of pipelines against atmospheric corrosion pursuant to § 195.581, located in Subpart H.

49 C.F.R. § 195.402(c)(3) (**Item 11**) — Respondent's OM&E manual does not contain certain procedures for operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of Subpart F and Subpart H. Specifically, it does not contain procedures for the monitoring of pipelines against atmospheric corrosion pursuant to § 195.583, located in Subpart H.

49 C.F.R. § 195.402(c)(3) (**Item 12**) — Respondent's OM&E manual does not contain certain procedures for operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of Subpart F and Subpart H. Specifically, it does not contain procedures for monitoring and taking corrective action to correct any identified deficiency in corrosion control as required by § 195.573(e), located in Subpart H.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

### **COMPLIANCE ACTIONS**

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violations. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

April 7, 2020

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued