

August 5, 2022

VIA ELECTRONIC MAIL TO: jpbarley@scmidstream.com

Mr. J. Patrick Barley
Chief Executive Officer
SCM PR, LLC
909 Lake Carolyn Parkway, Suite 650
Irving, Texas 75039

Re: CPF No. 5-2022-021-NOPV

Dear Mr. Barley:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation and finds that the proposed actions to comply with the pipeline safety regulations have been completed. This case is now closed. Service of the Final Order by e-mail is effective upon the date of transmission and acknowledgement of receipt 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, Director, Western Region, Office of Pipeline Safety, PHMSA
Ms. Mary Patton, Regulatory Manager, Silver Creek Midstream Holdings, LLC,
mpatton@scmidstream.com

CONFIRMATION OF RECEIPT REQUESTED

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

)	
In the Matter of)	
)	
SCM PR, LLC,)	
a subsidiary of Silver Creek)	CPF No. 5-2022-021-NOPV
Midstream Holdings, LLC,)	
)	
Respondent.)	
)	

FINAL ORDER

On June 15, 2022, 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 SCM PR, LLC, a wholly-owned subsidiary of Silver Creek Midstream Holdings, LLC (Respondent). 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 regulation listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.446(e)(5) & (6) (**Item 2**) — Respondent failed to implement a written alarm management plan that included provisions to monitor the content and volume of the general activity of the controller to assure controllers have sufficient time to analyze and react to incoming alarms.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

Compliance Actions

The Director has indicated that Respondent completed the actions proposed in the Notice to correct the violation. Therefore, it is not necessary to include the proposed compliance terms in this Final Order.

Warning Items

With respect to Items 1 and 3, the Notice alleged probable violations of 49 C.F.R. §§ 195.446(e)(4) and 195.446(f)(1), respectively, but did not propose a civil penalty or compliance order for these items. Therefore, these are considered to be warning items. If OPS finds a violation of these provisions in a subsequent inspection, Respondent may be subject to future enforcement action.

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

August 5, 2022

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued