U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628
609.771.7800

OVERNIGHT EXPRESS DELIVERY

July 8, 2019

Steven Green
Sr. Vice President, Engineering & Construction
Blue Racer Midstream, LLC
5949 Sherry Lane, Suite 1300
Dallas, TX 75225

CPF 1-2017-5027

Dear Mr. Green:

On November 24, 2017, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued to Blue Racer Midstream, LLC (Blue Racer) a Notice of Probable Violation and Proposed Civil Penalty (Notice) on November 24, 2017. Blue Racer responded to the Notice on December 21, 2017, in which it contested the items in the Notice and requested a hearing. Subsequently, Blue Racer raised questions about the jurisdictional status and operating classification of the B2N pipeline in its pre-hearing brief filed on April 23, 2018. On May 1, 2018, the Notice was subsequently withdrawn to allow PHMSA sufficient time to gather and review additional data pertaining to the operating classifications of the B2N pipeline as it pertained to this case.

After further review of the classification issue, PHMSA has concluded that the B2N pipeline currently operates as a gathering line containing segments of non-regulated rural gathering pipeline, segments of regulated rural gathering pipeline subject to the specific safety requirements found in § 195.11(b), and segments of non-rural gathering pipeline subject to all requirements of 49 CFR Part 195. Specifically, these non-rural gathering pipeline segments of the B2N pipeline include a total of approximately 2660' of pipeline that pass through an Other Population Area (OPA) in and around the village of Clarington, Ohio.

Based on PHMSA's research and review of Blue Racer's jurisdictional documentation regarding the B2N Pipeline, PHMSA has decided to close this case. Thank you for your cooperation in this matter.

Sincerely,

Robert Burrough
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration