

June 6, 2021

VIA ELECTRONIC MAIL TO: jeff.ramsey@fhr.com

Mr. Jeff Ramsey
President and Chief Executive Officer
Flint Hills Resources, LLC
4111 E. 37th Street North
Wichita, Kansas 67220

Re: CPF No. 3-2021-032-NOPV

Dear Mr. Ramsey:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding 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 electronic mail is effective upon the date of transmission 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. Gregory Ochs, Director, Central Region, Office of Pipeline Safety, PHMSA
Ms. Kimberly A. Gerold, Manager, Pipeline Safety, Flint Hills Resources, LLC,
kim.gerold@fhr.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

Flint Hills Resources, LLC,

Respondent.

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CPF No. 3-2021-032-NOPV

FINAL ORDER

On April 26, 2021, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation and Proposed Compliance Order (Notice) to Flint Hills Resources (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part § 195.264(b)(1) and proposed certain measures to correct the violation. Respondent did not contest the allegation of violation or the 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. § 195.264(b)(1) (**Item 1**) — Respondent failed to install the tank impoundment drain valve in accordance with Section 22.11.2 of NFPA-30. Specifically, the drain valve for Tanks 12, 13, 14, and 15 was only operable from inside the diked area, despite Section 22.11.2 requiring drain valves to be operable from outside the diked area.

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 violations. Therefore, it is not necessary to include the proposed compliance terms in this Final Order.

WARNING ITEMS

With respect to Items 2, 3, 4, and 5, the Notice alleged probable violations of 49 C.F.R. §§ 195.430(c), 195.452(f)(3), 195.452(i)(1), and 195.589(c), 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 any of these items 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.

June 8, 2021

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued