

October 17, 2023

VIA ELECTRONIC MAIL TO: richard_prior@tcenergy.com

Richard Prior
President, Liquids Pipelines
TC Energy Corporation
700 Louisiana Street, Suite 700
Houston, Texas 77002

Re: CPF No. 3-2023-003-NOPV

Dear Mr. Prior:

Enclosed please find the Final Order issued in the above-referenced case to TC Oil Pipeline Operations Inc., a subsidiary of TC Energy Corporation. It makes a finding of violation and finds that the civil penalty amount of \$103,800 has been paid in full. 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. Gregory Ochs, Director, Central Region, Office of Pipeline Safety, PHMSA
Mr. Erik Hughes, Senior Manager, US Regulatory Compliance - Keystone, TC Energy,
erik_hughes@tcenergy.com
Mr. Jason Schulz, Director, Field Technical Services, Liquid Field Operations, TC Energy,
jason_schulz@tcenergy.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	)	
	)	
TC Oil Pipeline Operations Inc.,	)	CPF No. 3-2023-003-NOPV
a subsidiary of TC Energy Corp.,	)	
	)	
Respondent.	)	
	)	

FINAL ORDER

On August 15, 2023, pursuant to 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to TC Oil Pipeline Operations Inc. (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195 and proposed a civil penalty of \$103,800. Respondent did not contest the allegations of violation or the proposed civil penalty and paid the proposed civil penalty on September 26, 2023.

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. § 195.412(a) (**Item 1**) — Respondent failed to inspect the surface conditions on or adjacent to each pipeline right-of-way at intervals not exceeding three weeks, but at least 26 times each calendar year.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent. In accordance with 49 C.F.R. § 190.223, Respondent is assessed a total civil penalty of \$103,800, which Respondent has already paid in full.

Warning Item

With respect to Item 2, the Notice alleged a probable violation of 49 C.F.R. § 195.402(c)(3) but did not propose a civil penalty or compliance order for this item. Therefore, this is considered to be a warning item. If OPS finds a violation of this provision 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.

October 17, 2023

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued