

February 28, 2022

**VIA ELECTRONIC MAIL TO: fred.hampton@valero.com**

Mr. Fred Hampton  
Vice President  
Valero Partners Operating Co. LLC  
One Valero Way  
San Antonio, Texas 78249

**Re: CPF No. 4-2021-039-NOPV**

Dear Mr. Hampton:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation 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, Southwest Region, this enforcement action will be 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: Ms. Mary McDaniel, Director, Southwest Region, Office of Pipeline Safety, PHMSA  
Mr. Darin Banther, Manager – Regulatory Compliance, Valero Partners Operating Co. LLC,  
darin.banther@valero.com

**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>Valero Partners Operating Co. LLC,</b>	)	)	)	)	<b>CPF No. 4-2021-039-NOPV</b>
<b>Respondent.</b>	)	)	)	)	)

**FINAL ORDER**

On November 23, 2021, pursuant to 49 C.F.R. § 190.207, the Director, Southwest Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Valero Partners Operating Co. 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 regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.214(a) (**Item 1**) — Respondent failed to qualify its welding procedures to ensure welding would be performed by a qualified welder or welding operator in accordance with welding procedures qualified under Section 5, Section 12, Appendix A, or Appendix B of API Standard 1104, or Section IX of the ASME Boiler and Pressure Vessel Code.

49 C.F.R. § 195.420(b) (**Item 3**) — Respondent failed to inspect each mainline valve at intervals not exceeding 7 ½ months, but at least twice each calendar year, to determine that it is functioning properly.

49 C.F.R. § 195.583(b) (**Item 4**) — Respondent failed to give particular attention to pipe at soil-to-air interfaces, under thermal insulation, under disbonded coatings, at pipe supports, in splash zones, at deck penetrations, and in spans over water during atmospheric corrosion inspections.

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.

**Warning Item**

With respect to Item 2, the Notice alleged a probable violation of 49 C.F.R. § 195.402, but did not propose a civil penalty or compliance order for this item. Therefore, this is considered 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.

February 28, 2022

---

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

---

Date Issued