

WARNING LETTER

VIA E-MAIL TO MR. RICHARD PETERSEN

April 15, 2020

Mr. Richard Petersen
President
Front Range Pipeline, LLC
803 Highway 212 South
Laurel, MT 59044

CPF 5-2020-5004W

Dear Mr. Petersen:

On March 5, 2019, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), investigated the accident that occurred on March 4, 2019 at Judith Gap Pump Station, MP 218 near Judith Gap, Montana.

As a result of the inspection, it is alleged that you have committed Probable Violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violations are:

1. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) . . .

(c) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:

(1) . . .

(3) Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of this part.

There appears to be a lack of guidance for the inspection of Flange Bolt Torque requirements on mainline flanges of appurtenances. It is recommended that a written procedure for Flange Bolt Torque Inspections be added to the company's O&M Manual that includes at a minimum, identification of all flanges to be inspected, locations of each flange, manufacturer specifications to be followed during the inspection, and at what frequency inspections will occur.

2. §195.420 Valve Maintenance

(a) Each operator shall maintain each valve that is necessary for the safe operation of its pipeline systems in good working order at all times.

Front Range Pipeline (FRP) does not consider its check valves on the mainline to be "necessary for the safe operation of the pipeline" and therefore does not inspect them pursuant to 49 C.F.R. § 195.420. However, there is a mainline check valve at each pump station on the CHS Front Range Pipeline system. While FRP may not currently consider all of these valves to be "necessary" to operate its pipeline, the fact remains that the design and construction of the pipeline included these valves and FRP has elected not to remove them. These valves are strategically placed to insure the proper flow direction of fluid in the mainline when the pump station is operating. Therefore, it is PHMSA's opinion that these check valves are necessary for the safe operation of the pipeline. We recommend that, to the maximum extent practicable, mainline check valves be inspected and tested at the same frequency as the mainline gate valves. Where possible, we recommend that this be done during scheduled system shutdowns so Front Range Pipeline personnel can monitor pipeline pressure on the upstream and downstream sides of each check valve using the valve bypass piping. The results of this pressure monitoring will allow Front Range Pipeline to qualitatively assess the condition of their check valves, and determine the need for additional valve maintenance.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per

day, with a maximum penalty not to exceed \$2,000,000 for a related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the items identified in this letter. Failure to do so will result in Front Range Pipeline, LLC being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 5-2020-5004W**. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,

Dustin Hubbard
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry
PHP-500 A. Ceartin (#164709)
Michelle Slyder, Manager DOT Compliance CHS