

March 2, 2022

VIA ELECTRONIC MAIL TO: richard_adkerson@fmi.com

Mr. Richard C. Adkerson
President and Chief Executive Officer
Freeport-McMoRan Oil & Gas LLC
201 S. Broadway
Orcutt, California 93455

Re: CPF No. 5-2021-057-NOPV

Dear Mr. Adkerson:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding 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, Western Region, this enforcement action will be closed. Service of the Final Order by e-mail is effective upon the date of transmission and acknowledgment 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. Dustin Hubbard, Director, Western Region, Office of Pipeline Safety, PHMSA
Mr. Todd Cantrall, Vice President, Operations, Freeport-McMoRan Oil & Gas LLC,
todd_cantrall@fmi.com
Mr. David Rose, Director, Environmental Health & Safety, Freeport-McMoRan Oil & Gas
LLC, drose@fmi.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

Freeport-McMoRan Oil & Gas LLC,

Respondent.

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CPF No. 5-2021-057-NOPV

FINAL ORDER

On December 20, 2021, pursuant to 49 C.F.R. § 190.207, the Director, Western Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Freeport-McMoRan Oil & Gas LLC (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 192. The Notice also proposed certain measures to correct the alleged violation. Respondent did not contest the allegation of violation or corrective measures.

Based on a review of all 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. § 192.605(a) (**Item 1**) — Respondent failed to review and update its Emergency Response Plan manual at least once each calendar year, but at intervals not exceeding 15 months.

This finding of violation will be considered a prior offense 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 violation. 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.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R.
§ 190.5.

March 2, 2022

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued