

April 26, 2023

VIA ELECTRONIC MAIL TO: john.redmond@menziesaviation.com

Mr. John Redmond
Executive Vice President, Americas
Menzies Aviation
6000 DeHavilland Drive
Anchorage, Alaska 99502

Re: CPF No. 5-2023-012-NOPV

Dear Mr. Redmond:

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, Western 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: Mr. Dustin Hubbard, Director, Western Region, Office of Pipeline Safety, PHMSA
Mr. Marc McCafferty, Terminal and Pipeline Manager, Menzies Aviation,
marc.mccafferty@menziesaviation.com
Mr. Michael Farris, General Manager, Menzies Aviation,
michael.farris@menziesaviation.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

Menzies Aviation,

Respondent.

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CPF No. 5-2023-012-NOPV

FINAL ORDER

On March 1, 2023, pursuant to 49 C.F.R. § 190.207, the Director, Western Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation and Proposed Compliance Order (Notice) to Menzies Aviation (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. § 195.402(a) **(Item 1)** — Respondent failed to follow its procedural manual for operations, maintenance, and emergencies.

49 C.F.R. § 195.404(a)(1)(vii) **(Item 2)** — Respondent failed to maintain current maps and records for its pipeline system.

49 C.F.R. § 195.410(a)(2)(ii) **(Item 3)** — Respondent failed to maintain line markers over the buried pipeline.

49 C.F.R. § 195.420(b) **(Item 4)** — Respondent failed to inspect each valve at least twice each calendar year, at intervals not exceeding 7 ½ months, to determine that they functioned properly.

49 C.F.R. § 195.428(a) **(Item 5)** — Respondent failed to test each pressure valve to determine that it was functioning properly for the years 2020 and 2021.

49 C.F.R. § 195.446(c)(3) **(Item 6)** — Respondent failed to test and verify an internal communications plan to demonstrate adequate means for manual operation of the pipeline.

49 C.F.R. § 195.452(f)(7) **(Item 7)** — Respondent failed to demonstrate methods to measure the integrity management program's effectiveness.

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 the 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.

April 26, 2023

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued