

VIA ELECTRONIC MAIL TO: [REDACTED]@amplifyenergy.com

Martyn Willsher
President and Chief Executive Officer
Amplify Energy Corp.
111 Ocean Boulevard, Suite 1240
Long Beach, CA 90802

CPF No. 5-2021-054-CAO

Dear Mr. Willsher:

Enclosed please find a Corrective Action Order (CAO) issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), in the above-referenced case. It requires Beta Offshore (Respondent), a subsidiary of Amplify Energy Corp., to take certain corrective actions with respect to a rupture that occurred on the 16-inch San Pedro Bay Pipeline that failed offshore near the cities of Long Beach, and Huntington Beach, California.

Service of the CAO by electronic transmission is deemed complete upon transmission and acknowledgement of receipt, or as otherwise provided under 49 C.F.R. § 190.5. The terms and conditions of this Order are effective upon completion of service.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosure: CAO

cc: Ms. Linda Daugherty, Deputy Associate Administrator for Field Operations, OPS
Mr. Dustin Hubbard, Director, Western Region, OPS
Mr. Dan Steward, Vice President of Operations, Beta Offshore, via email at
[REDACTED]@amplifyenergy.com
Mr. Rick Armstrong, Pipeline & Marketing Manager, Beta Offshore, via email at
[REDACTED]@amplifyenergy.com

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

In the Matter of)	
)	
Beta Offshore,)	CPF No. 5-2021-054-CAO
a subsidiary of Amplify Energy, Corp.)	
)	
Respondent.)	
)	

CORRECTIVE ACTION ORDER

Purpose and Background

This Corrective Action Order (CAO or Order) is being issued under the authority of 49 U.S.C. § 60112 to require Beta Offshore (Respondent), a subsidiary of Amplify Energy, Corp.,¹ to take the necessary corrective actions to protect the public, property, and the environment from potential hazards associated with the October 2, 2021 rupture of its 16-inch hazardous liquid pipeline located off the coast of Southern California in San Pedro Bay (Accident).

At approximately 02:30 Pacific Daylight Time (PDT) on October 2, 2021, Beta Offshore’s 16-inch San Pedro Bay Pipeline ruptured, resulting in a release of crude oil into the San Pedro Bay, an inlet of the Pacific Ocean. Initial estimates indicated that the failed pipeline released approximately 700 barrels (BBLs) of crude oil, although the company estimates a maximum potential release of approximately 3,134 BBLs.² Prior to the rupture, the line was reported to be operating at approximately 300-400 pounds per square inch gauge (psig).

Beta Offshore reported that the pipeline was shut down at approximately 06:01 PDT on October 2, 2021. Diving crews and a remotely operated vehicle have been deployed to identify the exact location of the failure, which remains unknown. Federal, state, and local agencies responded to the scene, including the Pipeline and Hazardous Materials Safety Administration (PHMSA), the United States Coast Guard, the U.S. Department of Interior’s Bureau of Safety and Environmental Enforcement (BSEE), the National Transportation Safety Board (NTSB), the California

¹ Amplify Energy Corp. is an independent oil and natural gas company engaged in the production of oil and natural gas properties, with assets in Oklahoma, the Rockies, federal waters offshore in Southern California, East Texas / North Louisiana, and the Eagle Ford. See Amplify Energy Corp. website, *available at* www.amplifyenergy.com (last accessed Oct. 4, 2021).

² The company later reported that the amount released may be 588 BBLs.

Department of Fish and Wildlife (CDFW), the Los Angeles County Sheriff's Department, and the Huntington Beach Police Department.

Pursuant to 49 U.S.C. § 60117, PHMSA, Office of Pipeline Safety (OPS) initiated an investigation of the Accident. The preliminary findings of PHMSA's ongoing investigation are outlined below.

Preliminary Findings

- At approximately 02:30 PDT (05:30 Eastern Daylight Time (EDT)) on October 2, 2021, Beta Offshore's control room personnel received a low-pressure alarm on the San Pedro Bay Pipeline, indicating a possible failure.
- Beta Offshore reported the San Pedro Bay Pipeline was shut down at approximately 06:01 PDT (09:01 EDT) on October 2, 2021—over three hours later.
- At 12:07 EDT on October 2, 2021 (NRC Report No. 1318463), over six hours after the initial alarm and three hours after the company shut down the pipeline, Beta Offshore reported the Accident to the National Response Center (NRC) indicating there was a release of crude oil in the vicinity of its pipeline near Platform Elly. The U.S. Coast Guard submitted a second NRC report at 16:41 EDT on October 3, 2021 (NRC Report No. 1318540), reporting oiled marine life and dead fish. The U.S. Coast Guard submitted a third NRC report at 17:20 EDT on October 3, 2021 (NRC Report No. 1318543), reporting that the failure may have been caused by a crack in the pipeline.
- Various state and federal agencies responded to the scene, including the U.S. Coast Guard, BSEE, NTSB, PHMSA, CDFW, and local law enforcement. Private oil spill response organizations under contract with Beta Offshore are also responding.
- An oil sheen can be observed in the San Pedro Bay, an inlet of the Pacific Ocean, for approximately 13 miles. Local beaches have been closed. On October 3, 2021, CDFW's Office of Environmental Health Hazard Assessment issued a Declaration of Fisheries Closure Due to a Public Health Threat Caused by an Oil Spill into Marine Waters.
- Clean-up operations are underway. The Wildlife Branch of CDFW's Office of Spill Prevention and Response deployed two Oiled Wildlife Care Network Recovery Teams to monitor the shoreline to recover affected wildlife. The Bolsa Chica Restored Wetlands and Talbert Marsh were boomed to protect the shoreline. Additionally, protection strategies were deployed at Anaheim Bay, Lower Newport Bay, and the Santa Ana River.
- The San Pedro Bay Pipeline is approximately 17 miles in length, beginning offshore at Platform Elly and traveling onshore to the Beta Pump Station in the City of Long Beach, California. The offshore portion of the pipeline is approximately 15 miles in length and the onshore portion is approximately 2 miles in length.

- The San Pedro Bay Pipeline traverses a High Consequence Area (HCA) as defined in 49 C.F.R. § 195.450 and an ecologically unusually sensitive area as defined in § 195.6.
- The exact failure location remains unknown. Preliminary reports indicate that the failure location may be approximately 5 miles offshore at a depth of approximately 98 feet.
- The pipeline was installed in 1980. It has a 16-inch nominal diameter with 0.500-inch wall thickness for the offshore portion and 0.375-inch wall thickness for the onshore portion. The pipeline consists of X-42 grade pipe, and has a double-submerged arc-welded longitudinal seam. The pipe coating type is concrete. The onshore portion is cathodically-protected and the offshore portion has sacrificial anodes on the pipeline.
- The pipeline remains shut down and the operator is in the process of recovering product in the pipeline.
- Prior to the rupture, the San Pedro Bay Pipeline was reported to be operating at approximately 300-400 psig. The maximum operating pressure (MOP) of the San Pedro Bay Pipeline is 1152 psig.
- The root cause of the Accident remains unconfirmed at this time. Preliminary reports indicate that the failure may have been caused by an anchor that hooked the pipeline, causing a partial tear.

Determination of Necessity for Corrective Action Order and Right to Hearing

Section 60112 of Title 49, United States Code, authorizes PHMSA to determine that a pipeline facility is or would be hazardous to life, property, or the environment and if there is a likelihood of serious harm, to expeditiously order the operator of the facility to take necessary corrective action, including suspended or restricted use of the facility, physical inspection, testing, repair, replacement, or other appropriate action. An order issued expeditiously must provide an opportunity for a hearing as soon as practicable after the order is issued.

In deciding whether to issue an order, PHMSA must consider the following, if relevant: (1) the characteristics of the pipe and other equipment used in the pipeline facility, including the age, manufacture, physical properties, and method of manufacturing, constructing, or assembling the equipment; (2) the nature of the material the pipeline facility transports, the corrosive and deteriorative qualities of the material, the sequence in which the material are transported, and the pressure required for transporting the material; (3) the aspects of the area in which the pipeline facility is located, including climatic and geologic conditions and soil characteristics; (4) the proximity of the area in which the hazardous liquid pipeline facility is located to environmentally sensitive areas; (5) the population density and population and growth patterns of the area in which

the pipeline facility is located; (6) any recommendation of the National Transportation Safety Board made under another law; and (7) other factors PHMSA may consider appropriate.

After evaluating the foregoing preliminary findings of fact, and having considered the characteristics of the pipeline, including its location offshore, the hazardous nature of the material (crude oil) transported, the uncertainty as to the root cause(s) of the Accident, the uncertainty of the failure location, the sensitive environmental areas in the vicinity of the pipeline, the ongoing impacts to marine and wildlife, and risk of additional, related accidents, I find that continued operation of the pipeline without corrective measures is or would be hazardous to life, property, or the environment, and that failure to issue this Order expeditiously would result in the likelihood of serious harm.

Accordingly, this Corrective Action Order mandating immediate corrective action is issued without prior notice and opportunity for a hearing. The terms and conditions of this Order are effective upon receipt.

Within 10 days of receipt of this Order, Respondent may request a hearing, to be held as soon as practicable, by notifying the Associate Administrator for Pipeline Safety in writing, with a copy to the Director, Western Region, PHMSA (Director). If a hearing is requested, it will be held in accordance with 49 C.F.R. § 190.211.

After receiving and analyzing additional data in the course of this investigation, PHMSA may identify other corrective measures that need to be taken. Respondent will be notified of any additional measures required and, if appropriate, PHMSA will consider amending this Order. To the extent consistent with safety, Respondent will be afforded notice and an opportunity for a hearing prior to the imposition of any additional corrective measures.

Required Corrective Actions

Definitions:

Affected Pipeline – The “*Affected Pipeline*” means Beta Offshore’s entire San Pedro Bay Pipeline, which is approximately 17 miles long, beginning offshore at Platform Elly and ending onshore at the Beta Pump Station.

Pursuant to 49 U.S.C. § 60112, I hereby order Beta Offshore to immediately take the following corrective actions:

1. ***Shutdown of the Affected Pipeline.*** The Affected Pipeline, as defined above, must remain shut in and may not be operated until authorized to be restarted by the Director in accordance with the terms of this Order.
2. ***Records Verification.*** Beta Offshore must verify the records for the *Affected Pipeline* that were used to establish the MOP. Beta Offshore must submit documentation of this record verification to the Director within 45 days of receipt of this Order.

3. ***Review of Prior Inline Inspection (ILI) Results.*** Within 180 days of receipt of this Order, Beta Offshore must conduct a review of any previous ILI results of the *Affected Pipeline*, including a review of the ILI vendors' raw data and analysis. Beta Offshore must determine whether any features were present near the failure site. In addition, Beta Offshore must determine if any features with similar characteristics are present elsewhere on the *Affected Pipeline*. Beta Offshore must submit documentation of this ILI review to the Director within 180 days of receipt of this Order as follows:
 - a. List all ILI tool runs, tool types, and the calendar years of the tool runs.
 - b. List, describe (type, size, wall loss, etc.), and identify the specific location of all ILI features present in the vicinity of the failure location.
 - c. List, describe (type, size, wall loss, etc.), and identify the specific location of all ILI features with similar characteristics present elsewhere on the *Affected Pipeline*.
 - d. Explain the process used to review the ILI results and the results of the reevaluation.
4. ***In-Line Assessment.*** Within 180 days of receipt of this Order, subject to the approval by the Director of its Restart Plan, Beta Offshore must conduct an ILI of the *Affected Pipeline* using a geometry tool, a high-resolution axial magnetic flux leakage (MFL) tool and a transverse MFL tool, and must follow all the applicable requirements set forth in 49 C.F.R. § 195.452.
5. ***Mechanical and Metallurgical Testing.*** Within 45 days of receipt of this Order, complete mechanical and metallurgical testing and failure analysis of the failed pipe, including an analysis of soil samples and any foreign materials. Complete the testing and analysis as follows:
 - a. Document the chain-of-custody when handling and transporting the failed pipe section and other evidence from the failure site.
 - b. Within 10 days of receipt of this Order, develop and submit the testing protocol and the proposed testing laboratory to the Director for prior approval.
 - c. Prior to beginning the mechanical and metallurgical testing, provide the Director with the scheduled date, time, and location of the testing to allow for an OPS representative to witness the testing.
 - d. Ensure the testing laboratory distributes all reports whether draft or final in their entirety to the Director at the same time they are made available to Beta Offshore.
6. ***Root Cause Failure Analysis (RCFA).*** Within 90 days following receipt of this Order, complete a root cause failure analysis (RCFA) and submit a final report of this RCFA to the Director. The RCFA must be supplemented/facilitated by an independent third-party acceptable to the Director and must document the decision-making process and all factors contributing to the failure. The final report must include findings and any lessons learned and whether the findings and any lessons learned are applicable to other locations within Beta Offshore's pipeline system.
7. ***Remedial Work Plan (RWP).***
 - a. Within 90 days following receipt of this Order, Beta Offshore must submit a remedial work plan (RWP) to the Director for approval.

- b. The Director may approve the RWP incrementally without approving the entire RWP.
- c. Once approved by the Director, the RWP will be incorporated by reference into this Order.
- d. The RWP must specify the tests, inspections, assessments, evaluations, and remedial measures Beta Offshore will use to verify the integrity of the *Affected Pipeline*. It must address all known or suspected factors and causes of the Accident. Beta Offshore must consider the risks and consequences of another failure to develop a prioritized schedule for RWP-related work along the *Affected Pipeline*.
- e. The RWP must include a procedure or process to:
 - i. Identify pipe in the *Affected Pipeline* with characteristics similar to the contributing factors identified for the Accident, including the age and manufacture of the entire length of the *Affected Pipeline*.
 - ii. Gather all data necessary to review the failure history (in service and pressure test failures) of the *Affected Pipeline* and to prepare a written report containing all the available information such as the locations, dates, and causes of leaks and failures.
 - iii. Integrate the results of the mechanical and metallurgical tests, root cause failure analysis, and other corrective actions required by this Order with all relevant pre-existing operational and assessment data for the *Affected Pipeline*. Pre-existing operational data includes, but is not limited to, design, construction, operations, maintenance, testing, repairs, prior metallurgical analyses, and any third-party consultation information. Pre-existing assessment data includes, but is not limited to, ILI tool runs, hydrostatic pressure testing, direct assessments, close interval surveys, and direct current voltage gradient (DCVG)/alternating current voltage gradient (ACVG) surveys.
 - iv. Determine if conditions similar to those contributing to the Accident are likely to exist elsewhere on the *Affected Pipeline*.
 - v. Conduct additional field tests, inspections, assessments, and evaluations to determine whether, and to what extent, the conditions associated with the Accident, and other failures from the failure history (see (e)(ii) above) or any other integrity threats are present elsewhere on the *Affected Pipeline*. At a minimum, this process must consider all failure causes and specify the use of one or more of the following:
 - 1) Hydrostatic pressure testing;
 - 2) Close-interval surveys;
 - 3) Cathodic protection survey;
 - 4) Coating surveys;
 - 5) Stress corrosion cracking surveys;
 - 6) Selective seam corrosion surveys; and
 - 7) Other tests, inspections, assessments, and evaluations appropriate for the

failure cause(s).

Note: Beta Offshore may use the results of previous tests, inspections, assessments, and evaluations if approved by the Director, provided the results of the tests, inspections, assessments, and evaluations are analyzed with regard to the factors known or suspected to have caused the Accident.

- vi. Describe the inspection and repair criteria Beta Offshore will use to prioritize, excavate, evaluate, and repair anomalies, imperfections, and other identified integrity threats. Include a description of how any defects will be graded and a schedule for repairs or replacement.
 - vii. Based on the known history and condition of the *Affected Pipeline*, describe the methods Beta Offshore will use to repair, replace, or take other corrective measures to remediate the conditions associated with the Accident and to address other known integrity threats along the *Affected Pipeline*. The repair, replacement, or other corrective measures must meet the criteria specified in (e)(vi) above.
 - viii. Implement continuing long-term periodic testing and integrity verification measures to ensure the ongoing safe operation of the *Affected Pipeline* considering the results of the analyses, inspections, evaluations, and corrective measures undertaken pursuant to the Order.
- f. The RWP must include a proposed schedule for completion of the RWP.
 - g. Beta Offshore must revise the RWP as necessary to incorporate new information obtained during the failure investigation and remedial activities, to incorporate the results of actions undertaken pursuant to this Order, and to incorporate modifications required by the Director.
 - i. Beta Offshore must submit any plan revisions to the Director for prior approval.
 - ii. The Director may approve plan revisions incrementally.
 - iii. All revisions to the RWP after it has been approved and incorporated by reference into this Order will be fully described and documented in the *CAO Documentation Report*.
 - h. Beta Offshore must implement the RWP as it is approved by the Director, including any revisions to the plan, prior to restart.
8. ***Emergency Response Plan and Training Review.*** Within 90 days following receipt of this Order, Beta Offshore must review and assess the effectiveness of its emergency response plan with regard to the Accident. Beta Offshore must include in the review and assessment the on-scene response and support, coordination, notification, and communication with emergency responders and public officials. Also, Beta Offshore must include a review and assessment of the effectiveness of its emergency training program. Beta Offshore must amend its emergency response plan and emergency training, if necessary, to reflect the results of this review, within 30 days of completion of the review. The documentation of this Emergency Response Plan and Training Review must be available for inspection by OPS or provided to the Director, if requested.
9. ***Public Awareness Program Review.*** Within 90 days following receipt of this Order,

Beta Offshore must review and assess the effectiveness of its Public Awareness Program with regards to the failure. Beta Offshore must amend its Public Awareness Program, if necessary, to reflect the results of this review within 30 days of completion of the review. The documentation of this Public Awareness Program Review must be available for inspection by OPS or provided to the Director, if requested.

10. **CAO Documentation Report (CDR).** Beta Offshore must create and revise, as necessary, a CAO Documentation Report (CDR). When Beta Offshore has concluded all the items in this Order, it will submit the final CDR in its entirety to the Director. This will allow the Director to complete a thorough review of all actions taken by Beta Offshore with regards to this Order prior to approving the closure of this Order. The intent is for the CDR to summarize all activities and documentation associated with this Order in one document.
 - a. The Director may approve the CDR incrementally without approving the entire CDR.
 - b. Once approved by the Director, the CDR will be incorporated by reference into this Order.
 - c. The CDR must include, but is not necessarily limited to, the following:
 - i. Table of Contents;
 - ii. Summary of the Accident and the response activities;
 - iii. Summary of pipe data, material properties and all prior assessments of the *Affected Pipeline*;
 - iv. Summary of all tests, inspections, assessments, evaluations, and analysis required by the Order;
 - v. Summary of the metallurgical testing as required by the Order;
 - vi. Summary of the RCFA with all root causes as required by the Order;
 - vii. Documentation of all actions taken by Beta Offshore to implement the RWP, the results of those actions, and the inspection and repair criteria used;
 - viii. Documentation of any revisions to the RWP including those necessary to incorporate the results of actions undertaken pursuant to this Order and whenever necessary to incorporate new information obtained during the failure investigation and remedial activities;
 - ix. Lessons learned while completing this Order;
 - x. A path forward describing specific actions Beta Offshore will take on its entire pipeline system as a result of the lessons learned from work on this Order; and
 - xi. Appendices (if required).
11. **Restart Plan.** No restart of the *Affected Pipeline* may occur, unless and until a written *Restart Plan* has been submitted and approval had been granted by the Director, and which is to be subject to the following:

- a. The Director may approve the *Restart Plan* incrementally without approving the entire plan, but the *Affected Pipeline* cannot resume operation until the *Restart Plan* is approved in its entirety.
 - b. Once approved by the Director, the *Restart Plan* will be incorporated by reference into this Order.
 - c. The *Restart Plan* must include an 8-hour hydrostatic test, to be held at a minimum of 1.25 times the MOP, after repairs are completed. Beta Offshore must report the results of the test to the Director.
 - d. The *Restart Plan* must provide for adequate patrolling of the *Affected Pipeline* during the restart process and must be subject to incremental pressure increases during start up, with each increment to be held for at least 2 hours.
 - e. The *Restart Plan* must provide for sufficient surveillance of the pipeline during each pressure increment to ensure that no leaks are present when operation of the line resumes.
 - f. The *Restart Plan* must specify a day-light restart and include advance communications with local emergency response officials and adjacent property owners, if any.
 - g. The *Restart Plan* must provide for a review of the *Affected Pipeline* for conditions similar to those of the failure including a review of construction, operating and maintenance (O&M) and integrity management records such as ILI results, hydrostatic tests, root cause failure analyses of any prior failures, aerial and ground patrols, corrosion, cathodic protection, excavations and pipe replacements. Beta Offshore must address any findings that require remedial measures to be implemented prior to restart.
 - h. The *Restart Plan* must also include documentation of the completion of all mandated actions, and a management of change plan to ensure that all procedural modifications are incorporated into Beta Offshore's O&M procedures manual.
12. ***Operating Pressure Restriction.*** In accordance with the terms of this Order, upon restart Beta Offshore must maintain no less than a twenty percent (20%) pressure reduction in the actual operating pressure along the entire length of the *Affected Pipeline* such that the operating pressure along the *Affected Pipeline* will not exceed eighty percent (80%) of the actual operating pressure in effect at the failure location immediately prior to the Accident.
- a. This pressure restriction is to remain in effect until written approval to increase the pressure or return the pipeline to its pre-failure operating pressure is obtained from the Director in accordance with the terms of this Order.
 - b. Within 15 days of receipt of this Order, Beta Offshore must provide the Director the actual operating pressure at the Beta Pump Station on the *Affected Pipeline* at the time of failure and the reduced pressure restriction set-points required by this Order.
 - c. This pressure restriction requires any relevant remote or local alarm limits, software programming set-points or control points, and mechanical over-pressure devices to be adjusted accordingly.

- d. When determining the pressure restriction set-points, Beta Offshore must take into account any in-line inspection (ILI) features or anomalies present in the *Affected Pipeline* to provide for continued safe operation while further corrective actions are completed.
 - e. Beta Offshore must review the pressure restriction monthly by analyzing the operating pressure data, taking into account any ILI features or anomalies present in the *Affected Pipeline*. Beta Offshore must immediately reduce the operating pressure further to maintain the safe operations of the *Affected Pipeline*, if warranted by the monthly review. Further, Beta Offshore must submit the results of the monthly review to the Director including, at a minimum, the current discharge set-points (including any additional pressure reductions), and any pressure exceedance at discharge set-points. Submittals may be made quarterly, in accordance with the terms of this Order.
13. **Return to Service.** Upon approval of the *Restart Plan*, Beta Offshore may return the *Affected Pipeline* to service according to the terms of the *Restart Plan*, but the operating pressure must not exceed the limit in accordance with the terms of this Order.
14. **Removal of Pressure Restriction.**
- a. The Director may allow the removal or modification of the pressure restriction upon a written request from Beta Offshore demonstrating that restoring the pipeline to its pre-failure operating pressure is justified based on a reliable engineering analysis showing that the pressure increase is safe considering all known defects, anomalies, and operating parameters of the pipeline.
 - b. The Director may allow the temporary removal or modification of the pressure restrictions upon a written request from Beta Offshore demonstrating that temporary mitigative and preventive measures are implemented prior to and during the temporary removal or modification of the pressure restriction. The Director's determination will be based on available information, including the failure cause and provision of evidence that preventative and mitigative actions taken by the operator provide for the safe operation of the *Affected Pipeline* during the temporary removal or modification of the pressure restriction. Appeals to determinations of the Director in this regard will be decided by the Associate Administrator for Pipeline Safety.
15. **Leakage Survey.** Within 24 hours of returning the pipeline to service, Beta Offshore must perform an aerial survey (off-shore) and ground leakage survey (on-shore) of the *Affected Pipeline* Right-of-Way. If Beta Offshore identifies any leak indications, it must immediately shut down the *Affected Pipeline* and investigate all leak indications and remedy all leaks discovered prior to restart. Beta Offshore must submit documentation of this survey to the Director within 48 hours of a return to service.

Other Requirements:

16. **Approvals.** With respect to each submission that under this Order requires the approval of the Director, the Director may: (a) approve, in whole or part, the submission; (b) approve the submission on specified conditions; (c) modify the submission to cure any deficiencies; (d) disapprove in whole or in part, the submission, directing that Respondent

modify the submission, or (e) any combination of the above. In the event of approval, approval upon conditions, or modification by the Director, Respondent shall proceed to take all action required by the submission as approved or modified by the Director. If the Director disapproves all or any portion of the submission, Respondent must correct all deficiencies within the time specified by the Director and resubmit it for approval.

17. ***Extensions of Time.*** The Director may grant an extension of time for compliance with any of the terms of this Order upon a written request timely submitted demonstrating good cause for an extension.
18. ***Reporting.*** Submit quarterly reports to the Director that: (1) include all available data and results of the testing and evaluations required by this Order; and (2) describe the progress of the repairs or other remedial actions being undertaken. The first quarterly report is due on December 31, 2021. The Director may change the interval for the submission of these reports.
19. ***Documentation of the Costs.*** It is requested that Respondent maintain documentation of the costs associated with implementation of this Corrective Action Order. Include in each monthly report submitted, the to-date total costs associated with: (1) preparation and revision of procedures, studies and analyses; (2) physical changes to pipeline infrastructure, including repairs, replacements and other modifications; and (3) environmental remediation, if applicable.

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).

In your correspondence on this matter, please refer to “CPF No. 5-2021-054-CAO” and for each document you submit, please provide a copy in electronic format whenever possible. The actions required by this Order are in addition to and do not waive any requirements that apply to Respondent’s pipeline system under 49 C.F.R. Parts 190 through 199, under any other order issued to Respondent under authority of 49 U.S.C. Chapter 601, or under any other provision of Federal or State law. This Order does not preclude additional enforcement by PHMSA.

Respondent may appeal any decision of the Director to the Associate Administrator for Pipeline Safety. Decisions of the Associate Administrator shall be final.

Failure to comply with this Order may result in the assessment of civil penalties and in referral to the Attorney General for appropriate relief in United States District Court pursuant to 49 U.S.C. § 60120.

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

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued