



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

FEB 16 2006

Mr. H. A. True, III
President
Bridger Pipeline, LLC
455 North Poplar Street
Casper, WY 82601

Re: CPF No. 3-2005-5036

Dear Mr. Bridger:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes findings of violation and specifies actions to be taken to comply with the pipeline safety regulations. When the terms of the Compliance Order are completed, as determined by the Director, Central Region, OPS, this enforcement action will be closed. Your receipt of this Final Order constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

James Reynolds
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

cc: Ivan Huntoon
Director, Central Region, OPS

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

_____)
In the Matter of)

Bridger Pipeline, LLC,)

Respondent.)
_____)

CPF No. 3-2005-5036

FINAL ORDER

On June 6-10, 2005, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Central Region, conducted an on-site pipeline safety inspection of Respondent's facilities and records in Newcastle, Wyoming and Baker, Montana. As a result of the inspection, the Director, Central Region, PHMSA, issued to Respondent, by letter dated September 27, 2005, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Respondent had committed violations of 49 C.F.R. Part 195, and proposed that Respondent take certain measures to correct the alleged violations.

Respondent responded to the Notice by letter dated October 24, 2005 (Response). Respondent did not contest the allegations of violation but provided information concerning the corrective actions it has initiated. Respondent did not request a hearing, and therefore has waived its right to one.

FINDINGS OF VIOLATION

In its Response, Respondent did not contest the alleged violations in the Notice. Accordingly, I find that Respondent violated the following sections of 49 C.F.R. Part 195, as more fully described in the Notice:

49 C.F.R. § 195.402(a) (Notice Item 1) – failing to prepare and follow procedures for operations, maintenance, and emergencies for the 10” Little Missouri System in accordance with all applicable requirements of Part 195; and

49 C.F.R. § 195.402(c) (Notice Item 2) – failing to prepare and follow welding procedures for pipeline repairs in accordance with the requirements of § 195.226(c).

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

COMPLIANCE ORDER

The Notice proposed a Compliance Order with respect to Items 1 and 2 in the Notice. Under 49 U.S.C. § 60118(a), each person who engages in the transportation of hazardous liquids or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. Pursuant to the authority of 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the following actions to ensure compliance with the pipeline safety regulations applicable to its operations:

1. Submit a general plan and proposed schedule for developing and implementing procedures for operations, maintenance and emergencies that address the inadequacies described in the Notice and meet the applicable requirements of 49 C.F.R. Part 195 to the Director, Central Region, OPS;
2. Within 90 days following receipt of this Order, submit a copy of the written procedures for operations, maintenance and emergencies addressing the inadequacies described in the Notice and meeting the requirements of 49 C.F.R. Part 195 to the Director, Central Region, OPS; and
3. Within 180 days following receipt of this Order: (1) complete the training of Bridger personnel on the written procedures for operations, maintenance, and emergencies as revised and updated; and (2) maintain records of the training including the names of people trained and the dates the training occurred in accordance with applicable recordkeeping requirements.

The Regional Director has indicated that Respondent has submitted a general plan and proposed schedule for establishing the procedures and conducting the training. These actions comply with the requirements in Item 1 of this Compliance Order.

The Regional Director may extend the period for complying with any of the required items if the Respondent requests an extension in writing and adequately justifies the reasons for the extension.

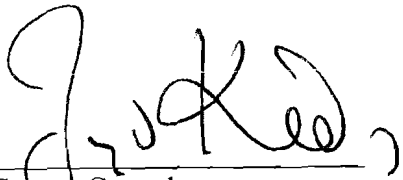
WARNING ITEMS

The Notice did not propose a civil penalty or compliance order for Items 3, 4, and 5 in the Notice. Therefore, these are considered warning items. The warnings were for Respondent's failure to adequately follow its procedures for maintaining liaison with fire, police and other public officials in accordance with § 195.402(c)(12); failure to demonstrate that an adequate public education program was established in accordance with § 195.440; and failure to maintain records of atmospheric corrosion surveys in accordance with § 195.589. Respondent presented information its response showing that it has initiated actions to address these items. Respondent

is warned that if these items are not fully addressed, enforcement action will be taken if a subsequent inspection reveals a violation.

Under 49 C.F.R. § 190.215, Respondent has a right to submit a petition for reconsideration of this Final Order. Should Respondent elect to do so, the petition must be received within 20 days of Respondent's receipt of this Final Order and must contain a brief statement of the issue(s). The terms of the Order, including any required corrective action, remain in full effect unless the Associate Administrator, upon request, grants a stay.

Failure to comply with this Final Order may result in the assessment of civil penalties of up to \$100,000 per violation per day, or in the referral of the case for judicial enforcement. The terms and conditions of this Final Order are effective on receipt.

for


Stacey Gerard
Associate Administrator
for Pipeline Safety

FEB 16 2015

Date Issued