

Dean H. Christensen
Manager
Dead Horse Oil Company
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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

**IN THE MATTER OF PACIFIC ENERGY &
MINING COMPANY**

Docket No. 18-2602-01

**DEAD HORSE OIL COMPANY MOTION
FOR REHEARING**

FACTS

The Paradox Pipeline Gas Gathering line was built in 2008 by Delta Petroleum Company and placed in operation at the same time.

1. In 2010 Pacific Energy & Mining Company (“PEMC”) acquired the Greentown Oil and Gas field, and assumed operations of the Field as well as the Gas Gathering System.
2. Greentown Field is composed of 26 miles of 6 inch natural gas pipelines from the well to a central facility where the gas is dehydrated and compressed.
3. The gas is then transported via a 16 inch gathering line to a facility operated by PEMC on behalf of the owners of the plant, JMD/ENTRADA (“owners”). PEMC operated the pipeline pursuant to an agreement between PEMC as operator and the owners of the Pipeline, until April 2019 when PEMC was removed as operator and Dead Horse Oil Company assumed operations.
4. Division filed a motion with the Public Service Commission requesting a fine and suspension of transport of natural as Division asserted PEMC had 11 violations from 2016.

5. During November 2018 a hearing was held with the PSC at which Tariq Ahmad, President of PEMC testified on behalf of PEMC, Dan Green testified as a consultant to PEMC.
6. Jimmy Betham (“Betham”) testified for the Division. PEMC counsel failed to call Hadi Al Zadeh (“Zadeh”) to testify as to his supervisory rule in examining the violation, furthermore PEMC counsel failed to object or properly cross examine Betham, in particular when Betham testified under Oath that there were no violations by PEMC as they related to the Manual. In short this PEMC counsel at this moment should have requested a dismissal of the petition by the Division, he failed to do so, thus depriving PEMC of proper representation.
7. On January 2, 2019, Jimmy Betham wrote a letter to PEMC, (**See Exhibit 1**) stating “there are two carryover violations from 2016 and there are additional 3 violation that PEMC needs to address. **A plain reading of the Notice of Probable violation clearly states that all but 2 violations were remaining from the 2016 violations as submitted by the Division to PSC.**
8. On January 3, 2019 PEMC addressed each of the issues raised by the Division. **See Exhibit 2.**
9. On March 25, 2019, Jimmy Betham responded to PEMC’s response and stated that PEMC had 30 days to respond. **See Exhibit 3.**
10. On April 5, 2019 responded to Division letter dated March 25, 2019. **See Exhibit 4.**
11. On or about April 5, Division thru its counsel filed a blatherskite letter with PSC making blatherskite allegations and misstatements which contradicted correspondence between the Division and PEMC, such PEMC had not responded timely. PSC agreed with the Division and ordered the Pipeline to stop all operations by January, 2020.¹ **See Exhibit 5**
12. On June 6, 2019 Dead Horse shut down all transportation of Natural Gas.

¹ PEMC had 30 days to respond which timely did, division knew this but filed a letter on April 3, 2019 misinforming the commission.

² During the proceeding in this matter, counsel for the Division contacted the hearing officer without the presence of anyone representing PEMC. This contact was improper.

13. PEMC and Wesco the operators of Oil and Gas wells commenced flaring and venting all natural gas produced from the Wells.
14. PEMC shut in its operated well during the month of June as owners of the wells ordered PEMC not to vent any natural gas.
15. On July 7, 2019 PEMC filed for bankruptcy and acted as debtor in possession.
16. Division filed a motion with PSC requesting that the pipeline be dismantled.
17. PSC held a hearing prior to appointment of a Trustee wherein the presiding officer granted PEMC request to commence discovery.
18. PEMC attorney failed to conduct any discovery.³ Prior to appointment of a Trustee.
19. Dead Horse filed a letter listing the witnesses that are to be called, the list included counsel for the Division.
20. Division filed a motion objecting to Dead Horse's request to call Division's counsel to testify.
21. Dead Horse retained the services of Attorney Stephanie Jensen to represent Dead Horse at the PSC. (At no time was Dead Horse included as a respondent by the Division or PSC.n its complaint by the Division to decommission the pipeline, would force Dead Horse to dismantle.which was built at a cost \$45 million pipeline)
22. None of the owners were listed as respondents in the Division complaint to the PSC.
23. Dead Horse was to attend the hearing during December 2019 as a public comment
24. On November 7, 2019 PEMC bankruptcy was converted to Chapter 7, and a Trustee was appointed to manage operations of PEMC.
25. The hearing was held during December 2019, PEMC was represented by the Trustee. PEMC Trustee did not make any comments or examine or call any witnesses.

³ Discovery was absolutely necessary to determine the qualifications of Divisions inspectors and to question them in reference to the Divisions correspondence during 2019, in particular the letters written in January and March 2019. This failure deprived PEMC of effective representation.

26. Dead Horse attorney was not present as counsel for Dead Horse was hospitalized due to emergency surgery. An email was sent and was docketed thus informing PSC as to the hospitalization of counsel for Dead Horse.⁴
27. During the hearing Division was represented, thus PSC was presented only with evidence of the Division while no evidence was entered by Dead Horse as its attorney was not present.
28. PSC issued its order on January 31, 2020 approving in total the request by the Division.
29. On February 6, 2020 all the natural gas in the pipeline was evacuated, the pipeline pressure was dropped to 0 psi. All valves were sealed. The pipeline cannot and will not accept natural gas from any sources. The pipeline has been decommissioned.
30. On February 16, 2020 an article was published in the Salt Lake Tribune, wherein the Division through its counsel stated “*there is nothing wrong with the pipeline, it is only a bookkeeping issue.*” This is in contradiction with the finding by the PSC whereby it was ruled the pipeline is not safe and is a hazard to the public. Either the pipeline is safe or is a hazard, you cannot have both. **See Exhibit 6.**

FAILURE TO JOIN DEADHORSE AS A RESPONDENT
VIOLATED ITS DUE PROCESS RIGHTS

PSC rules requires that a complaint list all responded which are required to file a response. Here PSC did not order Dead Horse or any of the owners to be joined as respondents. Rule 747-1-401 requires that a party be included on the Docket. Utah Rules of Civil Procedure govern the PSC proceedings unless specifically excluded.

Rule 19. Joinder of persons needed for just adjudication.

(a) Persons to be joined if feasible. A person who is subject to service of process and whose joinder will not deprive the court of jurisdiction over the subject matter of action shall be joined as a party in the action if (1) in his absence complete relief cannot be accorded among those already parties, or (2) he claims an interest relating to the subject of the action and is so situated that the disposition of the action in his absence may (i) as a practical matter impair or impede his ability to protect that interest or (ii) leave any of the persons already parties subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations by reason of his claimed interest. If he

⁴ Dead Horse had retained counsel to represent it at the Hearing as an interested party, even though it was not a named respondent.

has not been so joined, the court shall order that he be made a party. If he should join as a plaintiff but refuses to do so, he may be made a defendant, or, in a proper case, an involuntary plaintiff. If the joined party objects to venue and his joinder would render the venue of the action improper, he shall be dismissed from the action.

(b) Determination by court whenever joinder not feasible. If a person as described in Subdivision (a)(1)-(2) hereof cannot be made a party, the court shall determine whether in equity and good conscience the action should proceed among the parties before it, or should be dismissed, the absent person being thus regarded as indispensable. The factors to be considered by the court include: first, to what extent a judgment rendered in the person's absence might be prejudicial to him or those already parties; second, the extent to which, by protective provisions in the judgment, by the shaping of relief, or other measure, the prejudice can be lessened or avoided; third, whether a judgment rendered in the person's absence will be adequate; fourth, whether the plaintiff will have an adequate remedy if the action is dismissed for nonjoinder.

(c) Pleading reasons for nonjoinder. A pleading asserting a claim for relief shall state the names, if known to the pleader, of any persons as described in Subdivision (a)(1)-(2) hereof who are not joined, and the reasons why they are not joined.

Utah Rules of Civil Procedure Rule 19

Here PSC did not join Dead Horse Oil Company and others as required by this rule, thus violating Rule 19. Specifically Rule 19(b) which requires PSC to make a determination as to joinder, which it did not.

Furthermore PSC Rule 746-1-103(11) defines respondent as follows;

(11) "Respondent" means a person:

(a) against whom a notice of agency action or request for agency action is directed; or

(b) required, or permitted by statute, to respond to an application, petition, or other request for agency action.

PSC failed to follow either its own rule above or Utah rules 19 in joining Dead Horse and others in this proceeding. In short neither the complainant, in this case the Division, requested a joinder as required under the rules or the PSC made a determination as to whether joinder is proper.

Division must join the parties by filing a joinder not just sending a certified or an email to the newspapers, Television stations and numerous other entities only known to the Division cannot and does not constitute joinder as required under the rules. A mailing is not a motion to

join. Any other interpretation would mean that all the entities on the mailing list have been joined in this action.

A motion must be filed and the PSC must approve the joinder. Simply sending copies of Divisions motion to a mailing list consisting of over 93 email addresses does not constitute joinder as required.

Failure to file a motion to join by the Division and a ruling by PSC to approve joinder deprived Dead Horse and others to Due Process under the Constitution of the United States as well as Constitution of the State of Utah.

No one shall be "deprived of life, liberty or property without **due process** of law."

Fifth Amendment to the Constitution of the United States

The Fourteenth Amendment applies the 5th Amendment to all states.

"No person shall be deprived of life, liberty or property, without due process of law."

Article 1 Section 7 of the constitution of the State of Utah

FAILURE OF COUNSEL FOR DEAD HORSE TO MAKE AN APPEARANCE DUE TO EMERGENCY SURGERY THUS DEPRIVING DEAD HORSE OF REPRESENTATION

Dead Horse filed a notice with the PSC informing the PSC that counsel for Dead Horse could not attend the hearing due to emergency surgery.⁵

Without counsel Dead Horse, Dead Horse did not and could not call any witnesses or cross examine witnesses for the Division who had testified.

Due to lack of representation, the hearing was unfair, lacked any semblance of equity and PSC presiding officer had no choice but to grant the request of the Division as PSC only had evidence submitted by the Division.

FAILURE TO CONDUCT DISCOVERY

⁵ Dead Horse was to appear as an interested party, not as being joined in these proceedings.

PSC had allowed discovery in this matter, counsel for PEMC failed to conduct discovery thus depriving not only PEMC as well as all parties including the public of facts upon which PSC could make an informed decision. Clearly counsel for PEMC should have conducted discovery including deposing division inspectors as to the inspection and the notice of probable violations underlying Division's complaint.⁶

PEMC counsel during the hearing could represent any other party with waiver of conflict of interest as PEMC counsel was still representing PEMC, even though PEMC trustee has his own counsel and was managing PEMC affairs. Without conflict of interest waiver counsel PEMC was thus prevented from participating in the hearing.

Rule 746-501-1 allows for discovery which PSC allowed Pacific Energy to conduct, failure of counsel to conduct discovery and later cross examine or even put any witnesses deprived PSC to conduct and evaluate evidence from Pipeline operator, thus forcing PSC to make its decision solely based upon biased testimony by division employees.

PSC ORDER AGAINST DEAD HORSE WAS IMPROPER AND A VIOLATION OF THE DUE PROCESS CLAUSE OF THE UNITED STATES AND UTAH CONSTITUTION

PSC issued an order naming Dead horse and other unknown parties to adhere to the order, this is a violation of the constitution and in effect is taking of private property by the Division pursuant to PSC order without joining Dead Horse as a party to the proceedings, thus PSC order cannot and should not be applicable to Dead Horse and others without joining these parties through a motion and a hearing.

CONCLUSION

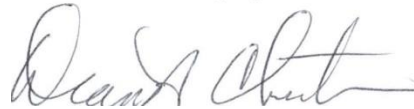
For the foregoing reasons, Dead Horse requests PSC:

1. To rehear, the matter:

⁶ Subsequently PEMC counsel was suspended the Utah Bar.

2. Properly join Dead Horse in these proceeding pursuant to Rule 19 and PSC Rule 746-1-103(11) and the 5th and 14th Amendments of the Constitution of the United States and Section 7 Article 1 of the Constitution of the State of Utah. ⁷
3. Any other relief by PSC.

February 20, 2020



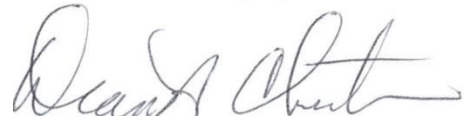
Dean Christensen
Manager

PROOF OF SERVICE

⁷ Once Dead Horse if properly joined it can call witnesses present as well as cross examine Division witnesses and conduct discovery.

I declare that on February 20, 2020 I served a true and correct copy upon all interested parties was made through the docket of this cause.

Dated February 20, 2010

A handwritten signature in cursive script, appearing to read "Dean Christensen".

Dean Christensen

EXHIBIT 1



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

CHRIS PARKER
Director, Division of Public Utilities

GARY HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

January 2, 2019

NOTICE OF PROBABLE VIOLATION

Via U.S.P.S. and email

Tariq Ahmad
President
Pacific Energy & Mining Company (PEMC)
3550 Barron Way, Suite 13A
Reno NV 89511

Dear Mr. Ahmad,

The Utah Public Service Commission (Commission) is authorized by Title 54, Chapter 13 of the Utah State Code to adopt rules and regulations in conformance with the Natural Gas Pipeline Safety Act of 1968, as amended, and other applicable laws. The Commission, by orders issued in Docket No. 89-999-06, has adopted Title 49 CFR Parts 190, 191, 192, 198, 199, and Part 40 along with certain subsequent amendments. Through delegation from the U.S. Department of Transportation, the Division of Public Utilities' Pipeline Safety Staff (UTPS) monitors compliance and enforces intrastate natural gas pipeline safety requirements.

This Notice of Probable Violation (NOPV) is issued as a result of an annual inspection, No. 20180430JB, of Pacific Energy and Mining Company (PEMC), which includes 21.9 miles of 16" Intrastate Transmission Steel Pipeline. The inspection was conducted from April 30th to May 3rd, 2018. The purpose of this inspection was to review the Public Awareness Program (PAP)* and Drug and Alcohol Plan (D&A)*. As well as auditing PEMC's PAP and D&A, UTPS conducted a records and field audit. During the inspection a total of five probable violations (two new and three carried over from 2016) were found as noted below:

Probable Violations Found:

- 1. 191.17 Transmission systems; gathering systems; liquefied natural gas facilities; and underground natural gas storage facilities: Annual report:** During the inspection no transmission annual report was submitted by the March 15, 2018 deadline.
- 2. 191.29 National Pipeline Mapping System:** During the inspection no geospatial data was submitted to PHMSA for use in the National Pipeline Mapping System by the March 15, 2018 deadline.

3. **192.616 Public awareness (e) & (f):** The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations. The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas. *No documentation was available to verify public awareness activities. Documentation required. This is a carry-over item from the 2016 inspection.*
4. **192.616 Public awareness (g):** The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area. *This item was not addressed by the PEMC Procedural Manual for Operations, Maintenance and Emergencies (PMOME). This is a carry-over item from the 2016 inspection.*
5. **192.616 Public awareness (h):** Operators in existence on June 20, 2005, must have completed their written programs no later than June 20, 2006. The operator of a master meter or petroleum gas system covered under paragraph (j) of this section must complete development of its written procedure by June 13, 2008. Upon request, operators must submit their completed programs to PHMSA or, in the case of an intrastate pipeline facility operator, the appropriate State agency. *An effectiveness review was not addressed by the PEMC PMOME. This is a carry-over item from the 2016 inspection.*

Please inform us in writing by **February 4, 2019** regarding your plan of action to correct these items and/or the correction made to each violation.

At this stage we need corrective action from you. However, be advised failure to plan and implement corrective action may result in enforcement actions taken against your company. In accordance with Utah Code Title 54-13-8, all violations are subject to civil penalties in the amount of up to \$100,000 per violation per day for noncompliance, with a maximum penalty of \$1,000,000 for any related series of violations.

If you have any questions concerning this inspection or the compliance process you may contact me at 801-580-7515 or call our office at 801-530-6286.

Sincerely,



Jimmy Betham
Pipeline Safety Engineer
801-580-7515
jbetham@utah.gov

*5-year inspection cycle for Utah Pipeline Safety (UTPS)

cc: (via email)
Dan Green
Terry R. Spencer, Ph.D.
Patricia E. Schmid
Al Zadeh

EXHIBIT 2



January 3, 2019

Jimmy Betham
Pipeline Safety Engineer
State of Utah
Department of Commerce
Division of Public Utilities
160 East 300 South
PO Box 146751
Salt Lake City, UT 84114-6751

Subject: Notice of Probable Violation

Dear Mr. Betham:

Reference your letter dated January 2, 2019 our response is as follows:

Item 1.

191.17 **Transportation systems; gathering systems; liquefied. Annual Report**

Annual Report was filed on March 14, 2108 a confirmation was sent to your department by the United States Government. A copy of the filing is attached herewith;

Item 2

191.29 **National Pipeline Mapping System:**

Geospatial data was submitted to PIMMA during June, 2018. We have tried to contact the US Government, however due to closure of the Government offices we are unable to get an answer. We have uploaded the data again on January 4, 2019. See Exhibit A.

Item 3

192.616 Public Awareness (e) & (f). Municipalities, school districts, businesses and residents.

Public Awareness Notices were sent to the following on May 21, 2018:

Utah Highway Patrol
Greenriver Fire Department

Grand County Sheriff
Moab City Police
Archview Resort RV
Moab Under Canvas
Emery County Sheriff
Greenriver Mayor's Office
Moab Mayor's Office
Blue Hill Gas Plant
Canyon lands Field Airport

On January 3, 2019 we send by email the documents in Spanish and English to the Following:

City of Moab
City of Greenriver
Grand County School District
Moab Airport
Grand County Road Office

We requested the requisite governmental organizations to place the Notices for Public Awareness at their respective locations.

Item 4

We have translated the Public Awareness document to Spanish and made it available to the City of Moab, City of Greenriver, Grand County School District, Grand County Road Office and the Moab Airport.

In addition we have placed a Notice in a general circulation news paper in Grand County, Utah in Spanish and English.

Item 5

Effectiveness of the Public Awareness Program

Effective Review of Public Awareness Program Paradox Pipeline Grand County, Utah was conducted on June 1, 2018

Pacific Energy has conducted the effectiveness of its Public Awareness Program, in order to make our program effective we have emphasized the risk and hazards associated with our Natural Gas Pipeline and the dangers associated with Natural Gas Pipelines using the following metrics:

1. Public Reach

Notices have been sent to the following agencies and said notices were requested to be placed in Public Places:

City of Greenriver	Population 952
City of Moab	Population 5400
Grand County Road Department	
Moab Airport	
Grand County School District	
Grand County Sheriff	
Utah Highway Patrol	
Businesses near the Pipeline	

Thus placing the Public Awareness documents in a Public Place provided access to all interested parties.

2. Awareness

The Public is fully aware of the Program as evidenced by:

Call before you Dig 811

During 2018 we received notices from 811 for construction near our Pipeline, thus evidencing the effectiveness .

Calls to our emergency toll free number

2018 we received a single text message and telephone call concerning an odor near our Pipeline. In addition we received a call from Grand County Sheriff. The situation was immediately investigated and discovered that the odor was not coming from the Pipeline. Our emergency response was within 30 minutes from receiving the telephone call.

Public Meetings

We have conducted a General Meeting for Public Awareness on July 9, 2018 at our office located at 17 West Main Street, Greenriver, Utah. The meeting was open to the Public. We had three individuals show up at the meeting and we provided them with our Public Awareness Document .

During 2019 we have issued a Notice of Public Meeting wherein we have notified the Public through a Notice in a news paper of general circulation in the City of Moab. Moab Sun Times. This News Paper is available in Grand County as well as in Greenriver, Utah.

On January 3, 2019, we have updated our social media through our website www.pemc.us

Social Media

We have placed the Public Awareness Program on our Website:

<http://66.147.240.158/~pemcus/public-awareness-program/>

We have also placed the Operator Qualification Link our website with documents which the public can easily access and download:

<http://66.147.240.158/~pemcus/dot-operation-qualification/>

Public Contact

As we operate in Grand County, we interact with the community on a regular basis and answer any questions that the citizens have. Over the last five year we have had no incidents, we regularly make the Public aware of our presence by using the above medium.

We have copies of our Public Awareness Program at our office which is available to the Public.

We conduct a yearly review of our Public Awareness Program using the above metrics.

If you have any questions please contact the undersigned

Sincerely,



Tariq Ahmad, SPEC, PE

President

Enclosures:

Confirmation of Mapping Data

Public Awareness Program English/Spanish

Annual Report for 2017

Notes of Public Meeting July 9, 2018

Copies of emails to Agencies/Letters to Agencies

Subject: Fw: OPID 39049 NPMS OSAVE Data Report - Passed

From: Dan Green (dfgreen1@dslextreme.com)

To: taroil@yahoo.com; terry@spencerandcollier.com; jbetham@utah.gov;

Date: Friday, January 4, 2019 2:20 PM

From: npms@dot.gov
Sent: Friday, January 04, 2019 2:19 PM
To: dfgreen1@dslextreme.com ; dfgreen1@dslextreme.com
Subject: OPID 39049 NPMS OSAVE Data Report - Passed

OSAVE NOTIFICATION

Report Findings for Uploaded Data.

Session Details:

Session ID: 7445
Operator: PACIFIC ENERGY & MINING CO (39049)
Submission Type: Upload Geospatial and Attribute Data
Submission Intent: Replacement
Submission Format: COORD
Incorporated Attributes: Yes
Submitted By: dfgreen1@dslextreme.com
Submitted Date: 01/04/2019 05:19:08 PM

Phase 1 (Automated) QC Details:

NPMS Pipeline Attributes\$: No issues were found in the data.

Phase 1 (Automated) Evaluation Outcome:

Phase 1 QC validation completed. No errors were found. The submission has been placed in the queue for NPMS staff to continue with additional QC and processing workflows. If NPMS staff identify any errors in subsequent QC and processing phases, they will notify the technical and primary contact to seek corrections or clarification. If this submission is acceptable, the technical and primary contacts will receive a receipt for your records to indicate that the NPMS submission requirement was met for this OPID this year. As well, both contacts will be notified once the new submission is available in NPMS web map viewers.

Until your submission has passed through all QC and processing workflows without errors, you have not met the NPMS submission requirement (49 CFR 191.29 or 49 CFR 195.61) for this calendar year.

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APPENDIX I-Public Awareness Program- Important Safety Information for the Community

Paradox Natural Gas Pipeline
Operator: Pacific Energy & Mining Company
PHMSA (OPID): 39049

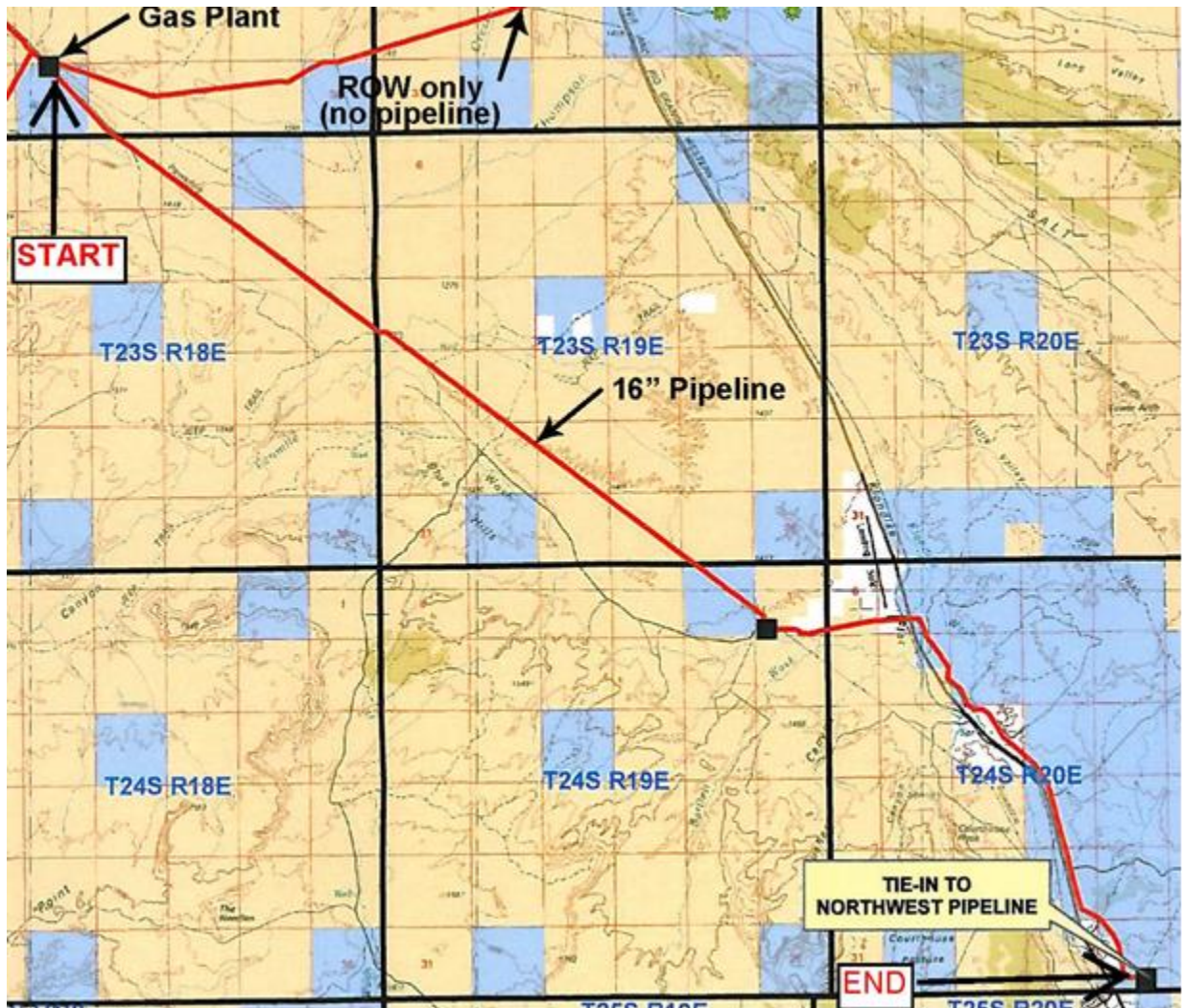
3/25/2014

Call before you dig. IT'S FREE, AND IT'S THE LAW!

One easy phone call to **811** starts the process to get your underground pipelines and utility lines marked for FREE. Once your underground lines have been marked for your project, you will know the approximate location of your pipelines and utility lines, and can dig safely. More information regarding 811 can be found at www.call811.com & at www.bluestakes.org

IMPORTANT SAFETY INFORMATION FOR THE COMMUNITY

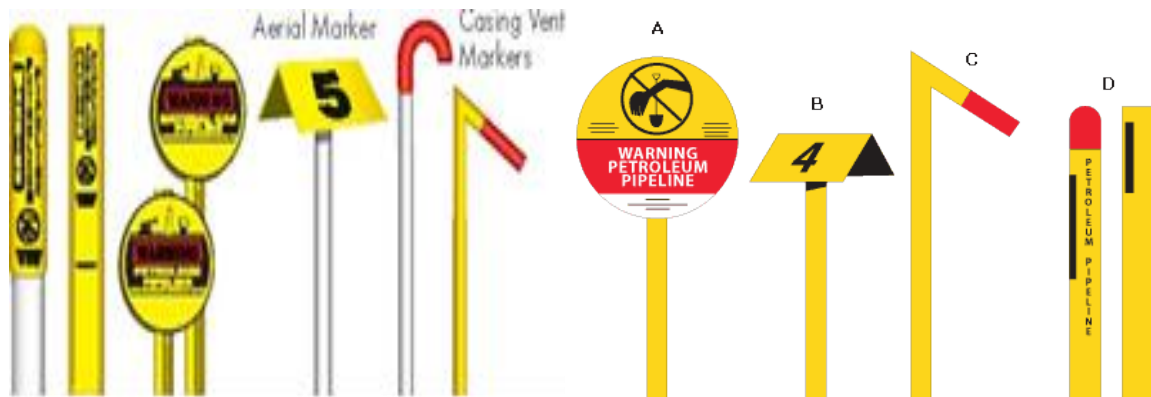
PEMC-NATURAL GAS PIPELINE



**START AT GAS PLANT
END AT TIE-IN TO NORTHWEST PIPELINE
STEEL WITH 16 INCH DIAMETER
GRAND COUNTY, UT**

How would you know where a pipeline is?

Most pipelines are underground, where they are more protected from the elements and minimize interference with surface uses. Even so, pipeline rights-of-way are clearly identified by pipeline markers along pipeline routes that identify the approximate—NOT EXACT—location of the pipeline. Every pipeline marker contains information identifying the company that the pipeline, the Pipeline Markers product transported, and a phone number that should be called in the event of an emergency. Markers do not indicate pipeline burial depth, which will vary. Markers are typically seen where a pipeline intersects a street, highway or railway. For any person to willfully deface, damage, remove, or destroy any pipeline marker is a federal crime.



Pipeline Marker-This marker is the most common. It contains operator information, type of product, and an emergency contact number. Size, shape and color may vary.

Aerial Marker-These skyward facing markers are used by patrol planes that monitor pipeline routes.

Casing Vent Marker-This marker indicates that a pipeline (protected by a steel outer casing) passes beneath a nearby roadway, rail line or other crossing.

What does the pipeline company do if a leak occurs?

To prepare for the event of a leak, pipeline companies regularly communicate, plan and train with local emergency responders. Upon the notification of an incident or leak the pipeline company will immediately dispatch trained personnel to assist emergency responders. Pipeline operators and emergency responders are trained to protect life, property and facilities in the case of an emergency. Pipeline operators will also take steps to minimize the amount of product that leaks out and to isolate the pipeline emergency.

How would you recognize a pipeline leak?

Sight-Liquid pools, discolored or abnormally dry soil/vegetation, continuous bubbling in wet or flooded areas, an oily sheen on water surfaces, and vaporous fogs or blowing dirt around a pipeline area can all be indicative of a pipeline leak. Dead or discolored plants in an otherwise healthy area of vegetation or frozen ground in warm weather are other possible signs.

Sound-Volume can range from a quiet hissing to a loud roar depending on the size of the leak and pipeline system.

Smell-An unusual smell, petroleum odor, or gaseous odor will sometimes accompany pipeline leaks. Natural Gas and Highly Volatile Liquids are colorless, tasteless and odorless unless commercial odorants or Mercaptan is added. Gas transmission/gas gathering pipelines are odorless, but may contain a hydrocarbon smell.

What to do in the event a leak were to occur:

Turn off any equipment and eliminate any ignition sources without risking injury.

Leave the area by foot immediately. Try to direct any other bystanders to leave the area. Attempt to stay upwind.

If known, from a safe location, notify the pipeline operator immediately and call 911 or your local emergency response number. The operator will need your name, your phone number, a brief description of the incident, and the location so the proper response can be initiated.

What not to do in the event a leak were to occur:

DO NOT cause any open flame or other potential source of ignition such as an electrical switch, vehicle ignition, light a match, etc. Do not start motor vehicles or electrical equipment. Do not ring doorbells to notify others of the leak. Knock with your hand to avoid potential sparks from knockers.

DO NOT come into direct contact with any escaping liquids or gas.

DO NOT drive into a leak or vapor cloud while leaving the area.

DO NOT attempt to operate any pipeline valves yourself. You may inadvertently route more product to the leak or cause a secondary incident.

DO NOT attempt to extinguish a petroleum product or natural gas fire. Wait for local firemen and other professionals trained to deal with such emergencies.

Maintaining safety and integrity of pipelines

Pipeline operators invest significant time and capital maintaining the quality and integrity of their pipeline systems. Most, not all, active pipelines are monitored 24 hours a day via manned control centers. Pipeline companies also utilize aerial surveillance and/ or on-ground observers to identify potential dangers. Control center personnel continually monitor the pipeline system and assess changes in pressure and flow. They notify field personnel if there is a possibility of a leak. Automatic shut-off valves are sometimes utilized to isolate a leak.

Gas transmission and hazardous liquid pipeline operators have developed supplemental hazard and assessment programs known as Integrity Management Programs (IMPs). IMPs have been implemented for areas designated as "high consequence areas" in accordance with federal regulations. Specific information about an operators' program may be found on their company Web site, or by contacting them directly.

What to do in case of damaging/disturbing a pipeline

If you cause or witness even minor damage to a pipeline or its protective coating, please immediately notify the pipeline company. Even a small disturbance to a pipeline may cause a future leak. A gouge, scrape, dent or crease is cause enough for the company to inspect the damage and make repairs.

Excavators must notify the pipeline company through the One-Call Center immediately but not later than two hours following the damage incident.

PIPELINE OPERATORS IN AREA

Pacific Energy & Mining Company

Compliance Officer-Dan Green: 775-336-3132, dfgreen1@dslextreme.com

or Field Supervisor-Rodney Nugent: 775-842-9934

OTHER OPERATORS IN AREA

Pipeline Operator Name	Person To Contact	Contact Address	Phone / Fax / Email
ENTERPRISE PRODUCTS OPERATING LLC	Michael McLaughlin (Manager, Public Awareness & Damage Prevention)	PO Box 4735, Houston, TX 77210	Phone: (713) 381-2802 Fax: Email: MMclaughlin@eprod.com
MOAB PIPELINE, LLC	Don Hamilton (Authorized Agent)	2580 Creekview Road, Moab, UT 84532	Phone: (435) 719-2018 Fax: (435) 719-2019 Email: starpoint@etv.net
NORTHWEST PIPELINE CORP (WGP)	George Angerbauer (Local Outreach Business Partner)	295 Chipeta Way, Salt Lake City, UT 84108	Phone: (801) 584-6615 Fax: Email: george.angerbauer@williams.com

PIPELINE PRODUCT TRANSPORTED IN AREA*

PRODUCT: NATURAL GAS.

LEAK TYPE: GAS.

VAPORS: LIGHTER THAN AIR AND WILL GENERALLY RISE AND DISSIPATE. MAY GATHER IN A CONFINED SPACE AND TRAVEL TO A SOURCE OF IGNITION.

HEALTH HAZARDS: WILL BE EASILY IGNITED BY HEAT, SPARK, OR FLAME AND WILL FORM EXPLOSIVE MIXTURES WITH AIR. VAPORS MAY CAUSE DIZZINESS OR ASPHYXIATION WITHOUT WARNING AND MAY BE TOXIC IF INHALED AT HIGH CONCENTRATIONS. CONTACT WITH WITH GAS OR LIQUEFIED GAS MAY CAUSE BURNS, SEVERE INJURY AND/OR FROSTBITE.

*Operators and products represented may not be all inclusive. Please visit www.nps.phmsa.dot.gov/ for more information. Information obtained from U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration's 2008 Emergency Response Guidebook.

REGULATORY AGENCIES

1. Utah Division of Public Utilities, PIPELINE SAFETY
Al Zadeh , Senior Pipeline Safety Engineer , 801-530-6673, azadeh@utah.gov
Jimmy Betham, Pipeline Safety Engineer, 801-580-7515, jbetham@utah.gov
Website: <http://publicutilities.utah.gov/pipeline.html>
State Law Link: (PSC Rules R746-409 Pipeline Safety)
<http://www.rules.utah.gov/publicat/code/r746/r746-409.htm>

2. U.S. Department of Transportation, Pipeline & Hazardous Materials Safety Administration,
Community Assistance and Technical Services (CATS)
OPS (Office of Pipeline Safety) Western Region
Alaska; Arizona; California; Colorado; Hawaii; Idaho; Montana; Nevada; Oregon; Utah; Washington;
Wyoming.
Tom Finch, 720-963-3175, thomas.finch@dot.gov
Dave Mulligan, 720-963-3193, david.mulligan@dot.gov
Website: <http://primis.phmsa.dot.gov/comm/CATS.htm?nocache=4045>
Federal Law Link: <http://phmsa.dot.gov/regulations>

UTAH ONE-CALL CENTER

BLUE STAKES OF UTAH, call 811 or 1-800-662-4111, www.bluestakes.org

Hours: 7a.m. to 5 p.m. M-F

Marks Valid: 14 Calendar days, Advance Notice: 2 business days, 48 hours notice.

TICKETS

Fax Tickets Available: No.

Online Tickets: Yes.

STATE LAWS & PROVISIONS

Coverage Statewide: Y

Civil Penalties: Y

Emergency Clause: N

Mandatory Membership: Y

Excavator Permits Issued: N

Mandatory Premarks: N

Positive Response: Y

Hand Dig Clause: Y

Damage Reporting: N

EXEMPTIONS

DOT: N

Homeowner: N

Railroad: N

Agriculture: N

Depth: N

NOTIFICATIONS ACCEPTED

Damage, Design & Overhead: N

Emergency: Y

Tolerance Zone: 24 inches.

Pipeline purpose and reliability

Pipelines are the safest and most efficient means of transporting natural gas and petroleum products, according to National Transportation Safety Board statistics. In the United States alone, there are over 200,000 miles of petroleum pipelines and 300,000 miles of natural gas transmission pipelines in use every day. These pipelines transport the natural gas, which provides about 24 percent of all the energy used in the United States, and over 700 million gallons of petroleum products per day.

Local Distribution Companies (LDCs) deliver natural gas to most homes and businesses through underground main and utility service lines. These lines cover over 800,000 miles of underground pipeline in the United States.

How can you help?

While accidents pertaining to pipeline facilities are rare, awareness of the location of the pipeline, the potential hazards, and what to do if a leak occurs can help minimize the number of accidents. A leading cause of pipeline incidents is third-party excavation damage. Pipeline operators are responsible for the safety and security of their respective pipelines. To help maintain the integrity of pipelines and their rights-of-way, it is essential that pipeline and facility neighbors protect against unauthorized excavations or other destructive activities. Here's what you can do to help:

- *Become familiar with the pipelines and pipeline facilities in the area (marker signs, fence signs at gated entrances, etc).*
- *Record the operator name, contact information and any pipeline information from nearby marker/facility signs and keep in a permanent location near the telephone.*
- *Be aware of any unusual or suspicious activities or unauthorized excavations taking place within or near the pipeline right-of-way or pipeline facility; report any such activities to the pipeline operator and the local law enforcement.*

For more information regarding pipeline safety and an overview of the pipeline industry please visit the following Web sites:

Pipeline Resources and Information

- Pipeline 101 - www.pipeline101.com
- Association of Oil Pipe Lines (AOPL) - www.aopl.org
- American Petroleum Institute (API) - www.api.org
- In the Pipe - Newsletter from the Oil Pipeline Industry - www.enewsbuilder.net/aopl/
- Interstate Natural Gas Association of America (INGAA) - www.ingaa.org
- American Gas Association (AGA) - www.aga.org
- Dig Safely - www.digsafely.com
- Common Ground Alliance (CGA) - www.commongroundalliance.com









Regulatory Agencies

- Department of Transportation (DOT) - www.dot.gov
- Office of Pipeline Safety (OPS) – www.phmsa.dot.gov
- National Transportation and Safety Board (NTSB) - www.nts.gov
- Federal Energy Regulatory Commission (FERC) - www.ferc.gov
- Federal Energy Regulatory Commission (FERC - Oil Pipelines) - www.ferc.gov/industries/oil.asp
- Occupational Safety & Health Administration (OSHA) - www.osha.gov
- National Fire Protection Association (NFPA) - www.nfpa.org

Transmission Pipeline Mapping

The U.S. Department of Transportation's Office of Pipeline Safety has developed the National Pipeline Mapping System (NPMS) to provide information about gas transmission and liquid transmission operators and their pipelines. The NPMS Web site is searchable by zip code or by county and state, and can display a county map that is printable. For a list of pipeline operators with pipelines in your area and their contact information, go to www.npms.phmsa.dot.gov/ Operators of production facilities, gas/liquid gathering piping and distribution piping, are not represented by NPMS nor are they required to be.

This color code chart will help determine which utilities have marked their underground utility lines.

	WHITE-Proposed excavation
	PINK-Temporary survey markings
	RED-Electric power lines, cables, conduit and lighting cables
	YELLOW-Gas, oil, steam, petroleum or gaseous materials.
	ORANGE-Communications, alarm or signal lines, cables or conduit
	BLUE-Potable water lines
	PURPLE-Reclaimed water, irrigation and slurry lines
	GREEN-Sewer lines

NOTICE-The information provided in this brochure, including but not limited to, One-Call center information, Web sites, state laws, regulatory agencies, has been gathered using the most up to date information available, and provided for informational purposes only. All matter is subject to change without notice. Pacific Energy and Mining Company made an attempt to verify all information contained herein as to its accuracy, and is not liable for any missing or incorrect information.

PACIFIC ENERGY AND MINING COMPANY



APÉNDICE I-Public Awareness Program- Información importante sobre seguridad para la comunidad

Paradox Natural Gas Pipeline
Operador: Pacific Energy & Mining Company
PHMSA (OPID): 39049

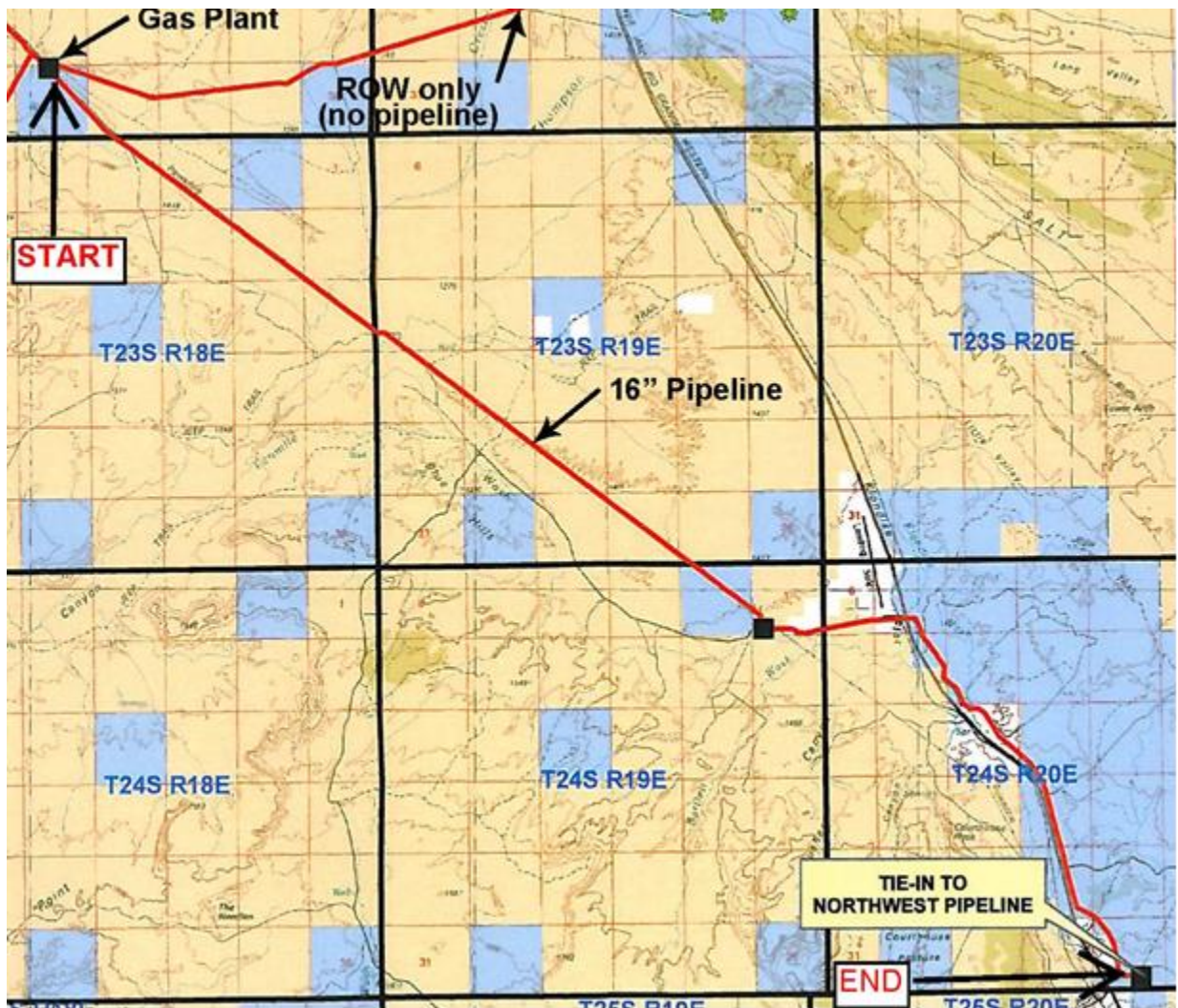
3/25/2014

Llame antes de cavar. ¡ES GRATIS Y ES LA LEY!

Una simple llamada telefónica al 811 inicia el proceso para que sus tuberías subterráneas y líneas de servicios públicos se marquen GRATIS. Una vez que sus líneas subterráneas hayan sido marcadas para su proyecto, sabrá la ubicación aproximada de sus tuberías y líneas de servicios públicos, y podrá excavar de manera segura. Más información sobre el 811 se puede encontrar en www.call811.com & at www.bluestakes.org
INFORMACIÓN IMPORTANTE DE SEGURIDAD PARA LA COMUNIDAD

INFORMACIÓN IMPORTANTE DE SEGURIDAD PARA LA COMUNIDAD

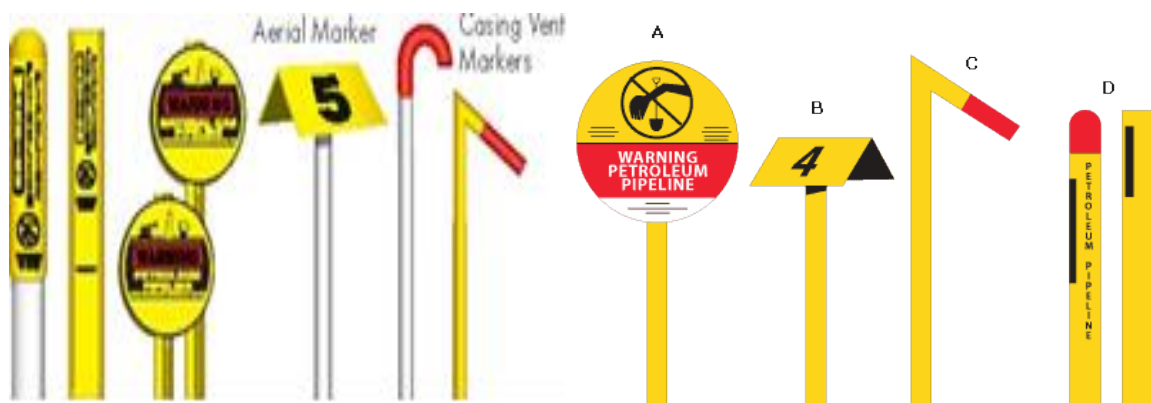
PEMC-NATURAL GAS PIPELINE



**COMENZAR EN PLANTA DE GAS
TERMINAR EN NORTHWEST PIPELINE TIE-IN A
ACERO CON DIÁMETRO DE 16 PULGADAS
GRAND COUNTY, UTAH**

¿Cómo saber dónde está una tubería

La mayoría de las tuberías son subterráneas, donde están más protegidas de los elementos y minimizan la interferencia con los usos de la superficie. Aun así, los derechos de vía de los ductos están claramente identificados por los marcadores de ductos a lo largo de las rutas de los ductos que identifican la ubicación aproximada, NO EXACTA, del ducto. Cada marcador de tubería contiene información que identifica la compañía que transportó la tubería, el producto de Marcadores de tubería y un número de teléfono al que se debe llamar en caso de una emergencia. Los marcadores no indican la profundidad del entierro de la tubería, que variará. Los marcadores se ven normalmente cuando una tubería cruza una calle, una carretera o un ferrocarril. Para cualquier persona que intencionalmente dañe, dañe, elimine o destruya cualquier marcador de tubería es un delito federal.



Marcador de tubería- Este marcador es el más común. Contiene información del operador, tipo de producto y un número de contacto de emergencia. El tamaño, la forma y el color pueden variar

Marcador aéreo - Estos marcadores orientados hacia el cielo son utilizados por los aviones de patrulla que monitorean las rutas de la tubería.

Casing Vent Marker- Este marcador indica que una tubería (protegida por una cubierta exterior de acero) pasa por debajo de una carretera cercana, línea de ferrocarril u otro cruce

Qué hace la compañía de tuberías si se produce una fuga?

Para prepararse para el evento de una fuga, las compañías de tuberías se comunican, planifican y capacitan regularmente con el personal de respuesta a emergencias local. Tras la notificación de un incidente o fuga, la compañía de tuberías enviará de inmediato a personal capacitado para ayudar a los servicios de emergencia. Los operadores de tuberías y los servicios de emergencia están capacitados para proteger la vida, la propiedad y las instalaciones en caso de una emergencia. Los operadores de tuberías también tomarán medidas para minimizar la cantidad de producto que se filtra y aislar la emergencia de la tubería.

Los operadores de tuberías también tomarán medidas para minimizar la cantidad de producto que se filtra y aislar la emergencia de la tubería

¿Cómo reconocería usted una fuga en la tubería?

Visión - Los charcos líquidos, la vegetación / el suelo decolorado o anormalmente seco, el burbujeo continuo en áreas húmedas o inundadas, un brillo aceitoso en las superficies de agua y las nieblas vaporosas o la suciedad que sopla alrededor del área de la tubería pueden ser indicativos de una fuga en

la tubería. Otras señales posibles son plantas muertas o descoloridas en un área de vegetación por lo demás sana o suelo congelado en un clima cálido.

Sonar - El volumen puede variar desde un silbido silencioso hasta un rugido fuerte según el tamaño de la fuga y el sistema de tuberías.

Oler - Un olor inusual, olor a petróleo u olor a gas acompañará a veces las fugas en la tubería. El gas natural y los líquidos altamente volátiles son incoloros, insípidos e inodoros, a menos que se agreguen odorantes comerciales o mercaptanos. Las tuberías de transmisión de gas / recolección de gas son inodoras, pero pueden contener un olor a hidrocarburo

Qué hacer en caso de que se produzca una fuga:

Apagar Cualquier equipo y eliminar cualquier fuente de ignición sin riesgo de lesiones.

Abandona el área A pie de inmediato. Intenta dirigir a otros espectadores para que salgan del área. Intenta mantenerte en contra del viento.

Si lo sabe, desde un lugar seguro, notifique al operador de la tubería inmediatamente y llame al 911 o a su número de respuesta de emergencia local. El operador necesitará su nombre, su número de teléfono, una breve descripción del incidente y la ubicación para poder iniciar la respuesta adecuada

Qué no hacer en caso de que se produzca una fuga:

NO HAGA provocar una llama abierta u otra fuente potencial de ignición, como un interruptor eléctrico, la ignición del vehículo, encender un fósforo, etc. No arrancar vehículos motorizados o equipos eléctricos. No toque timbres para avisar a otros de la fuga. Golpee con la mano para evitar posibles chispas de las aldabas.

NO HAGA Entrar en contacto directo con cualquier líquido o gas que se escape.

NO HAGA Conduzca hacia una fuga o nube de vapor mientras abandona el área.

NO HAGA intente operar cualquier válvula de tubería usted mismo. Sin darse cuenta, puede enrutar más productos a la fuga o causar un incidente secundario.

NO HAGA Intentar extinguir un producto del petróleo o un incendio de gas natural. Espere a un despido local y a otros profesionales capacitados para enfrentar tales emergencias.

Mantener la seguridad e integridad de las tuberías.

Los operadores de gasoductos invierten tiempo y capital importantes manteniendo la calidad e integridad de sus sistemas de ductos. La mayoría, no todas, las tuberías activas se monitorean las 24 horas del día a través de los centros de control tripulados. Las compañías de ductos también utilizan vigilancia aérea y / o observadores en tierra para identificar peligros potenciales. El personal del centro de control monitorea continuamente el sistema de tuberías y evalúa los cambios en la presión y el flujo. Notifican al personal de campo si existe la posibilidad de una fuga. Las válvulas de cierre automático a veces se utilizan para aislar una fuga.

La transmisión de gas y los operadores de tuberías de líquidos peligrosos han desarrollado programas de evaluación y peligros complementarios conocidos como Programas de gestión de integridad (IMP). Se han implementado IMP para áreas designadas como "áreas de alta consecuencia" de acuerdo con las regulaciones federales. Se puede encontrar información específica sobre el programa de un operador en el sitio web de su compañía, o contactándolos directamente.

Qué hacer en caso de dañar / dañar una tubería.

Si causa o presencia incluso daños menores en una tubería o en su revestimiento protector, notifique inmediatamente a la compañía de la tubería. Incluso una pequeña perturbación en una tubería puede causar una fuga futura. Una gubia, raspadura, abolladura o pliegue es causa suficiente para que la empresa inspeccione los daños y haga reparaciones

Excavadoras debe notificar a la compañía de tuberías a través del Centro de Llamada Única inmediatamente, pero no más tarde de dos horas después del incidente del daño

OPERADORES DE PIPELINAS EN AREA

Pacific Energy & Mining Company

Oficial de Cumplimiento -Dan Green: 775-336-3132, dfgreen1@dslextreme.com

o supervisor de campo-Rodney Nugent: 775-842-9934

OTROS OPERADORES EN ZONA

Pipeline Operator Name	Person To Contact	Contact Address	Phone / Fax / Email
ENTERPRISE PRODUCTS OPERATING LLC	Michael McLaughlin (Manager, Public Awareness & Damage Prevention)	PO Box 4735, Houston, TX 77210	Phone: (713) 381-2802 Fax: Email: MMclaughlin@eprod.com
MOAB PIPELINE, LLC	Don Hamilton (Authorized Agent)	2580 Creekview Road, Moab, UT 84532	Phone: (435) 719-2018 Fax: (435) 719-2019 Email: starpoint@etv.net
NORTHWEST PIPELINE CORP (WGP)	George Angerbauer (Local Outreach Business Partner)	295 Chipeta Way, Salt Lake City, UT 84108	Phone: (801) 584-6615 Fax: Email: george.angerbauer@williams.com

PIPELINE PRODUCT TRANSPORTED IN AREA*

PRODUCT:

LEAK TYPE:

VAPORS:

RIESGOS PARA LA SALUD:

GAS NATURAL.

GAS.

LIGERO QUE EL AIRE Y GENERALMENTE SUBIRÁ Y DISIPARÁ. PUEDE REUNIRSE EN UN ESPACIO CONFINADO Y VIAJAR A UNA FUENTE DE IGNICIÓN.

SE ENTREGARÁ FÁCILMENTE POR EL CALOR, LA CHISPA O LA LLAMA Y FORMARÁ MEZCLAS EXPLOSIVAS CON EL AIRE. Los vapores pueden causar mareos o asfixia sin previo aviso y pueden ser tóxicos en caso de inhalación de altas concentraciones. EL CONTACTO CON EL GAS O EL GAS LICUADO PUEDE CAUSAR QUEMADURAS, LESIONES GRAVES Y / O FROSTBITA.

* Los operadores y productos representados pueden no ser todo incluido. Visite www.nps.phmsa.dot.gov/ para obtener más información. Información obtenida de la Guía de Respuesta de Emergencia 2008 de la Administración de Seguridad de Tuberías y Materiales Peligrosos de EE. UU.

AGENCIAS REGULATORIAS

1.

División de Servicios Públicos de Utah, PIPELINE SAFETY

Al Zadeh , Ingeniero superior de seguridad de tuberías, 801-530-6673, azadeh@utah.gov

Jimmy Betham, Ingeniero de seguridad de tuberías 801-580-7515, jbetham@utah.gov

Website: <http://publicutilities.utah.gov/pipeline.html>

Enlace de ley estatal: (PSC Rules R746-409 Pipeline Safety)

<http://www.rules.utah.gov/publicat/code/r746/r746-409.htm>

2. Departamento de Transporte de los Estados Unidos, Administración de Seguridad de Tuberías y Materiales Peligrosos, Asistencia comunitaria y servicios técnicos.(CATS)

OPS (Oficina de seguridad de tuberías). Región occidental:

Alaska; Arizona; California; Colorado; Hawaii; Idaho; Montana; Nevada; Oregon; Utah; Washington; Wyoming.

Tom Finch, 720-963-3175, thomas.finch@dot.gov

Dave Mulligan, 720-963-3193, david.mulligan@dot.gov

Website: <http://primis.phmsa.dot.gov/comm/CATS.htm?nocache=4045>

Federal Law Link: <http://phmsa.dot.gov/regulations>

CENTRO DE UNA LLAMADA DE

BLUE STAKES OF UTAH, llamada 811 o 1-800-662-4111, www.bluestakes.org

Hours: 7a.m. to 5 p.m. M-F

Marcas validas: 14 días calendario, aviso anticipado: 2 días hábiles, aviso de 48 horas.

ENTRADAS

Entradas de fax disponibles: No.

Entradas Online: sí.

LEYES Y DISPOSICIONES DEL ESTADOSTATE

Cobertura en todo el estado: sí.

Sanciones civiles: sí.

Cláusula de emergencia: No

Membresía obligatoria: sí.

Permisos de excavadora emitidos: No

Premark obligatorios: No

Respuesta positiva: sí.

Cláusula de excavación: sí.

Informes de daños: No

Las exenciones

DOT: No

Dueño de casa: No

Ferrocarril: N

Agricultura: N

Profundidad: N

NOTIFICACIONES ACEPTADAS

Daños, diseño y gastos generales: N

Emergencia: Sí

Zona de tolerancia: 24 pulgadas.

Propósito y confiabilidad del oleoducto.

De acuerdo con las estadísticas de la Junta Nacional de Seguridad en el Transporte, las tuberías son el medio más seguro y eficiente para transportar gas natural y productos derivados del petróleo. Solo en los Estados Unidos, hay más de 200,000 millas de tuberías de petróleo y 300,000 millas de tuberías de transmisión de gas natural en uso todos los días. Estas tuberías transportan el gas natural, que proporciona aproximadamente el 24 por ciento de toda la energía utilizada en los Estados Unidos y más de 700 millones de galones de productos de petróleo por día.

Las Compañías de Distribución Local (PMA) suministran gas natural a la mayoría de los hogares y empresas a través de líneas de servicio subterráneas principales y de servicios públicos. Estas líneas cubren más de 800,000 millas de tuberías subterráneas en los Estados Unidos.

Como puedes ayudar?

Si bien los accidentes relacionados con las instalaciones de tuberías son poco frecuentes, el conocimiento de la ubicación de la tubería, los peligros potenciales y qué hacer si ocurre una fuga puede ayudar a minimizar la cantidad de accidentes. Una de las principales causas de los incidentes en las tuberías es el daño por excavación de terceros. Los operadores de tuberías son responsables de la seguridad y protección de sus respectivas tuberías. Para ayudar a mantener la integridad de las tuberías y sus derechos de paso, es esencial que los vecinos de las tuberías y las instalaciones protejan contra excavaciones no autorizadas u otras actividades destructivas. Esto es lo que puedes hacer para ayudar:

- Familiarícese con las tuberías y las instalaciones de la tubería en el área (señales de señalización, señales de cerca en entradas cerradas, etc.).
- Registre el nombre del operador, la información de contacto y la información de la tubería de los letreros / instalaciones cercanas y manténgalos en un lugar permanente cerca del teléfono.
- Esté al tanto de cualquier actividad inusual o sospechosa o de excavaciones no autorizadas que tengan lugar dentro o cerca del derecho de paso o de la instalación del gasoducto; reportar cualquier actividad de este tipo al operador de la tubería y a la policía local.

Para obtener más información sobre la seguridad de las tuberías y una descripción general de la industria de las tuberías, visite los siguientes sitios web:

Recursos de tubería e información

- Tubería Pipeline 101 - www.pipeline101.com
- Asociación de Líneas de Tuberías de Aceite (AOPL) - www.aopl.org

- Instituto Americano de Petróleo (API) - www.api.org
- In the Pipe - Boletín de la industria del oleoducto - www.enewsbuilder.net/aopl/
- Asociación Interestatal de Gas Natural de América (INGAA) - www.ingaa.org
- Asociación Americana del Gas (AGA) - www.aga.org
- Cavar con seguridad - www.digsafely.com
- Alianza de tierra común (CGA) - www.commongroundalliance.com

Agencias regulatorias

- Departamento de transporte (DOT) - www.dot.gov
- Oficina de seguridad de tuberías (OPS) - www.phmsa.dot.gov
- Junta Nacional de Transporte y Seguridad (NTSB) - www.nts.gov
- Comisión Federal Reguladora de Energía (FERC) - www.ferc.gov
- Comisión Federal Reguladora de Energía (FERC - Oleoductos) - www.ferc.gov/industries/oil.asp
- Administración de Seguridad y Salud Ocupacional (OSHA) - www.osha.gov
- Asociación Nacional de Protección contra el Fuego (NFPA) - www.nfpa.org

Cartografía de la tubería de transmisión

La Oficina de Seguridad de Tuberías del Departamento de Transporte de los Estados Unidos ha desarrollado el Sistema Nacional de Mapeo de Tuberías (NPMS) para proporcionar información sobre la transmisión de gas y los operadores de transmisión de líquidos y sus tuberías. El sitio web de NPMS se puede buscar por código postal o por condado y estado, y puede mostrar un mapa del condado que se puede imprimir. Para obtener una lista de los operadores de tuberías con tuberías en su área y su información de contacto, visite www.npms.phmsa.dot.gov/ Los operadores de instalaciones de producción, tuberías de recolección de gas / líquido y tuberías de distribución, no están representados por NPMS ni están se requiere que sea.

Este cuadro de códigos de colores ayudará a determinar qué servicios públicos han marcado sus líneas de servicios subterráneos.



- BLANCO - Excavación propuesta
- PINK-marcas de la encuesta temporal
- RED-Líneas eléctricas, cables, conductos eléctricos. y cables de iluminación
- AMARILLO-Gas, petróleo, vapor, petróleo o materiales gaseosos.



NARANJA-Comunicaciones, alarma o Líneas de señalización, cables o conductos.



AZUL-LINEAS DE AGUA POTABLE




PURPLE-Agua recuperada, riego. y líneas de lodos



VERDE Líneas de alcantarillado

AVISO: la información proporcionada en este folleto, que incluye, entre otros, la información del centro de One-Call, los sitios web, las leyes estatales, las agencias reguladoras, se ha recopilado utilizando la información más actualizada disponible y se ha proporcionado únicamente con fines informativos. Toda la materia está sujeta a cambios sin previo aviso. Pacific Energy and Mining Company hizo un intento de verificar toda la información contenida en este documento en cuanto a su precisión, y no es responsable de ninguna información faltante o incorrecta.

 <p>U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration</p>	<p>ANNUAL REPORT FOR CALENDAR YEAR 2017 NATURAL OR OTHER GAS TRANSMISSION and GATHERING SYSTEMS</p>	<p>Initial Date Submitted</p>	<p>05/14/2018</p>
		<p>Report Submission Type</p>	<p>INITIAL</p>
		<p>Date Submitted</p>	
<p>A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2137-0522. Public reporting for this collection of information is estimated to be approximately 42 hours per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, PHMSA, Office of Pipeline Safety (PHP-30) 1200 New Jersey Avenue, SE, Washington, D.C. 20590.</p> <p>Important: Please read the separate instructions for completing this form before you begin. They clarify the information requested and provide specific examples. If you do not have a copy of the instructions, you can obtain one from the PHMSA Pipeline Safety Community Web Page at http://www.phmsa.dot.gov/pipeline/library/forms.</p>			
<p>PART A - OPERATOR INFORMATION</p>		<p>DOT USE ONLY</p>	<p>20187578 - 34956</p>
<p>1. OPERATOR'S 5 DIGIT IDENTIFICATION NUMBER (OPID)</p> <p style="text-align: center;">39049</p>	<p>2. NAME OF OPERATOR:</p> <p style="text-align: center;">PACIFIC ENERGY & MINING CO</p>		
<p>3. RESERVED</p>	<p>4. HEADQUARTERS ADDRESS:</p> <p>3550 BARRON WAY SUITE 13A Street Address</p> <p>RENO City</p> <p>State: NV Zip Code: 89511</p>		
<p>5. THIS REPORT PERTAINS TO THE FOLLOWING COMMODITY GROUP: <i>(Select Commodity Group based on the predominant gas carried and complete the report for that Commodity Group. File a separate report for each Commodity Group included in this OPID.)</i></p> <p>Natural Gas</p>			
<p>6. RESERVED</p>			
<p>7. FOR THE DESIGNATED "COMMODITY GROUP", THE PIPELINES AND/OR PIPELINE FACILITIES INCLUDED WITHIN THIS OPID ARE: <i>(Select one or both)</i></p> <p>INTERstate pipeline – List all of the States and OSC portions in which INTERstate pipelines and/or pipeline facilities included under this OPID exist. etc.</p> <p>INTRAstate pipeline – List all of the States in which INTRAstate pipelines and or pipeline facilities included under this OPID exist. UTAH etc.</p>			
<p>8. RESERVED</p>			

For the designated Commodity Group, PARTs B and D will be calculated based on the data entered in Parts L and P respectively. Complete Part C one time for all pipelines and/or pipeline facilities – both INTERstate and INTRAsate - included within this OPID.

PART B – TRANSMISSION PIPELINE HCA MILES	
	Number of HCA Miles
Onshore	0
Offshore	0
Total Miles	0

PART C - VOLUME TRANSPORTED IN TRANSMISSION PIPELINES (ONLY) IN MILLION SCF PER YEAR (excludes Transmission lines of Gas Distribution systems)	Check this box and do not complete PART C if this report only includes gathering pipelines or transmission lines of gas distribution systems.	
	<input type="checkbox"/>	
	Onshore	Offshore
Natural Gas	133.943	
Propane Gas		
Synthetic Gas		
Hydrogen Gas		
Landfill Gas		
Other Gas - Name:		

PART D - MILES OF STEEL PIPE BY CORROSION PROTECTION										
	Steel Cathodically protected		Steel Cathodically unprotected		Cast Iron	Wrought Iron	Plastic	Composite ¹	Other	Total Miles
	Bare	Coated	Bare	Coated						
Transmission										
Onshore	0	21.19	0	0	0	0	0	0	0	21.19
Offshore	0	0	0	0	0	0	0	0	0	0
Subtotal Transmission	0	21.19	0	0	0	0	0	0	0	21.19
Gathering										
Onshore Type A	0	0	0	0	0	0	0	0	0	0
Onshore Type B	0	0	0	0	0	0	0	0	0	0
Offshore	0	0	0	0	0	0	0	0	0	0
Subtotal Gathering	0	0	0	0	0	0	0	0	0	0
Total Miles	0	21.19	0	0	0	0	0	0	0	21.19

¹Use of Composite pipe requires a PHMSA Special Permit or waiver from a State

PART E – RESERVED

For the designated Commodity Group, complete PARTs F and G one time for all INTERstate pipeline facilities included within this OPID and multiple times as needed for the designated Commodity Group for each State in which INTRAstate pipeline facilities included within this OPID exist. Part F "WITHIN AN HCA SEGMENT" data and Part G may be completed only if HCA Miles in Part L is greater than zero.

PARTs F and G
The data reported in these PARTs applies to: (select only one)
<input type="checkbox"/> Interstate pipelines/pipeline facilities <input checked="" type="checkbox"/> Intrastate pipelines/pipeline facilities in the State of UTAH (complete for each State)

PART F - INTEGRITY INSPECTIONS CONDUCTED AND ACTIONS TAKEN BASED ON INSPECTION	
1. MILEAGE INSPECTED IN CALENDAR YEAR USING THE FOLLOWING IN-LINE INSPECTION (ILI) TOOLS	
a. Corrosion or metal loss tools	
b. Dent or deformation tools	
c. Crack or long seam defect detection tools	
d. Any other internal inspection tools, specify other tools:	
1. Internal Inspection Tools - Other	
e. Total tool mileage inspected in calendar year using in-line inspection tools. (Lines a + b + c + d)	
2. ACTIONS TAKEN IN CALENDAR YEAR BASED ON IN-LINE INSPECTIONS	
a. Based on ILI data, total number of anomalies excavated in calendar year because they met the operator's criteria for excavation.	
b. Total number of anomalies repaired in calendar year that were identified by ILI based on the operator's criteria, both within an HCA Segment and outside of an HCA Segment.	
c. Total number of conditions repaired WITHIN AN HCA SEGMENT meeting the definition of:	
1. "Immediate repair conditions" [192.933(d)(1)]	
2. "One-year conditions" [192.933(d)(2)]	
3. "Monitored conditions" [192.933(d)(3)]	
4. Other "Scheduled conditions" [192.933(c)]	
3. MILEAGE INSPECTED AND ACTIONS TAKEN IN CALENDAR YEAR BASED ON PRESSURE TESTING	
a. Total mileage inspected by pressure testing in calendar year.	
b. Total number of pressure test failures (ruptures and leaks) repaired in calendar year, both within an HCA Segment and outside of an HCA Segment.	
c. Total number of pressure test ruptures (complete failure of pipe wall) repaired in calendar year WITHIN AN HCA SEGMENT.	
d. Total number of pressure test leaks (less than complete wall failure but including escape of test medium) repaired in calendar year WITHIN AN HCA SEGMENT.	
4. MILEAGE INSPECTED AND ACTIONS TAKEN IN CALENDAR YEAR BASED ON DA (Direct Assessment methods)	
a. Total mileage inspected by each DA method in calendar year.	
1. ECDA	
2. ICDA	
3. SCCDA	
b. Total number of anomalies identified by each DA method and repaired in calendar year based on the operator's criteria, both within an HCA Segment and outside of an HCA Segment.	
1. ECDA	
2. ICDA	
3. SCCDA	
c. Total number of conditions repaired in calendar year WITHIN AN HCA SEGMENT meeting the definition of:	
1. "Immediate repair conditions" [192.933(d)(1)]	

2. "One-year conditions" [192.933(d)(2)]	
3. "Monitored conditions" [192.933(d)(3)]	
4. Other "Scheduled conditions" [192.933(c)]	
5. MILEAGE INSPECTED AND ACTIONS TAKEN IN CALENDAR YEAR BASED ON OTHER INSPECTION TECHNIQUES	
a. Total mileage inspected by inspection techniques other than those listed above in calendar year.	21.19
1. Other Inspection Techniques	methane tester
b. Total number of anomalies identified by other inspection techniques and repaired in calendar year based on the operator's criteria, both within an HCA Segment and outside of an HCA Segment.	0
c. Total number of conditions repaired in calendar year WITHIN AN HCA SEGMENT meeting the definition of:	
1. "Immediate repair conditions" [192.933(d)(1)]	
2. "One-year conditions" [192.933(d)(2)]	
3. "Monitored conditions" [192.933(d)(3)]	
4. Other "Scheduled conditions" [192.933(c)]	
6. TOTAL MILEAGE INSPECTED (ALL METHODS) AND ACTIONS TAKEN IN CALENDAR YEAR	
a. Total mileage inspected in calendar year. (Lines 1.e + 3.a + 4.a.1 + 4.a.2 + 4.a.3 + 5.a)	21.19
b. Total number of anomalies repaired in calendar year both within an HCA Segment and outside of an HCA Segment. (Lines 2.b + 3.b + 4.b.1 + 4.b.2 + 4.b.3 + 5.b)	0
c. Total number of conditions repaired in calendar year WITHIN AN HCA SEGMENT. (Lines 2.c.1 + 2.c.2 + 2.c.3 + 2.c.4 + 3.c + 3.d + 4.c.1 + 4.c.2 + 4.c.3 + 4.c.4 + 5.c.1 + 5.c.2 + 5.c.3 + 5.c.4)	
d. Total number of actionable anomalies eliminated by pipe replacement in calendar year WITHIN AN HCA SEGMENT:	
e. Total number of actionable anomalies eliminated by pipe abandonment in calendar year WITHIN AN HCA SEGMENT:	
PART G— MILES OF BASELINE ASSESSMENTS AND REASSESSMENTS COMPLETED IN CALENDAR YEAR (HCA Segment miles ONLY)	
a. Baseline assessment miles completed during the calendar year.	0
b. Reassessment miles completed during the calendar year.	0
c. Total assessment and reassessment miles completed during the calendar year.	0

For the designated Commodity Group, complete PARTs H, I, J, K, L, M, P Q and R covering INTERstate pipelines and/or pipeline facilities for each State in which INTERstate systems exist within this OPID and again covering INTRASTATE pipelines and/or pipeline facilities for each State in which INTRASTATE systems exist within this OPID.

PARTs H, I, J, K, L, M, P, Q, and R									
The data reported in these PARTs applies to: <i>(select only one)</i>									
INTRASTATE pipelines/pipeline facilities UTAH									
PART H - MILES OF TRANSMISSION PIPE BY NOMINAL PIPE SIZE (NPS)									
Onshore	NPS 4 or less	6	8	10	12	14	16	18	20
	0	0	0	0	0	0	21.19	0	0
	22	24	26	28	30	32	34	36	38
	0	0	0	0	0	0	0	0	0
	40	42	44	46	48	52	56	58 and over	
	0	0	0	0	0	0	0	0	
	Additional Sizes and Miles (Size – Miles;): 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0;								
21.19	Total Miles of Onshore Pipe – Transmission								
Offshore	NPS 4 or less	6	8	10	12	14	16	18	20
	0	0	0	0	0	0	0	0	0
	22	24	26	28	30	32	34	36	38
	0	0	0	0	0	0	0	0	0
	40	42	44	46	48	52	56	58 and over	
	0	0	0	0	0	0	0	0	
	Additional Sizes and Miles (Size – Miles;): 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0;								
0	Total Miles of Offshore Pipe – Transmission								
PART I - MILES OF GATHERING PIPE BY NOMINAL PIPE SIZE (NPS)									
Onshore Type A	NPS 4 or less	6	8	10	12	14	16	18	20
	0	0	0	0	0	0	0	0	0
	22	24	26	28	30	32	34	36	38
	0	0	0	0	0	0	0	0	0
	40	42	44	46	48	52	56	58 and over	

	0	0	0	0	0	0	0	0	0
	Additional Sizes and Miles (Size – Miles;): 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0;								
0	Total Miles of Onshore Type A Pipe – Gathering								
Onshore Type B	NPS 4 or less	6	8	10	12	14	16	18	20
	0	0	0	0	0	0	0	0	0
	22	24	26	28	30	32	34	36	38
	0	0	0	0	0	0	0	0	0
	40	42	44	46	48	52	56	58 and over	
	0	0	0	0	0	0	0	0	
	Additional Sizes and Miles (Size – Miles;): 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0;								
0	Total Miles of Onshore Type B Pipe – Gathering								
Offshore	NPS 4 or less	6	8	10	12	14	16	18	20
	0	0	0	0	0	0	0	0	0
	22	24	26	28	30	32	34	36	38
	0	0	0	0	0	0	0	0	0
	40	42	44	46	48	52	56	58 and over	
	0	0	0	0	0	0	0	0	
	Additional Sizes and Miles (Size – Miles;): 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0; 0 - 0;								
0	Total Miles of Offshore Pipe – Gathering								

PART J – MILES OF PIPE BY DECADE INSTALLED

Decade Pipe Installed	Unknown	Pre-40	1940 - 1949	1950 - 1959	1960 - 1969	1970 - 1979
Transmission						
Onshore	0	0	0	0	0	0
Offshore						
Subtotal Transmission	0	0	0	0	0	0
Gathering						
Onshore Type A	0	0	0	0	0	0
Onshore Type B	0	0	0	0	0	0
Offshore						
Subtotal Gathering	0	0	0	0	0	0
Total Miles	0	0	0	0	0	0
Decade Pipe Installed	1980 - 1989	1990 - 1999	2000 - 2009	2010 - 2019	Total Miles	
Transmission						
Onshore	0	0	21.19	0	21.19	
Offshore						
Subtotal Transmission	0	0	21.19	0	21.19	
Gathering						

Onshore Type A	0	0	0	0		0
Onshore Type B	0	0	0	0		0
Offshore						
Subtotal Gathering	0	0	0	0		0
Total Miles	0	0	21.19	0		21.19

PART K- MILES OF TRANSMISSION PIPE BY SPECIFIED MINIMUM YIELD STRENGTH						
ONSHORE	CLASS LOCATION				Total Miles	
	Class 1	Class 2	Class 3	Class 4		
Steel pipe Less than 20% SMYS	0	0	0	0	0	
Steel pipe Greater than or equal to 20% SMYS but less than 30% SMYS	0	0	0	0	0	
Steel pipe Greater than or equal to 30% SMYS but less than or equal to 40% SMYS	21.19	0	0	0	21.19	
Steel pipe Greater than 40% SMYS but less than or equal to 50% SMYS	0	0	0	0	0	
Steel pipe Greater than 50% SMYS but less than or equal to 60% SMYS	0	0	0	0	0	
Steel pipe Greater than 60% SMYS but less than or equal to 72% SMYS	0	0	0	0	0	
Steel pipe Greater than 72% SMYS but less than or equal to 80% SMYS	0	0	0	0	0	
Steel pipe Greater than 80% SMYS	0	0	0	0	0	
Steel pipe Unknown percent of SMYS	0	0	0	0	0	
All Non-Steel pipe	0	0	0	0	0	
Onshore Totals	21.19	0	0	0	21.19	
OFFSHORE	Class 1					
Less than or equal to 50% SMYS	0					
Greater than 50% SMYS but less than or equal to 72% SMYS	0					
Steel pipe Greater than 72% SMYS	0					
Steel Pipe Unknown percent of SMYS	0					
All non-steel pipe	0					
Offshore Total	0					0
Total Miles	21.19					21.19

PART L - MILES OF PIPE BY CLASS LOCATION						
	Class Location				Total Class Location Miles	HCA Miles in the IMP Program
	Class 1	Class 2	Class 3	Class 4		
Transmission						
Onshore	21.19	0	0	0	21.19	0
Offshore	0	0	0	0	0	
Subtotal Transmission	21.19	0	0	0	21.19	
Gathering						

Onshore Type A	0	0	0	0	0	
Onshore Type B	0	0	0	0	0	
Offshore	0	0	0	0	0	
Subtotal Gathering	0	0	0	0	0	
Total Miles	21.19	0	0	0	21.19	0

PART M – FAILURES, LEAKS, AND REPAIRS

PART M1 – ALL LEAKS ELIMINATED/REPAIRED IN CALENDAR YEAR; INCIDENTS & FAILURES IN HCA SEGMENTS IN CALENDAR YEAR

Cause	Transmission Leaks, and Failures					Gathering Leaks		
	Leaks				Failures in HCA Segments	Onshore Leaks		Offshore Leaks
	Onshore Leaks		Offshore Leaks			Type A	Type B	
	HCA	Non-HCA	HCA	Non-HCA				
External Corrosion	0	0	0	0	0	0	0	0
Internal Corrosion	0	0	0	0	0	0	0	0
Stress Corrosion Cracking	0	0	0	0	0	0	0	0
Manufacturing	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	0	0	0	0
Incorrect Operations	0	0	0	0	0	0	0	0
Third Party Damage/Mechanical Damage								
Excavation Damage	0	0	0	0	0	0	0	0
Previous Damage (due to Excavation Activity)	0	0	0	0	0	0	0	0
Vandalism (includes all Intentional Damage)	0	0	0	0	0	0	0	0
Weather Related/Other Outside Force								
Natural Force Damage (all)	0	0	0	0	0	0	0	0
Other Outside Force Damage (excluding Vandalism and all Intentional Damage)	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

PART M2 – KNOWN SYSTEM LEAKS AT END OF YEAR SCHEDULED FOR REPAIR

Transmission	0	Gathering	0
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PART M3 – LEAKS ON FEDERAL LAND OR OCS REPAIRED OR SCHEDULED FOR REPAIR

Transmission		Gathering	
Onshore	0	Onshore Type A	0
		Onshore Type B	0
OCS	0	OCS	0
Subtotal Transmission	0	Subtotal Gathering	0
Total	0		

PART P - MILES OF PIPE BY MATERIAL AND CORROSION PROTECTION STATUS										
	Steel Cathodically protected		Steel Cathodically unprotected		Cast Iron	Wrought Iron	Plastic	Composite ¹	Other ²	Total Miles
	Bare	Coated	Bare	Coated						
Transmission										
Onshore	0	21.19	0	0	0	0	0	0	0	21.19
Offshore	0	0	0	0	0	0	0	0	0	0
Subtotal Transmission	0	21.19	0	0	0	0	0	0	0	21.19
Gathering										
Onshore Type A	0	0	0	0	0	0	0	0	0	0
Onshore Type B	0	0	0	0	0	0	0	0	0	0
Offshore	0	0	0	0	0	0	0	0	0	0
Subtotal Gathering	0	0	0	0	0	0	0	0	0	0
Total Miles	0	21.19	0	0	0	0	0	0	0	21.19

¹Use of Composite pipe requires PHMSA Special Permit or waiver from a State

²specify Other material(s):

Part Q - Gas Transmission Miles by §192.619 MAOP Determination Method

	(a)(1) Total	(a)(1) Incomplete Records	(a)(2) Total	(a)(2) Incomplete Records	(a)(3) Total	(a)(3) Incomplete Records	(a)(4) Total	(a)(4) Incomplete Records	(c) Total	(c) Incomplete Records	(d) Total	(d) Incomplete Records	Other ¹ Total	Other Incomplete Records
Class 1 (in HCA)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Class 1 (not in HCA)	21.19		0		0		0		0		0		0	
Class 2 (in HCA)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Class 2 (not in HCA)	0		0		0		0		0		0		0	
Class 3 (in HCA)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Class 3 (not in HCA)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Class 4 (in HCA)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Class 4 (not in HCA)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	21.19	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total									21.19					
Sum of Total row for all "Incomplete Records" columns									0					

¹Specify Other method(s):

Class 1 (in HCA)		Class 1 (not in HCA)	
Class 2 (in HCA)		Class 2 (not in HCA)	
Class 3 (in HCA)		Class 3 (not in HCA)	
Class 4 (in HCA)		Class 4 (not in HCA)	

Part R – Gas Transmission Miles by Pressure Test (PT) Range and Internal Inspection						
	PT ≥ 1.25 MAOP		1.25 MAOP > PT ≥ 1.1 MAOP		PT < 1.1 or No PT	
Location	Miles Internal Inspection ABLE	Miles Internal Inspection NOT ABLE	Miles Internal Inspection ABLE	Miles Internal Inspection NOT ABLE	Miles Internal Inspection ABLE	Miles Internal Inspection NOT ABLE
Class 1 in HCA	0	0	0	0	0	0
Class 2 in HCA	0	0	0	0	0	0
Class 3 in HCA	0	0	0	0	0	0
Class 4 in HCA	0	0	0	0	0	0
in HCA subTotal	0	0	0	0	0	0
Class 1 not in HCA	21.19	0	0	0	0	0
Class 2 not in HCA	0	0	0	0	0	0
Class 3 not in HCA	0	0	0	0	0	0
Class 4 not in HCA	0	0	0	0	0	0
not in HCA subTotal	21.19	0	0	0	0	0
Total	21.19	0	0	0	0	0
PT ≥ 1.25 MAOP Total			21.19	Total Miles Internal Inspection ABLE		21.19
1.25 MAOP > PT ≥ 1.1 MAOP Total			0	Total Miles Internal Inspection NOT ABLE		0
PT < 1.1 or No PT Total			0	Grand Total		21.19
Grand Total			21.19			

For the designated Commodity Group, complete PART N one time for all of the pipelines and/or pipeline facilities included within this OPID, and then also PART O if any gas transmission pipeline facilities included within this OPID have Part L HCA mile value greater than zero.

PART N - PREPARER SIGNATURE

Dan Green

Preparer's Name(type or print)

(775)636-3132

Telephone Number

Vice president

Preparer's Title

dfgreen1@dslextreme.com

Preparer's E-mail Address

PART O - CERTIFYING SIGNATURE (applicable only to PARTs B, F, G, and M1)

(775)240-0769

Telephone Number

Tariq Ahmad

Senior Executive Officer's name certifying the information in PARTs B, F, G, and M as required by 49 U.S.C. 60109(f)

President

Senior Executive Officer's title certifying the information in PARTs B, F, G, and M as required by 49 U.S.C. 60109(f)

taroil@yahoo.com

Senior Executive Officer's E-mail Address



PACIFIC ENERGY & MINING CO

May 21, 2018

Green River Mayor's Office
PO Box 620
460 E Main St
Green River UT 84525

RE: Public Awareness Program for Public Officials & Planning & Zoning Personnel

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all Community businesses near Pacific's pipeline between Moab and Green River, Utah. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station, following the Blue Hills Road.

If you have any questions, please feel free to contact Mr. Dan Green (775) 636-3132 or Mr. Rodney Nugent (775) 842-9934. Mr. Green is located in Los Angeles, California and Mr. Nugent is located in Green River, Utah.

Sincerely,
For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Moab Mayor's Office
217 E Center St
Moab UT 84532

RE: Public Awareness Program for Public Officials & Planning & Zoning Personnel

Greetings:

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For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Green River Mayor's Office
PO Box 620
460 E Main St
Green River UT 84525

RE: Public Awareness Program for Public Officials & Planning & Zoning Personnel

Greetings:

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For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Moab Mayor's Office
217 E Center St
Moab UT 84532

RE: Public Awareness Program for Public Officials & Planning & Zoning Personnel

Greetings:

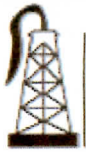
Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all Community businesses near Pacific's pipeline between Moab and Green River, Utah. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station, following the Blue Hills Road.

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For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Emery County Sheriff
PO Box 817
Castle Dale UT 84513

RE: Public Awareness Program for Emergency Responders

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all emergency responders in the Moab and Green River, Utah area. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station.

If you have any questions, please feel free to contact Mr. Dan Green (775) 636-3132 or Mr. Rodney Nugent (775) 842-9934. Mr. Green is located in Los Angeles, California and Mr. Nugent is located in Green River, Utah.

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Vice President

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Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Utah Highway Patrol
420 Main St
Green River UT 84525

RE: Public Awareness Program for Emergency Responders

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all emergency responders in the Moab and Green River, Utah area. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station.

If you have any questions, please feel free to contact Mr. Dan Green (775) 636-3132 or Mr. Rodney Nugent (775) 842-9934. Mr. Green is located in Los Angeles, California and Mr. Nugent is located in Green River, Utah.

Sincerely,
For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Utah Highway Patrol
420 Main St
Green River UT 84525

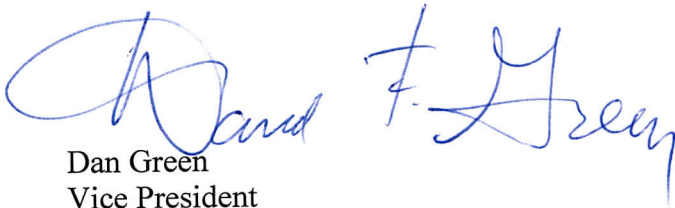
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For Pacific Energy and Mining Co.



Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Utah Highway Patrol
125 E Center St
Moab UT 84532

RE: Public Awareness Program for Emergency Responders

Greetings:

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For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Green River Fire Department
130 Green River Ave
Green River UT 84525

RE: Public Awareness Program for Emergency Responders

Greetings:

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Vice President

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Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Grand County Sheriff
25 S 100 E
Moab UT 84532

RE: Public Awareness Program for Emergency Responders

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all emergency responders in the Moab and Green River, Utah area. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station.

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Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Moab Police Department
217 E Center St
Moab UT 84532

RE: Public Awareness Program for Emergency Responders

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all emergency responders in the Moab and Green River, Utah area. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station.

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Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Blue Hills Gas Plant
PO Box 1650
120 S Durbin
Casper WY 82602

RE: Public Awareness Program for the Community

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all Community businesses near Pacific's pipeline between Moab and Green River, Utah. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station, following the Blue Hills Road.

If you have any questions, please feel free to contact Mr. Dan Green (775) 636-3132 or Mr. Rodney Nugent (775) 842-9934. Mr. Green is located in Los Angeles, California and Mr. Nugent is located in Green River, Utah.

Sincerely,

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Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Canyonlands Field Airport
110 W Aviation Way
Moab UT 84532

RE: Public Awareness Program for the Community

Greetings:

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For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Archview Resort RV
13701 N Highway 191
Moab UT 84532

RE: Public Awareness Program for the Community

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all Community businesses near Pacific's pipeline between Moab and Green River, Utah. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station, following the Blue Hills Road.

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For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com



PACIFIC ENERGY & MINING CO

May 21, 2018

Moab Under Canvas
13784 N Highway 191
Moab UT 84532

RE: Public Awareness Program for the Community

Greetings:

Enclosed is Pacific Energy and Mining Company's Public Awareness Program. This is being sent to all Community businesses near Pacific's pipeline between Moab and Green River, Utah. Pacific's pipeline runs from a Gas Plant located 4 miles South of the Floy Exit on Interstate 70 to just Southeast of the Archview RV Park and Chevron Gas Station, following the Blue Hills Road.

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Sincerely,
For Pacific Energy and Mining Co.

Dan Green
Vice President

CC: Jimmy Betham, Utah DOT, via email: jbetham@utah.gov
Tariq Ahmad, PEMC, via email: taroil@yahoo.com

Subject: Public Awareness Program Paradox Pipeline**From:** Tariq Ahmad (taroil@yahoo.com)**To:** jhill@grandcountyutah.net;**Cc:** dfgreen1@dslextreme.com;**Date:** Thursday, January 3, 2019 9:45 AM

Dear Mr. Hill

Attached are copies of the Public Awareness program for the above Pipeline in Spanish and English. We will appreciate if you would post this at your facility. I will appreciate a email confirming receipt.

Thanks

Pacific Energy & Mining Com

Tariq I. Ahmad SPEC

PH 775 333 6626

FAX 775 333 0225

Notice: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Please, virus check, all attachments to prevent widespread contamination and corruption of files and operating systems. The unauthorized access, use, disclosure, or distribution of this e-mail may constitute a violation of the Federal Electronic Communications Privacy Act of 1986 and similar state laws. The communication does not reflect an intention of the sender or the sender's client or principal to conduct a transaction or make an agreement by electronic means. Nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures Global and National Commerce Act, any version of the Uniform Electronic Transaction Act or any other statute governing electronic transactions.

Attachments

- APPENDIX I-PAP-IMPORTANT SAFETY INFORMATION FOR THE COMMUNITY.pdf (563.80KB)
- APPENDIX I-SPANISHPAP-IMPORTANT SAFETY INFORMATION FOR THE COMMUNITY.pdf (730.86KB)

Subject: Re: Public Awareness Program Paradox Pipeline

From: Conae Black (cblack@greenriverutah.com)

To: taroil@yahoo.com;

Cc: info@greenriverutah.com; dfgreen1@dslextreme.com; terry@spencerandcollier.com;

Date: Thursday, January 3, 2019 10:08 AM

Your message was received.

Conae Black, CMC
Green River City Administrator/City Recorder
P.O. Box 620
460 East Main Street
Green River, Utah 84525
(435) 564-3448 ext. 2
cblack@greenriverutah.com

On Thu, Jan 3, 2019 at 11:03 AM Tariq Ahmad <taroil@yahoo.com> wrote:

Attached please find the Public Awareness Program Document in English and Spanish for the Paradox Pipeline that is operated by Pacific Energy. Please place these in your files and a Public Place. Please send us an acknowledgment.

Thanks

Pacific Energy & Mining Com

Tariq I. Ahmad SPEC
PH 775 333 6626
FAX 775 333 0225

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Subject: Public Awareness Program Paradox Pipeline Grand County, Utah

From: Tariq Ahmad (taroil@yahoo.com)

To: Melof@grandschool.org;

Cc: Farnworthsr@grandschool.org; dfgreen1@dslextreme.com; terry@spencerandcollier.com;

Date: Thursday, January 3, 2019 9:59 AM

Attached please find the Public Awareness Program Documents in English and Spanish. We will appreciate if you would place these in a public place so that your department is aware of the Program. If you have any questions please call.

Thanks
Pacific Energy & Mining Company

Tariq I. Ahmad SPEC

PH 775 333 6626

FAX 775 333 0225

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Subject: Paradox Pipeline Public Awareness Program

From: Tariq Ahmad (taroil@yahoo.com)

To: bjackson@grandcountyutah.net;

Cc: dfgreen1@dslextreme.com; dirtbag129@gmail.com;

Date: Thursday, January 3, 2019 9:50 AM

Dear Mr. Jackson:

Attached please find our Public Awareness Program in English and Spanish. We will appreciate if this is posted in a visible place.

Thanks
Pacific Energy & Mining Co.

Tariq I. Ahmad SPEC
PH 775 333 6626
FAX 775 333 0225

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- APPENDIX I-PAP-IMPORTANT SAFETY INFORMATION FOR THE COMMUNITY.pdf (563.80KB)

Subject: Public Awareness Program Paradox Pipeline

From: Tariq Ahmad (taroil@yahoo.com)

To: lchurch@moabcity.org;

Cc: dfgreen1@dslextreme.com;

Date: Thursday, January 3, 2019 9:39 AM

Attached is the Public Awareness Program that we are required to provide to the Public. It is in both Spanish and English. We will appreciate if this is placed on a public place at the City Offices. I will appreciate once this is placed a confirmation is provided to us.

Thanks

Tariq I. Ahmad SPEC

PH 775 333 6626

FAX 775 333 0225

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- APPENDIX I-SPANISHPAP-IMPORTANT SAFETY INFORMATION FOR THE COMMUNITY.pdf (730.86KB)

Subject: Re: Place a Classified Ad

From: Tariq Ahmad (taroil@yahoo.com)

To: office.moabsunnews@gmail.com;

Date: Thursday, January 3, 2019 10:35 AM

Thanks

Tariq I. Ahmad SPEC
PH 775 333 6626
FAX 775 333 0225

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From: Collette Coronella <office.moabsunnews@gmail.com>
To: Tariq Ahmad <taroil@yahoo.com>
Sent: Thursday, January 3, 2019 10:34 AM
Subject: Re: Place a Classified Ad

Got it. I'll get an invoice over to you soon.

Collette Coronella
Office & Classifieds Manager
MOAB SUN NEWS, 30 South 100 East #1
PO Box 1328, Moab, UT 84532
Phone: (435) 259-6261
Email: office.moabsunnews@gmail.com

On Thu, Jan 3, 2019 at 11:32 AM Tariq Ahmad <taroil@yahoo.com> wrote:
See attached we need to run this 4 weeks

Tariq I. Ahmad SPEC

PH 775 333 6626
FAX 775 333 0225

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From: Collette Coronella <office.moabsunnews@gmail.com>
To: taroil@yahoo.com
Sent: Thursday, January 3, 2019 9:30 AM
Subject: Re: Place a Classified Ad

Hi Tariq,

Thanks for your classified submission. I've included your text proof below, please look it over and make sure I haven't missed anything:

[Notice of Public Meeting; Public Awareness; Paradox Pipeline Operations; Grand County, Utah](#)

Cost for your ad as shown above is \$6 per week, based on our classified rate of \$6 for the first 25 words and .20 per word after that. We offer bold for the first line for an additional \$1 per week and, or a yellow highlight background for an additional \$2 per week. Your ad is scheduled to run in our January 10th print edition, under our Public Notice heading and will be listed online at www.moabsunnews.com, at no additional cost, as soon as we get payment in full.

I'll email an invoice that will be payable online as soon as I have your approval of the text proof and any additions you would like to add.

Let me know if you have any questions.

Thanks,

Collette Coronella
Office & Classifieds Manager
MOAB SUN NEWS, 30 South 100 East #1
PO Box 1328, Moab, UT 84532
Phone: (435) 259-6261
Email: office.moabsunnews@gmail.com

On Wed, Jan 2, 2019 at 4:37 PM <postmaster@tn-cloud.net> wrote:

The following form has been submitted: Place a Classified Ad

User submitted data:

Submission ID : 316

Ad Information

Ad Text : Notice of Public Meeting
Public Awareness
Paradox Pipeline Operations
Grand County, Utah

Category : Public Notice

Days to run : 5

Billing Information

First Name : TARIQ

Last Name : AHMAD

Billing Address : 3550 Barron Way Suite 13a

City : Reno

State : NV

Zip Code : 89511

Phone : (775) 333-6626

E-mail : taroil@yahoo.com

EXIHIBIT 3



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

CHRIS PARKER
Director, Division of Public Utilities

GARY HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

March 22, 2019

Via U.S.P.S. and email

Tariq Ahmad
President
Pacific Energy & Mining Company (PEMC)
3550 Barron Way, Suite 13A
Reno NV 89511

Dear Mr. Ahmad,

The Utah Public Service Commission (Commission) is authorized by Title 54, Chapter 13 of the Utah State Code to adopt rules and regulations in conformance with the Natural Gas Pipeline Safety Act of 1968, as amended, and other applicable laws. The Commission, by orders issued in Docket No. 89-999-06, has adopted Title 49 CFR Parts 190, 191, 192, 198, 199, and Part 40 along with certain subsequent amendments. Through delegation from the U.S. Department of Transportation, the Division of Public Utilities' Pipeline Safety Staff (UTPS) monitors compliance and enforces intrastate natural gas pipeline safety requirements.

This follow-up letter is issued in response to your letter dated January 3, 2019 in regard to Inspection No. 20180430JB, of Pacific Energy and Mining Company's (PEMC) 21.9 miles of 16" Intrastate Transmission Steel Pipeline. The inspection was conducted from April 30th to May 3rd, 2018. The purpose of the inspection was to review the Public Awareness Program (PAP) and Drug and Alcohol Plan (D&A).¹ UTPS also conducted a records and field audit. During the inspection a total of five probable violations, two new and three carried over from 2016, were found as noted below:

Probable Violations Found:

- 1. 191.17 Transmission systems; gathering systems; liquefied natural gas facilities; and underground natural gas storage facilities: Annual report:** During the inspection no transmission annual report was submitted by the March 15, 2018 deadline.
PEMC Response: "Annual Report was filed on March 14, 2018 a confirmation was sent to your department by the United States Government. A copy of the filing is attached herewith;"
UTPS Comments: The PHMSA "Annual Report for Calendar Year 2017 Natural or Other Gas Transmission Report" was submitted by PEMC to PHMSA on May 14, 2018. UTPS also received the report on the same date. Although submitted after the March 15, 2018 deadline, *this probable violation is cleared because the report has been received.*

¹ UTPS uses a five year inspection cycle for PEMC's PAP and its D&A.

2. **191.29 National Pipeline Mapping System:** During the inspection no geospatial data was submitted to PHMSA for use in the National Pipeline Mapping System by the March 15, 2018 deadline.

PEMC Response: “Geospatial data was submitted to PIMMA during June, 2018. We have tried to contact the US Government, however due to closure of the Government offices we are unable to get an answer. We have uploaded the data again on January 4, 2019.”

UTPS Comments: PHMSA verified “no NPMS submission was received from PEMC to meet the NPMS submission requirement during 2018. A submittal was received on January 4, 2019, but reviews and processing for 2019 will not start this year until April”. *This probable violation remains open.*
3. **192.616 Public awareness (e) & (f):** The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations. The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas. *No documentation was available to verify public awareness activities. Documentation required. This is a carry-over item from the 2016 inspection.*

PEMC Response: PEMC provided the following information in its January 3, 2019 response. On May 21, 2018 PEMC sent Public Awareness Notices to Stakeholder audience which included the Public Officials, Emergency Responders and nearby businesses along the pipeline Right-of-Way (ROW). Also, on January 3, 2019 Public Awareness content in Spanish and English language was sent to nearby public officials, school districts, the county road office, and the nearby airport.

UTPS Comments: Although PEMC sent notifications to the above stakeholder audience, it did not provide documentation showing how it determined the stakeholder audience as required in API RP 1162 Section 5.5 Identify Stakeholder Audiences. Also, mapping provided should show the minimum coverage area along the pipeline ROW as prescribed in API RP 1162 Section 5.5.1 Table 1. PEMC’s determination process must be included in the operator's written Public Awareness Program. *This probable violation remains open until the required documentation is provided.*
4. **192.616 Public awareness (g):** The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area. *This item was not addressed by the PEMC Procedural Manual for Operations, Maintenance and Emergencies (PMOME). This is a carry-over item from the 2016 inspection.*

PEMC Response: PEMC provided the following information in its January 3, 2019 response. PEMC made available its Public Awareness Notices translated in Spanish to Stakeholder audience which included the nearby public officials, school districts, county road office, and nearby airport. In addition, PEMC placed a notice in Spanish and English in the newspaper in Grand County.

UTPS Comments: Although PEMC made notifications available to the above listed audience, it did not provide documentation showing how it determined the non-English speaking population in the operator’s area as required in API RP 1162 Section 2.1 Public Education. Also, PEMC’s determination process must be included in the operator's written Public Awareness Program. *This probable violation remains open until the required documentation is provided.*

5. **192.616 Public awareness (h):** Operators in existence on June 20, 2005, must have completed their written programs no later than June 20, 2006. The operator of a master meter or petroleum gas system covered under paragraph (j) of this section must complete development of its written procedure by June 13, 2008. Upon request, operators must submit their completed programs to PHMSA or, in the case of an intrastate pipeline facility operator, the appropriate State agency. *An effectiveness review was not addressed by the PEMC PMOME. This is a carry-over item from the 2016 inspection.*

PEMC Response: PEMC stated in its January 3, 2019, response that it had conducted an “Effective [sic] review” of Public Awareness Program on June 1, 2018.” PEMC also stated “...in order to make our program effective we have emphasized the risks and hazards associated with our Natural Gas Pipeline natural gas pipeline ... using the following metrics: 1. Public Reach and 2. Awareness.”

UTPS Comments: The documentation provided by PEMC does not meet the effectiveness review requirement in API RP 1162 Section 9 Evaluation. Also, PEMC’s effectiveness review process must be included in the operator’s written Public Awareness Program. *This probable violation remains open until the required documentation is provided.*

In summary, although Probable Violation No. 1 has been cleared, Probable Violations No. 2 though No. 5 remain open until the required documentation is submitted. By **April 22, 2019**, please provide UTPS with the required documentation or PEMC’s plan to correct the deficiencies, including its proposed actions and dates by which it intends to submit the required documentation to UTPS.

Here are two references PEMC may find helpful when determining which documents must be submitted to UTPS. The PHMSA website offers some information about Public Awareness. Entering “public awareness” in the website’s search site showed the following information, accessible at <https://search.usa.gov/search?query=public+awareness&op=GO&affiliate=dot-phmsa-2>. Also, API provides “online access to nearly 200 key industry standards . . . cover[ing] all aspects of the oil and gas industry . . . including public awareness programs.” See <http://publications.api.org/>. API also has hardcopies and PDF versions available for purchase.

Be advised that failure to provide the required documentation, may result in UTPS taking enforcement actions against PEMC. In accordance with Utah Code Title 54-13-8, all violations are subject to civil penalties in the amount of up to \$100,000 per violation per day for noncompliance, with a maximum penalty of \$1,000,000 for any related series of violations.

If you have any questions concerning this inspection or the compliance process you may contact me at 801-580-7515 or call our office at 801-530-6286.

Sincerely,



Jimmy Betham
Pipeline Safety Engineer
801-580-7515
jbetham@utah.gov

cc: (via email)
Dan Green
Terry R. Spencer, Ph.D., Esq.
Patricia E. Schmid
Al Zadeh

EXHIBIT 4



April 5, 2019

Via USPS and email: jbetham@utah.gov

Mr. Jimmy Betham
Pipeline Safety Engineer
State of Utah Department of Commerce
Division of Public Utilities
160 East 300 South
Box 146751
Salt Lake City, UT 84114-6751

RE: Reference Division's letter dated March 22, 2019

Dear Mr. Betham:

This letter is in reference to your letter dated March 22, 2019. The following is our response to each of the items:

Item 2.

191.29 National Pipeline Mapping System: During the inspection no geospatial data was submitted to PHMSA for use in the National Pipeline Mapping System by the March 15, 2018 deadline.

PEMC Response: "Geospatial data was submitted to PIMMA during June, 2018. We have tried to contact the US Government, however due to closure of the Government offices we are unable to get an answer. We have uploaded the data again on January 4, 2019."

UTPS Comments: PHMSA verified "no NPMS submission was received from PEMC to meet the NPMS submission requirement during 2018. A submittal was received on January 4, 2019, but reviews and processing for 2019 will not start this year until April". ***This probable violation remains open.***

PEMC Response:

PEMC submitted the data to NPMS on January 4, 2019 (see attached Exhibit "A.") The Federal government was shut-down in January. PEMC contacted NPMS and requested an estimated date the data submittal would be approved. The NPMS personnel replied that since the government shut-down all approvals would be delayed. PEMC has no control of the government shut-down. Because PEMC has not control this violation cannot be placed on PEMC, rather due to items beyond the control of PEMC, this is not a probable violation. PEMC has contacted NPMS weekly, however we have not yet received a response.

Item 3.

192.616 Public awareness (e) & (f): The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations. The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas. No documentation was available to verify public awareness activities. Documentation required. *This is a carry-over item from the 2016 inspection.*

PEMC Response: PEMC provided the following information in its January 3, 2019 response. On May 21, 2018 PEMC sent Public Awareness Notices to Stakeholder audience which included the Public Officials, Emergency Responders and nearby businesses along the pipeline Right-of-Way (ROW). Also, on January 3, 2019 Public Awareness content in Spanish and English language was sent to nearby public officials, school districts, the county road office, and the nearby airport.

UTPS Comments: Although PEMC sent notifications to the above stakeholder audience, it did not provide documentation showing how it determined the stakeholder audience as required in API RP 1162 Section 5.5 Identify Stakeholder Audiences. Also, mapping provided should show the minimum coverage area along the pipeline ROW as prescribed in API RP 1162 Section 5.5.1 Table 1. PEMC's determination process must be included in the operator's written Public Awareness Program. *This probable violation remains open until the required documentation is provided.*

PEMC Response:

PEMC used API 1162 sections 3.1, 3.2, 3.3 and 3.4. See attached (Exhibit "B"). This table is in PEMC's Appendix I, Appendix J, Appendix K and Appendix L, Public Awareness Program, respectively.

Based on 3.1 PEMC personnel reviewed the area along the pipeline and found 3 businesses which included temporary structures (tents), a residence as part of the Archview RV Park and a gas processing plant. PEMC visited all of the locations.

Based on 3.2, PEMC notified Emergency officials in Moab, Green River and Grand County, Utah.

Based on 3.3, PEMC notified public officials in Moab, Green River and Grand County, Utah.

Based on 3.4, PEMC notified one Excavator in the area, S&S Garage in Green River, Utah.

The attached maps (See Exhibits "C", "D", "E" and "F".) PEMC visited the three businesses based on the attached maps. These maps have been added to PEMC's Public Awareness Program. Based on these maps PEMC determined the three businesses were within the 660 foot buffer zone. All businesses were visited and were given documentation.

Item 4.

192.616 Public awareness (g): The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area. This item was not addressed by the PEMC Procedural Manual for Operations, Maintenance and Emergencies (PMOME). *This is a carry-over item from the 2016 inspection.*

PEMC Response: PEMC provided the following information in its January 3, 2019 response. PEMC made available its Public Awareness Notices translated in Spanish to Stakeholder audience which included the nearby public officials, school districts, county road office, and nearby airport. In addition, PEMC placed a notice in Spanish and English in the newspaper in Grand County.

UTPS Comments: Although PEMC made notifications available to the above listed audience, it did not provide documentation showing how it determined the non-English speaking population in the operator's area as required in API RP 1162 Section 2.1 Public Education. Also, PEMC's determination process must be included in the operator's written Public Awareness Program. *This probable violation remains open until the required documentation is provided.*

PEMC Response:

PEMC used API 1162 Section 2.3.1 guidelines in order to determine other languages commonly used by the significant segment of the non-English speaking population.

2.3.1 Public Education

(49 CFR Parts 192.616 and 195.440)

These regulations require pipeline operators to establish continuing education programs to enable the public, appropriate government organizations, and persons engaged in excavation-related activities to recognize a pipeline emergency and to report it to the operator and/or the fire, police, or other appropriate public officials. The programs are to be provided in both English and in other languages commonly used by a significant concentration of non-English speaking population along the pipeline.

Using the United States Census statistics and a publically available data base for the city of Green River. (See attached Exhibit "G", Exhibit "H" and Exhibit "I".) US Census does not have a separate census for the City of Green River. PEMC found Spanish to be the second most used language in its service area. Spanish being the only ethnicity with representation higher than 5%. PEMC provided Public Awareness documentation in English and Spanish.

Following table lists the summary:

	English (White)	Spanish (Hispanic)
Moab, Utah	96.6%	9.8%
Green River, Utah	63.6%	36.4%
Grand County, Utah	90.9%	10.3%

Item 5.

192.616 Public awareness (h): Operators in existence on June 20, 2005, must have completed their written programs no later than June 20, 2006. The operator of a master meter or petroleum gas system covered under paragraph (j) of this section must complete development of its written procedure by June 13, 2008. Upon request, operators must submit their completed programs to PHMSA or, in the case of an intrastate pipeline facility operator, the appropriate State agency. An effectiveness review was not addressed by the PEMC PMOME. *This is a carry-over item from the 2016 inspection.*

PEMC Response: PEMC stated in its January 3, 2019, response that it had conducted an "Effective [sic] review" of Public Awareness Program on June 1, 2018." PEMC also stated " ... in order to make our program effective we have emphasized the risks and hazards associated with our Natural Gas Pipeline natural gas pipeline ... using the following metrics: 1. Public Reach and 2. Awareness."

UTPS Comments: The documentation provided by PEMC does not meet the effectiveness review requirement in API RP 1162 Section 9 Evaluation. Also, PEMC's effectiveness review process must be included in the operator's written Public Awareness Program. *This probable violation remains open until the required documentation is provided.*

PEMC Response

PEMC used a questionnaire to measure the effectiveness of pipeline public awareness program (See Exhibit "J") and placed it in its Operators Public Awareness Program.

PEMC had contacted the Public Officials and Emergency personnel via telephone and reviewed the questionnaire.

Additionally PEMC contacted citizens within the service area and used the same questionnaire to determine the effectiveness, additionally PEMC has held an open house yearly for the public to ask questions.

In particular PEMC has contacted an excavator operator (S&S Garage,) Blue Hills processing plant, and Archview RV Park and review its effectiveness of pipeline awareness.

Mr. Jimmy Betham
April 5, 2019
Page 5 of 5

Based upon our questionnaire we have determined that PEMC Public Awareness Program meets the requirements.

If you have any questions, please feel free to call me.

Sincerely,
For Pacific Energy and Mining Company

A handwritten signature in black ink, appearing to read "Tariq Ahmad". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tariq Ahmad
President

CC: Dan Green
Terry R Spencer, Esq.

EXHIBIT 5

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



SEAN D. REYES
ATTORNEY GENERAL

Spencer E. Austin
Chief Criminal Deputy

Ric Cantrell
Chief of Staff

Tyler R. Green
Solicitor General

Brian L. Tarbet
Chief Civil Deputy

April 3, 2019

VIA ELECTRONIC FILING

Public Service Commission of Utah
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84111

Attention: Gary Widerburg
Commission Secretary

RE: Docket No. 18-2602-01 Pacific Energy & Mining Company
Division's Response to Commission's Action Request dated March 26, 2019

Dear Mr. Widerburg:

The Division of Public Utilities (Division) hereby submits its electronic filing in response to the Public Service Commission of Utah's (Commission) March 26, 2019 Action Request.

In addition to this cover letter, the Division's response includes a letter from the Attorney General's Office; the Division's memorandum with appendices, the affidavit of Jimmy Betham, and the service list.

If you have any questions, please contact me at (801) 366-0380 or pschmid@agutah.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia E. Schmid".

Patricia E. Schmid
Attorney for the Division of
Public Utilities

Enclosures

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



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April 3, 2019

VIA ELECTRONIC FILING

Public Service Commission of Utah
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84111

Attention: Gary Widerburg
Commission Secretary

RE: Docket No. 18-2602-01 Pacific Energy & Mining Company
Division's Response to Commission's Action Request dated March 26, 2019

Dear Mr. Widerburg:

On March 25, 2019, Pacific Energy & Mining Company (PEMC) filed a letter "Pursuant to the Order of the hearing officer dated January 18, 2019" (Letter). On March 26, 2019, the Public Service Commission of Utah (Commission) issued an Action Request, due date ASAP, to the Utah Division of Public Utilities (Division) requesting its response to these three questions:

- 1) Which of the probable violations identified by the DPU in this case have been resolved to the DPU's satisfaction.
- 2) Whether the DPU has received and reviewed the documents referenced in PEMC's March 25, 2019 correspondence, and the DPU's assessment of these items.
- 3) Whether the DPU continues to support the remedies identified by the DPU at the December 18, 2018 hearing (i.e., a \$100,000 civil penalty and suspension of pipeline operations) or, other such remedies, in light of PEMC's filing.¹

¹ Action Request at p. 1.

The Division's response to Commission Questions 1 and 2 and a partial answer to Question 3 is contained in Attachment 1. Question 3 is also addressed below.

The Division continues to support the remedies it sought at the December 18, 2018, hearing. PEMC's actions, and inactions, continue to warrant imposition of a \$100,000 civil penalty and suspension of pipeline operations until compliance is achieved. PEMC's actions since the hearing in this matter reinforce the need for these remedies. PEMC has not only failed to comply, but it failed to timely respond to the Commission's order, evincing a disregard for the regulatory process.² It seems that PEMC continues to fail to recognize the seriousness of its noncompliance. Attachment 1 details the documents and responses from PEMC and the reasons why 11 of the 12 Items identified in the Division's Request for Agency Action (Request) remain uncured. The Division's comments in Attachment 1 concerning the receipt and analysis of the material provided by PEMC will not be repeated here.

PEMC's submissions demonstrate it lacks the knowledge and discipline to operate the pipeline in compliance with applicable regulations. PEMC's continued inability and either its ignorance or unwillingness to comply necessitates swift action, particularly because the Division's attempts at assisting with compliance have already occupied more than two years since the relevant inspection. Because nothing the Division or the Commission has done to date has resulted in adequate corrective action by PEMC, it appears that the necessary next

² Division's counsel had been informed by PEMC's counsel that he had major surgery scheduled on January 22, 2019, and Division's counsel agreed to let the Commission know that PEMC's counsel was indisposed should an order issue during that time instructing PEMC to respond. Because the Order was issued several days before the scheduled surgery giving PEMC the opportunity to respond and the Order used the term "requests," Division's counsel did not alert the Commission of PEMC's counsel's scheduled surgery. To the Division's knowledge, PEMC's counsel did not request an extension of time to respond to the Order but instead PEMC submitted its response, requested by February 4th pursuant to the terms of the Order, almost seven weeks later, on March 25th.

step is for the Commission to impose a penalty and suspend pipeline operation. Without a substantial penalty and an order to cease pipeline operations, the Division fears nothing will change, and PEMC will continue to ignore its obligations under applicable Federal and Utah statutes and regulations, as well as its obligations to its employees, entities which deliver gas to the pipeline, and to the public at large.

"Fine"³

PEMC's claims that a "fine" is not needed fail when these claims are given even the slightest scrutiny. Each of the four reasons PEMC gives is flawed, and its narrative is unpersuasive. It remains appropriate for the Commission to issue a penalty against PEMC in the amount of \$100,000.

First, PEMC makes two claims, and the Division will address each in turn. PEMC claims, "Pacific has operated its pipeline in a safe manner."⁴ If compliance with pipeline safety laws is any measure of pipeline safety, this is not true. By definition, PEMC has not operated the pipeline in a safe manner – it has, willfully or negligently, remained out of compliance for over two years despite repeated Division warnings. Attachment 1 details PEMC's noncompliance. Next, PEMC claims, "there have been no complaints."⁵ This is not true. The Division—the state authority for pipeline safety—has complained repeatedly and sought redress, first from PEMC and now from the Commission. Whether or not PEMC has received other complaints is

³ The Division notes that PEMC "contests the need for a fine . . ." See Letter pp. 1, 2, and 3 (emphasis added). The Division has requested that PEMC be assessed a penalty, as provided by applicable Utah law, not a fine. However, inaccuracy notwithstanding, the Division will use the word "fine" where it was used by PEMC in the Letter.

⁴ Letter at p. 2.

⁵ Letter at p. 2.

irrelevant. What is relevant is that PEMC was, and is, out of compliance. A penalty in the amount the Division requested is still warranted.

Second, PEMC alleges, "All the reports and records which the Division required were completed."⁶ This statement is incorrect, as detailed in Attachment 1. Despite the large number of pages PEMC provided the Division, only Item 12 identified in the Request was resolved by PEMC's documents. The other 11 Items remain outstanding. Details concerning PEMC's failure to cure are found in Attachment 1. The penalty request by the Division remains appropriate.

Third, PEMC states, "The completed reports and records were in Reno, Nevada and have now [sic] available for inspection in Green River, Utah."⁷ Parts of this statement are incorrect. PEMC previously said that certain required records were absolutely unavailable, not just located in Reno. As to whether the appropriate records are available in Green River, the Division does not know if any additional records have been made available in Green River since the Division's last visit.

Fourth, PEMC then represents, "Copies of all required documents have been provided to the Division."⁸ As set forth in Attachment 1, this statement is untrue except concerning Item 12, which has been cured.

Finally, PEMC addresses its financial situation in its narrative.⁹ PEMC states, "Pipeline operates at a loss, thus a fine would be detrimental to the operation of the Pipeline as Pacific

⁶ Letter at p. 2.

⁷ Letter at p. 3.

⁸ Letter at p. 3.

⁹ Letter at p. 3.

would ask the court permission to shut down the Pipeline.” Months ago, PEMC provided the Division with, apparently unaudited, financial information that seemed to represent that PEMC was operating at a loss. The Division took this information into account when formulating its penalty recommendation. Despite operating at a loss, PEMC continues to operate and, presumably, has money to pay for representation in this and other legal proceedings.¹⁰ The fact that PEMC states a fine would require it to “ask the court permission to shut down the pipeline”¹¹ heightens the Division’s concern that PEMC is incapable of correcting the deficiencies and operating the pipeline in a safe manner, and that PEMC has the resources to deal with an emergency.

Court Order

With regard to the court order, the Division declines to opine on its effect other than to make these few comments. First, generally the field of pipeline safety has been preempted by the federal government, with certain exceptions allowing the states, in particular circumstances, to impose requirements that are consistent with, and sometimes may exceed, federal law. Second, the court order notes that leave from the court to shut down the pipeline is required except in the event of an “immediate threat to public safety.” And third, PEMC should seek the advice of its counsel regarding the effect of the court order. There is no injunction on pipeline safety regulators who were not party to the proceeding from which the order arose.

¹⁰ A quick Westlaw search reveals that PEMC has been involved in litigation in the past.

¹¹ Letter at p. 3.

PEMC asserts that shutting down pipeline operations would be detrimental to other operators and “will result in a cessation of all oil and gas operations resulting in royalty loss to the State of Utah, taxes to the County, and cessation of royalties to the Federal Government.”¹² The Division recognizes the seriousness of its request that the Commission order the pipeline to cease operations. The Division did not come to the conclusion to make this request lightly, but only after working with PEMC for more than two years with PEMC nonetheless remaining noncompliant. While shutting down the pipeline may be a high price to pay, given PEMC’s long-lasting failure to make reasonable efforts to comply with safety laws, at this point the cost of shutting down the pipeline seems appropriate. If operating a safe, legally compliant pipeline is uneconomical, the Commission is under no obligation to ensure the enterprise’s continuance.

As Attachment 1 demonstrates, PEMC mischaracterizes the issues raised by the Division as ones that only “concern [sic] record keeping . . .”¹³ PEMC’s inability or refusal to comprehend that the Division’s concerns are with PEMC’s operation and maintenance policies and procedures and documentation of the same to demonstrate safe operation of the pipeline further causes the Division to believe that PEMC lacks the wherewithal to operate the pipeline safely and correctly. Despite PEMC’s assertion that “There is not a need to order a shutdown of the Pipeline,” each failure of PEMC to correct deficiencies makes it more painfully obvious that the pipeline does indeed need to be shut down.

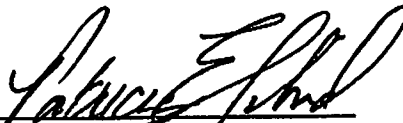
¹² Letter at p. 3.

¹³ Letter at p. 3.

Conclusion

The Division lacks confidence that PEMC has the capability and desire to operate the pipeline safely and in compliance with applicable regulations. At this point, ordering PEMC once again to come into compliance, will be insufficient. The Division urges the Commission to penalize PEMC in the amount of \$100,000 for noncompliance and to order pipeline operations to cease until PEMC has complied with all pipeline safety regulations.

Dated this 3rd day of April 2019



Patricia E. Schmid
Attorney for the Utah Division
of Public Utilities



GARY HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah

Department of Commerce
Division of Public Utilities

FRANCINE GIANI CHRIS PARKER
Executive Director Director, Division of Public Utilities

ATTACHMENT 1

Action Request Response

To: Utah Public Service Commission

From: Utah Division of Public Utilities

Chris Parker, Director

Al Zadeh, Senior Pipeline Safety Engineer

Jimmy Betham, Pipeline Safety Engineer

Connie Hendricks, Office Specialist II

Date: April 3, 2019

Re: Docket No. 18-2602-01 – Division's Action Request Response

I. ACTION REQUEST

In its Action Request dated March 26, 2019, the Public Service Commission of Utah (Commission) requested that the Utah Division of Public Utilities (Division or DPU) review Pacific Energy and Mining's (PEMC) March 25, 2019, correspondence to the Commission (Letter). The Commission requested that the Division provide comments on the following three questions:

- 1) Which of the probable violations identified by the DPU in this case have been resolved to the DPU's satisfaction.
- 2) Whether the DPU has received and reviewed the documents referenced in PEMC's March 25, 2019 correspondence, and the DPU's assessment of these documents.
- 3) Whether the DPU continues to support the remedies identified by the DPU at the December 18, 2018 hearing (i.e., a \$100,000 civil penalty and suspension of pipeline operations) or, other such remedies, in light of PEMC's filing.

II. DISCUSSION

A. COMMISSION QUESTION 1: WHICH OF THE PROBABLE VIOLATIONS IDENTIFIED BY THE DPU IN THIS CASE HAVE BEEN RESOLVED TO THE DPU'S SATISFACTION.

Only Item 12, which concerns nondestructive testing, from the Division's Request for Agency Action (Request) has been resolved to the Division's satisfaction. The remaining 11 Items listed in the Request remain unresolved, although Items 6, 7, and 8 have been partially resolved.

B. COMMISSION QUESTION 2: WHETHER THE DPU HAS RECEIVED AND REVIEWED THE DOCUMENTS REFERENCED IN PEMC'S MARCH 25, 2019 CORRESPONDENCE, AND THE DPU'S ASSESSMENT OF THESE DOCUMENTS.

The Division reviewed all submissions received from PEMC to see if they pertained to the 2016 Inspection (which gave rise to the Request), the 2018 Inspection (which found three carry over Items from the 2016 Inspection and two new items), or both. Submissions received from PEMC since the hearing are noted in Appendix B. The Division's assessment is below.

1. Letter's "Revised Policy and Procedural Manual Section"

a. Revised Policy and Procedural Manual (RPPM) Section Point 1¹ – "The revised Policy and Procedures Manual was completed and filed with the Division."

This statement is incorrect. PEMC submitted its Policy and Procedures (P&P) manual to the Division on December 17, 2018. The P&P manual was reviewed by the Division and was found incomplete and noncompliant. For example, instead of submitting records and documentation to cure the probable violations from the 2016 Inspection, PEMC submitted its updated P&P manual

¹ "Items" in this response track the numbered items in the Division's Request. "Points" refer to specific statements in PEMC's Letter.

without accompanying records or documentation to show it has complied with the procedures in its manual.

Furthermore, this P&P manual is not specific to PEMC's pipeline.² The P&P manual does not contain certain information specifically related to its system which would bring it into compliance. For example, the P&P manual doesn't address the process for how PEMC will conduct its effectiveness review. Other deficiencies are discussed below in RPPM Section Point 2.

This P&P manual contains information not relevant to its system. As an example, what is found on P&P manual page 33 No. 20, National Registry of Pipeline and LNG Operators Notification, does not apply to its pipeline and is not likely to apply in the future. It appears on p. 42 that PEMC cut and pasted from another manual - Paradox Pipeline Patrolling & Leak Survey Record. It is unclear if the P&P manual is for both PEMC's unregulated gathering line and its regulated transmission line. Also, on page 54 "v." discusses valve maintenance for distribution systems, and there is not a distribution system in the technical sense. On p. 54 "w," the P&P manual also addresses "caulked bell and spigot joints" and "cast iron." The DPU is not aware that PEMC has cast iron in its system.

Documents PEMC provided the Division after December 17, 2018 do not bring the P&P manual into compliance or cure Items from the Request, except for Item 12.

Therefore, the P&P manual is noncompliant.

b. RPPM Section Point 2 – "All violations stated by the Division have been cured and duly filed with the Division. "

This representation in PEMC's Letter is inaccurate. As stated above, only Item 12 has been cured. The Division's analysis concerning uncured Items 1-11 and cured Item 12 is lengthy and so it is attached as Appendix B.

² "PEMC's pipeline" refers to the pipeline it operates as discussed in the pleadings.

c. RPPM Section Point 3 – “A copy of the filings by Pacific Energy & Mining Co., in response to Notice of Possible Violation dated January 2, 2019 and Pacific Energy’s response dated January 3, 2019.”

The Division’s January 2, 2019 Notice of Possible Violations (2019 NOPV) pertains to PEMC’s 2018 audit, UTPS inspection No. 20180430JB. The 2019 NOPV included three continuing violations from the 2016 audit as well as two new violations related to the 2019 NOPV. These documents do not resolve Items 1-11 from the Division’s Request.

d. RPPM Section Point 4 – “2018 Annual Report was filed.”

PEMC provided the Division with a copy of PEMC’s “2018 Annual Report.” This is the report PEMC files with the Pipeline and Hazardous Materials Safety Administration (PHMSA) and it does not resolve any outstanding Items.

e. RPPM Point 5 - “Pipeline Mapping System was completed and filed. “

PEMC provided the Division with a copy of a map, but it is irrelevant to this proceeding. PEMC needed to submit a shape file of its pipeline centerline geographic information system data to the National Pipeline Mapping System (NPMS). The Division confirmed with PHMSA that this data was not submitted by the required deadline, so PEMC’s submission to PHMSA remains incomplete. PHMSA has not yet reviewed the late submission. It is possible that PEMC may have filled out the application to NPMS and attached a pdf copy of its pipeline map, which is not an acceptable format. This pertains to the 2019 NOPV only. This does not resolve any outstanding Items.

f. RPPM Section Point 6 - "Public Awareness Program Notices were sent to all agencies as required by the Division. "

PEMC's response partially corrects Item No. 6 in the Request. Although PEMC sent notifications to certain audiences, it did not provide documentation showing how it determined the stakeholder audience as required in API RP 1162 Section 5.5 Identify Stakeholder Audiences. Also, mapping provided should show the minimum coverage area along the pipeline right of way (ROW) as prescribed in API RP 1162 Section 5.5.1 Table 1. PEMC's determination process must be included in the operator's written Public Awareness Program (PAP). This probable violation remains open until the required documentation is provided. PEMC has not yet done this.

g. RPPM Section Point 7 - Public Awareness Document was translated and placed on Pacific Energy Website.

PEMC's PAP document was not required to be placed on the operator's website. Placing the PAP on a website does not cure Item No. 8 in the Request. This probable violation remains open until the required documentation is provided. PEMC has not yet done this.

h. RPPM Section Point 8 - "A Public Awareness Notice was published in English and Spanish for the annual Public Awareness meeting to be held on February 2, 2019 in Green River, Utah."

PEMC's Public Awareness document must be distributed according to its plan and received by its stakeholder audience. Publishing the PAP does not comply with the process of finding non-English speaking population along the pipeline ROW. Although PEMC made notifications available to certain listed audiences, it did not provide documentation showing how it determined the non-English speaking population in the operator's area as required in API RP 1162 Section 2.1 Public Education. Also, PEMC's determination process must be

included in the operator's written Public Awareness Program. In publishing the PAP, PEMC assumes the audience will be visiting the company website regularly but it does not allow for feedback. Therefore, this does not cure Item No. 8. This probable violation remains open until the required documentation is provided. PEMC has not yet done this.

i. RPPM Section Point 9. – “Copies of Records were sent from the Pacific Energy office in Reno, Nevada to the Green River Office as required by the Division. ”

Only Item 12 from the Request has been resolved by the Division receiving and having access to these records in Green River; the Division also disputes that all necessary records were sent to the Green River Office. On December 17, 2018, PEMC provided nondestructive testing records to the Division and the Division also reviewed the records in Green River. Other than Item 12, this does not resolve any outstanding issues.

j. RPPM Section Point 10 – “Leak detection patrol reports were completed and are in Green River for inspection. “

PEMC did not provide leak detection patrol records in its PEMC's December 17, 2018 submittal or afterwards. PEMC's P&P manual had procedures to perform what it called an annual leak survey along the transmission line. What PEMC characterized as leak surveys do not comply with regulations. PEMC had trouble performing the task and recording it. Also, PEMC did not use an appropriate instrument to perform this leak survey. The instrument was not an approved device for the task; no records were made. This does not resolve any outstanding issues.

2. Letter's "Fine" Section

a. Fine Section Point 1 – “Pacific has operated its pipeline in a safe manner, there have been no complaints.”

PEMC does not reference any specific documents in this point. As explained in this response, other communications from the Division, the Request and other pleadings, and at the hearing, if compliance with pipeline safety laws is any measure of pipeline safety, the Division does not believe that PEMC has operated its pipeline in a safe manner. The Division, at least, has complained that PEMC is not operating the pipeline in a safe manner.

b. Fine Section Point 2 – “All reports and records which the Division required were complete.”

This statement is not correct. See the discussion above.

c. Fine Section Point 3 – “The completed reports and records were in Reno, Nevada and have now [sic] available for inspection at Green River, Utah.”

The Division does not know if all completed reports and records were in Reno. The Division disputes that all required reports and records are available for inspection at Green River.

d. Fine Section Point 4 – “Copies of all required documents have been provided to the Division.”

This statement is not correct. See the discussion above.

e. Fine Section – Closing Paragraph

The Division received certain, seemingly unaudited, financial statements from PEMC. These statements appear to show that PEMC, at least for those specific times, was operating at a loss. The Division had reviewed these financial records when it made its recommendation. The Division has concerns about

PEMC continuing to operate. These concerns are discussed below in response to Commission Question 3.

3. Letter's "Court Order" Section

The Division has received a copy of the Court Order. Issues raised in this section will be discussed in the Division's answer to Commission Question 3 addressing remedies. A separate filing from the Attorney General's Office will address the Court Order.

The Division still believes suspension of pipeline operations is warranted. PEMC has not shown that it operates, or can operate, in compliance with regulations. PEMC says that it must continue to operate so that gas can continue to be produced and so that royalties and taxes can be paid. PEMC's failure to comply compromises safety and its continued operation is not appropriate.

C. COMMISSION QUESTION 3: WHETHER THE DPU CONTINUES TO SUPPORT THE REMEDIES IDENTIFIED BY THE DPU AT THE DECEMBER 18, 2018 HEARING (I.E., A \$100,000 CIVIL PENALTY AND SUSPENSION OF PIPELINE OPERATIONS) OR, OTHER SUCH REMEDIES, IN LIGHT OF PEMC'S FILING.

The Division continues to seek the remedies as stated in the December 18, 2018, hearing including imposition of the \$100,000 civil penalty and suspension of pipeline operations, as well as a Commission order forcing PEMC to resolve outstanding issues. After consideration of the statements PEMC provided at the hearing, documents provided to the Division, and the statements in the Letter, the Division has concluded that nothing PEMC has provided or stated changes the Division's position.

The Division has reviewed the documentation submitted by PEMC. For eleven of the twelve Items, the provided information is insufficient to cure the probable violations. Only one Item has been cleared based on the information PEMC provided on or after December 17, 2018. Resolving only one Item is insufficient to persuade the Division that a lower penalty and continued pipeline operation would be appropriate.

PEMC's claim that it operates at a loss and "thus a fine would be detrimental to the operation of the Pipeline as Pacific would ask the court permission to shut down the pipeline" (PEMC Letter at p. 2) does not change the Division's position that the civil penalty and suspension of pipeline operations are still appropriate. The Division had certain, seemingly unaudited, financial statements from PEMC when the Division made its recommendation at the hearing. Because despite the Division's and Commission's actions PEMC remains noncompliant, a penalty and suspension of pipeline operations may be necessary to get PEMC's attention and to have the issues corrected. The fact that PEMC may have to go to court should not excuse its compliance with pipeline safety requirements.

III. CONCLUSION

The Division is concerned with natural gas pipeline safety in the State of Utah. The Division does not have confidence the pipeline is safe or is being operated in a safe manner. Because PEMC has demonstrated throughout this docket that it does not understand the required federal and state regulations, and that it appears not to take such violations seriously, Commission action is needed. That action should include imposing a fine and suspending operations until compliance occurs. The Division requests an expeditious resolution in this matter as the outstanding violations are over two years old and PEMC failed even to respond to the Commission January 18, 2019, Order in a timely manner.

APPENDIX A

List of PEMC's Submissions to the Division

1. Email from PEMC dated January 7, 2019, with an attached letter from PEMC dated January 3, 2019. This was PEMC's response to a Notice of Probable Violation sent by the Division on January 2, 2019, regarding Inspection No. 20180430JB relating to the Division's 2018 audit of PEMC (2019 NOPV). The 2019 NOPV found three probable violations that were carried over from the inspection responsible for the Request. The 2019 NOPV also found two additional probable violations that were unrelated to the 2016 Inspection. This is the first of two emails from PEMC dated January 7th.

2. Email from PEMC dated January 7, 2019 (related materials received via USPS). The materials were Cathodic Protection and Rectifier Reports from Mr. Tariq Ahmad, PEMC President. The documents are not attached. This is the second of two emails from PEMC received January 7th.

3. Electronic filing from PEMC to the Commission dated January 11, 2019, served on the Division. This is a copy of the court order PEMC filed pursuant to Commission direction at the hearing. This is the first of two emails from PEMC (one from PEMC's counsel) received January 11, 2019.

4. Email from Mr. Spencer, Ph.D., dated January 11, 2019, seeking information about Mr. Betham's pipeline inspector training in Oklahoma. This is the second of two emails from PEMC (this one from its counsel) received January 11, 2019.

5. Email from PEMC consisting of a cover letter dated January 30, 2019 (with related materials received via USPS). The materials were: PEMC's Authorization for Maintenance and Repair Record; PEMC Cathodic Protection Rectifier Inspection Report; PEMC External Corrosion Inspection Report; PEMC Paradox Pipeline Patrol Report; PEMC Public Notice

Posting in Moab Sun Newspaper; PEMC Reports Cover Letter Dated 1_30_19 Received 2_4_19;
and PEMC Valve Maintenance Testing Record.

6. Email from Mr. Spencer, Ph.D., dated March 12, 2019, with attached letter regarding the inspector training of Mr. Zadeh, Mr. Betham, and Mr. Hwang.

7. Email from Mr. Spencer, Ph.D., dated March 23, 2019, with attached letter containing PEMC's response to the Commission's January 18, 2019 Order.

APPENDIX B

Letter's RPPM Section Point 2 – “All violations stated by the Division have been cured and duly filed with the Division. “

This representation in PEMC's Letter is inaccurate. As stated in the Division's response to **Commission Issue 1**, only Item 12 has been resolved. Unresolved Items 1-11 and resolved Item 12 are discussed below. Item numbers correspond with the item numbers in the Request.

Item 1 - 49 C.F.R. § 192(605)(b)(8) – Procedural manual for operations, maintenance and emergencies

This would require the operator to have prescriptive procedures in its P&P manual for reviewing the work done by its personnel and collection of relevant information. This procedure and documentation must be adequate enough to facilitate evaluation of what was performed. This ensures constant review and improvement of an operator's P&P manual. The operator must show analysis has been performed to determine the adequacy of a procedure and, if found to be inadequate, made appropriate modifications. The analysis may include incident data, near miss data, meetings to discuss the procedures, job safety analysis, etc., and should include documentation showing the analysis, discussions, etc., that determined the procedure was adequate or inadequate.

For example, the P&P manual doesn't address the process for how PEMC will conduct its effectiveness review. This would require the operator to oversee its field personnel and document its field evaluations in order to comply with 49 C.F.R. § 192.605(b)(8). This would require the operator to have completed evaluation forms showing that this type of work was done, or forms to be used going forward, or other method of compliance.

Also, PEMC has not provided records or documentation to show it has completed analysis of its procedures to determine if procedure is adequate and whether modifications are needed. If modifications are needed, the documentation must be provided to show how the modification was made in the management process.

PEMC has not yet done this.

Item 2 -49 C.F.R. § 192.605(c)(4) – Procedural manual for operations, maintenance and emergencies

The operator's operations and maintenance procedures for abnormal operations must include a process to evaluate effectiveness and include defined actions if the procedures are found to have deficiencies. The operator must be able to show documentation that this review is being performed and the results of the

review. The procedure modifications must reflect revisions to correct any deficiencies determined in the review process. The operator can use a variety of methods to determine the effectiveness of the procedures, including root cause analysis, post-event reports, discussions in safety meetings, evaluation of close-call reports, and table-top or live drills. Refinement of the procedures to improve efficiency must not compromise safety.

PEMC has not yet done this.

Item 3 – 49 CFR § 192.615(b)(2) – Emergency plans

The pipeline operator must train the appropriate personnel on all possible emergencies that may occur on its system based on have complete emergency procedures that, at a minimum, cover all of the prescribed topics in the regulations but elaborate on the specific actions the operator will take in the event of an emergency. In addition to the core emergency plan that includes actions that must be taken for any emergency, the operator must have site-specific procedures based on the specifics of each facility at the various locations on the pipeline system. For example, emergency response to a possible incident in a compressor station requires a different response than in a valve station or a regulating facility. The operator also must make sure that its personnel is knowledgeable about the emergency procedures and verify that the training is effective, have a process to evaluate the effectiveness of the procedures, and make modifications and/or improvements when needed.

PEMC has not yet done this.

Item 4 – 49 CFR § 192.615(b)(3) – Emergency plans

In order to ensure adequacy of the training and emergency response procedures, an operator should review emergency response activities after any real emergencies. Emergency exercises may be used as part of the emergency plan training. The emergency exercises may include a wide range of activities ranging from tabletop exercises to live drills. The scope of the exercises may vary from a localized emergency to a disaster involving company-wide involvement. These exercises should include a process designed to evaluate the procedures and make changes to improve the operator's response. One method operators use to review performance, make appropriate changes, and verify that supervisors maintain a thorough knowledge, is by critiquing the performance of emergency exercises. All simulated and real emergencies should be self-critiqued, with deficiencies identified and recommendations made and followed up on. §192.615(b).

PEMC has not yet done this.

Item 5 – 49 CFR § 192.615(c) – Emergency plans

Emergency response often involves local first responders. For this reason each operator shall establish and maintain liaison with appropriate fire, police and other public officials. This is to ensure each party is aware of each other's capabilities and that emergency responders are familiar with the type of expected emergencies that can happen on a particular pipeline system. It is important for the operator to identify these entities and keep an ongoing liaison. Documentation must be kept concerning a good faith attempt, and include who was invited, who attended, and topics discussed. Appropriate materials must be sent to the public officials that were invited but did not attend. The operator should make reasonable attempts to conduct face-to-face meetings with local public officials.

PEMC has not yet done this.

Item 6 - 49 CFR §192.616(e & f) – Public awareness

This response partially corrects Item No. 6 in the Request. Although PEMC sent notifications to certain audiences, it did not provide documentation showing how it determined the stakeholder audience as required in API RP 1162 Section 5.5 Identify Stakeholder Audiences. Also, mapping provided should show the minimum coverage area along the pipeline ROW as prescribed in API RP 1162 Section 5.5.1 Table 1. PEMC's determination process must be included in the operator's written Public Awareness Program. This probable violation remains open until the required documentation is provided.

PEMC has not completely resolved this Item.

Item 7 – 49 CFR 192.616(g) – Public awareness

Although PEMC made notifications available to the above listed audience, it did not provide documentation showing how it determined the non-English speaking population in the operator's area as required in API RP 1162 Section 2.1 Public Education. Also, PEMC's determination process must be included in the operator's written Public Awareness Program.

PEMC has not completely resolved this Item.

Item 8 – 49 CFR §192.616(h) – Public awareness

The Public Awareness (PAP) document was not required to be placed on the operator's website. Placing the PAP on a website does not cure Item No. 8 in the Request.

PEMC has not yet completely resolved this Item.

Item 9 – 49 CFR 192.706 – Transmission lines: Leakage surveys

PEMC's P&P manual needs to contain detailed procedures on leak surveys. PEMC's P&P manual lacked details on what type of detection instrumentation should be used and record keeping. No procedures were included. Documentation demonstrating compliance with conducting leak surveys must be maintained. No leak survey documentation existed for leak surveys, if any, performed in the last two or three years.

What PEMC characterized as leak surveys do not comply with regulations. PEMC's P&P manual had procedures to perform an annual leak survey along the transmission line. PEMC had trouble performing the task and recording it. Also, PEMC did not use an appropriate instrument to perform this leak survey. The instrument was not an approved device for the task; no records were made.

PEMC has not yet done this.

Item 10 – 49 CFR § 192.751 – Prevention of accidental ignition

Accidental ignition is a serious safety hazard during some O&M procedures and welding or cutting. PEMC's P&P manual needs to contain requirements that when a hazardous amount of gas is being vented into open air, each potential source of ignition must be removed from the area and a fire extinguisher must be provided; that gas or electric welding or cutting may not be performed on pipe or on pipe components that contain a combustible mixture of gas and air in the area of work; and that warning signs must be posted, where appropriate.

Also, welding activity occurred when Fidelity tied its pipeline into PEMC's pipeline. PEMC's prevention of accidental ignitions procedures requires that a hot work permit be given or executed. Shutting down the pipeline and reducing the pressure may be required.

PEMC has not yet done this.

Item 11 – 49 CFR 192.227/229 – Qualification of welders and welding operators/Limitations on welders and welding operations

On August 30, 2017, PEMC sent a letter to Striegel (the construction contractor), requesting records of pipeline welding records from 2008 when the pipeline was completed. Striegel was unable to secure any records of the qualification of welders. These records were not available or provided. PEMC needed to identify and qualify a welding procedure and welder qualifications that are suitable for its pipeline material.

PEMC has not yet done this.

Item 12 – 49 CFR § 192.243 – Nondestructive testing

As mentioned above, on December 17, 2018, PEMC provided nondestructive testing records (NDT). These records cure Item 12 in the Request.

This Item has been resolved.

**EXHIBIT 1
AFFIDAVIT OF JIMMY BETHAM**

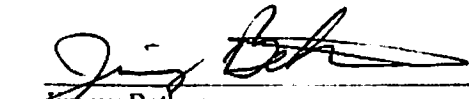
I, Jimmy Betham, being first duly sworn on oath, state that the following answers are true and correct to the best of my knowledge, information, and belief:

1. I am over twenty-one (21) years of age, a resident of Utah County, State of Utah, and I have personal knowledge of the statements set forth herein.
2. I participated in the preparation of the Division's memorandum entitled Division's Action Request Response, and the statements therein are true and correct to the best of my knowledge, information, and belief.
3. I make the statements herein of my own free will and volition; I am competent to testify to the matters set forth, and if called upon to testify in an administrative or court proceeding, my testimony would be consistent with the statements herein.
4. I am a Pipeline Engineer for the Utah Division of Public Utilities.
5. My employment duties and responsibilities include inspecting intrastate natural gas pipelines to assess compliance with relevant Federal and State law and regulations.
6. As a result of my employment duties and responsibilities, I am familiar with Pacific Energy & Mining Company and its operation of the pipeline.

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

DATED this 3rd day of April 2019.

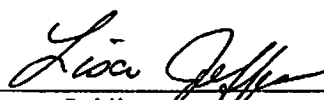
State of Utah
County of Washington



Jimmy Betham
Pipeline Safety Engineer
Utah Division of Public Utilities


SUBSCRIBED AND SWORN TO THIS 3rd day of April 2019, before me, Lisa Jeffs, by Jimmy Betham.

My commission expires 6/28/21



Notary Public

LISA JEFFS
Notary Public, State of Utah
Commission # 695765
My Commission Expires On
June 28, 2021



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Division response to the Commission's Action Request, consisting of a cover letter; a letter from the Attorney General's Office; a memorandum from the Division with the affidavit of Jimmy Betham, attachments, and appendices, and this service list, all filed today, was emailed on 3 April 2019 to the following in Utah Docket No. 18-2602-01.

BY Electronic-Mail:

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Erika Tedder, Paralegal
Utah Division of Public Utilities

EXHIBIT 6

The Salt Lake Tribune

Paradox pipeline lives up to its name for Utah regulators



(Tribune file photo by Brian Maffly) The Blue Hills natural gas processing plant north of Moab is served by a pipeline that Utah Public Service Commission shut down last year, calling it a "hazardous facility" because of its operators' poor compliance with safety standards. Now the plant's operator is forced to flare the gas it produces from a nearby oil field, prompting another Utah agency, the Board of Oil, Gas and Mining, to seek ways to get the pipeline back in service to avoid the waste.



By Brian Maffly

Published: 1 day ago

Updated: 1 day ago

Millions of cubic feet of natural gas are being wasted in a ball of flame at a Moab-area oil field while state regulators and a bankruptcy court determine the fate of an indefinitely idled pipeline.

The Paradox pipeline connects to a major interstate producer Wesco Operating Inc.'s Blue Hills plant, w coming from its 18 oil wells on Big Flat, a popular re Without access to that pipeline, which regulators ha because its operator has long ignored safety standar of its natural gas production since June with no end

Now that pipeline is presenting regulators with a re

Close X

Charles Schwab

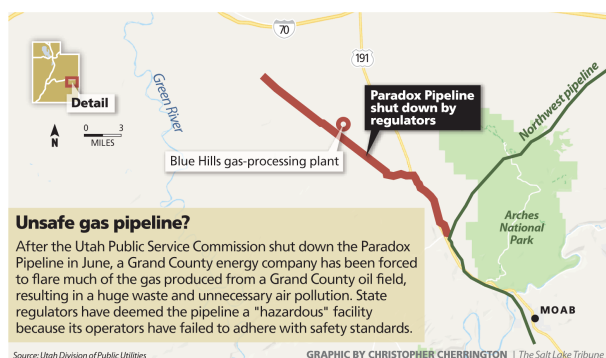
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One agency, the Utah Division of Public Utilities, wants the line shut down to protect public safety, while another, the Utah Division of Oil, Gas and Mining, is seeking ways to keep it in service so that Wesco can get its gas to market instead of burning it, resulting in wasted resources, lost revenue and pollution.

Faced with only bad options, the agencies' governing boards last month chose to "deactivate" the pipeline — purging it of gas and sealing it — and authorize Wesco to torch up to 300,000 cubic feet of gas a day at its Blue Hills plant. The Board of Oil, Gas and Mining could have asked Wesco to choke back production at its wells, but DOGM Director John Baza feared that such a move could damage the reservoir tapped by Wesco's 18 wells and strand vast amounts of hydrocarbons underground.

"Wesco has done nothing to inherit this problem," board Chairman Ruland Gill said at a Jan. 29 hearing before voting to allow flaring to continue while the Paradox line remains out of service.

The board did not have much choice. Wesco would have been within its rights to flare excess gas at its 18 wellheads, which would have resulted in a dirtier burn and more waste because those flares would also consume the natural gas liquids, which are at least extracted at the Blue Hills plant.



(Christopher Cherrington | The Salt Lake Tribune)

Board members agreed it was better to allow one flare at the plant rather than see 18 separate flares scattered throughout a sensitive dark sky area popular for camping.

The alleged culprit in this dilemma is Pacific Energy and Mining Co., which is now in bankruptcy court, that had been operating the Paradox pipeline until last year, when the Division of Public Utilities lost patience with Pacific's failure to adhere to various safety and bookkeeping requirements. There is nothing wrong with the pipeline itself, only in the way it had been operated, officials stressed.

Reached Thursday, Pacific's principal, Nevada businessman Tariq Ahmad, declined comment.

In April, the utilities division had secured an order from the Public Service Commission to take the pipeline offline until safety standards, which had to do with leak-detection surveys and record keeping, were met. To the dismay of oil and gas regulators, Wesco has been flaring gas ever since. The oil and gas producer has even tried to buy the pipeline but to no avail.

"Wesco is taking every effort within its power to get the pipeline back on line," Wesco engineer Thomas Kirkwood told the oil and gas board at a recent hearing.

Meanwhile, Pacific Energy and its successor never addressed any of the violations, prompting a Dec. 26 hearing before the Public Service Commission in which assistant Utah attorneys general, representing different agencies, advocated for opposing outcomes.

Patricia Schmid, for public utilities, insisted the pipeline should be deactivated, while Michael Begley, for oil, gas, and mining, proposed putting the pipeline in receivership so it could be returned to service in the hands of a "prudent" operator.

Now officials are not even sure who owns the pipeline, whose operation has been taken over by a firm called Dead Horse Oil Co.

"The Division of Public Utilities is also concerned about waste, the effect on the environment, the effect on taxes, royalties and impacts on local communities," Schmid told the PSC. "However, paramount in our minds, is public safety. ...We tried to explore different options, what needed to be done, but because we didn't receive

procedures and records of how this pipeline was maintained, we just don't know. And because we didn't know, we erred on the side of caution and believed this was the best option for us, to request a deactivation of this pipeline.”

Since the pipeline's closure, Wesco has burned about \$100,000 worth of natural gas. That's trivial compared with the nearly 3 million cubic feet its predecessor was flaring daily at its wellheads before it installed the processing plant.

Under pressure from the federal Bureau of Land Management, Fidelity Exploration and Production built the plant and a network of pipelines in 2015 to gather huge quantities of gas coming out of the 18 oil wells it had drilled on Big Flat, a scenic area surrounding Hell Roaring Canyon, located on the doorsteps of Dead Horse Point State Park and Canyonlands National Park. Now that \$70 million investment is going to waste.

“It was intended to avoid flaring if at all possible,” Wesco's lawyer Frederick MacDonald told the oil and gas board at the Jan. 29 hearing. “The unusual circumstance here is that this is beyond Wesco's control because of PSC orders [sealing the pipeline] and the bankruptcy. Nobody wants to see this happen.”

Environmental activist Lionel Trepanier argued Utah law prohibits waste of oil and gas, insisting Wesco should be required to slow production until the pipeline mess is resolved.

“DOGMA has failed to consider the disruptive impacts and huge costs of this unnecessary air pollution,” he said.

MacDonald and the Utah School and Institutional Trust Lands Administration, which holds a 10% stake of the oil and gas leases on Big Flat, said flaring would be the least wasteful alternative. SITLA has collected \$9 million in royalties from the oil there through the years, versus \$30,000 in gas royalties, according to Wes Adams, an oil and gas official with SITLA.

Kirkwood explored various options for getting the gas to the interstate pipeline, such as trucking it in a compressed state, but all were cost prohibitive and required big investments that would be useless once the pipeline is back on line.

“Wesco is paying royalties on gas that is being burned. Obviously it’s in their best interest to get the gas through the pipeline to sale,” MacDonald told the oil and gas board. “Yes, [the law] says waste is prohibited, but waste is when you don’t produce and maximize resource recovery. If you leave oil in the ground, you are committing waste.”

The BLM, meanwhile, is reviewing Wesco’s latest proposal for 45 new wells on its nearby West Fertilizer unit. Once approved, the company intends to drill two wells a year, potentially producing even more gas that it hopes to gather and process at the Blue Hills plant.



bmaffly@sltrib.com

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