

State of Colorado
Energy & Carbon Management Commission

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Document Number:

401850422

Date Received:

11/26/2018

FIR RESOLUTION FORM

Overall Status: FRQ

CA Summary:

2 of 2 CAs from the FIR responded to on this Form

0 CA Completed
2 Factual Review Request

OPERATOR INFORMATION

ECMC Operator Number: 10433

Name of Operator: LARAMIE ENERGY LLC

Address: 1401 SEVENTEENTH STREET #1401

City: DENVER State: CO Zip: 80202

Contact Name and Telephone:

Name: _____

Phone: () _____ Fax: () _____

Email: _____

Additional Operator Contact:

Contact Name

Lorne C Prescott

Phone

970 812 5311

Email

lprescott@laramie-energy.com

ECMC INSPECTION SUMMARY:

FIR Document Number: 693200185

Inspection Date: 11/21/2018

FIR Submit Date: 11/21/2018

FIR Status: _____

Inspected Operator Information:

Company Name: LARAMIE ENERGY LLC

Company Number: 10433

Address: 1401 SEVENTEENTH STREET #1400

City: DENVER State: CO Zip: 80202

LOCATION - Location ID: 335404

Location Name: CC Number: 0617-24 Pad County: GARFIELD

Qtrqtr: SESW Sec: 17 Twp: 6S Range: 97W Meridian: 6

Latitude: 39.516247 Longitude: -108.246531

FACILITY - API Number: 05-045- -00 Facility ID: 335404

Facility Name: CC Number: 0617-24 Pad

Qtrqtr: SESW Sec: 17 Twp: 6S Range: 97W Meridian: 6

Latitude: 39.516247 Longitude: -108.246531

CORRECTIVE ACTIONS:

1 ☒ CA# 120568

Corrective Action: For unused , unmarked flowline risers 24 hrs to lock out tag out. 30 days to remove riser.

Date: 12/21/2018

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: Scenario: Under 29 CFR 1910.147(c)(5)(ii), lockout/tagout devices ". . . shall not be used for other purposes; . . ." Additionally, 29 CFR 1910.147(a)(1)(i) states: "This standard covers the servicing and maintenance of machines and equipment in which the unexpected energization or start-up of the machines or equipment, or release of stored energy could cause injury to employees.

Question: When equipment is placed in an "out of service" status for business or production purposes (e.g., poor efficiency, recycled, sold, etc.) and not related to servicing or maintenance, is the use of lockout/tagout devices for this purpose a violation of 29 CFR 1910.147(c)(5)(ii)?

Reply: Yes. As you have stated in your letter, applying lockout/tagout devices to equipment that was placed out of service for business or production reasons would not "...preserve the integrity of the Lockout/Tagout program." The preamble to the final rule states, at 54 Federal Register 36671 (Sept. 1, 1989): "... the sight of a distinctive lock or tag will provide a constant message of the use that the device is being put to and the restrictions which this device is intended to convey. If lockout or tagout devices are used for other purposes they can lose their significance in the workplace. For the energy control procedure to be effective, these devices must have a single meaning to employees: 'Do not energize the equipment when such a device is affixed to it.'"

ECMC Decision: Approved

ECMC Representative: COGCC lock out tag out is not the same as OSHA LOTO

COGCC: LOCKOUT means installing a device, such as a blind plug, blank flange, or bolted slip blind that prevents operation of an energy-isolating device, such as a valve, and ensures the equipment cannot be operated until the lockout device is removed.

2 ☒ CA# 120569

Corrective Action: For unused , unmarked flowline risers 24 hrs to lock out tag out. 30 days to remove riser.

Date: 12/21/2018

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: Scenario: Under 29 CFR 1910.147(c)(5)(ii), lockout/tagout devices "... shall not be used for other purposes; ..."
Additionally, 29 CFR 1910.147(a)(1)(i) states: "This standard covers the servicing and maintenance of machines and equipment in which the unexpected energization or start-up of the machines or equipment, or release of stored energy could cause injury to employees."

Question: When equipment is placed in an "out of service" status for business or production purposes (e.g., poor efficiency, recycled, sold, etc.) and not related to servicing or maintenance, is the use of lockout/tagout devices for this purpose a violation of 29 CFR 1910.147(c)(5)(ii)?

Reply: Yes. As you have stated in your letter, applying lockout/tagout devices to equipment that was placed out of service for business or production reasons would not "...preserve the integrity of the Lockout/Tagout program." The preamble to the final rule states, at 54 Federal Register 36671 (Sept. 1, 1989): "... the sight of a distinctive lock or tag will provide a constant message of the use that the device is being put to and the restrictions which this device is intended to convey. If lockout or tagout devices are used for other purposes they can lose their significance in the workplace. For the energy control procedure to be effective, these devices must have a single meaning to employees: 'Do not energize the equipment when such a device is affixed to it.'"

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COGCC: LOCKOUT means installing a device, such as a blind plug, blank flange, or bolted slip blind that prevents operation of an energy-isolating device, such as a valve, and ensures the equipment cannot be operated until the lockout device is removed.

OPERATOR COMMENT AND SUBMITTAL

Comment: Request for lockout and tagout of flowlines is in conflict with OSHA regs.

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct, and complete.

Print Name: Lorne C Prescott

Signed: _____

Title: Reg & Enviro Compliance

Date: 11/26/2018 3:17:23 PM

ATTACHMENT LIST

View Attachments in Imaged Documents on ECMC website (<http://ecmcweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
401850422	FIR RESOLUTION SUBMITTED

Total Attach: 1 Files