



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

409 3rd Street, SW, Suite 300
Washington, DC 20024

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 22, 2007

Mr. Randy Bernard
Vice President,
Operations and Gas Control
Williams Gas Pipeline
2800 Post Oak Boulevard,
Houston, TX 77056

CPF 1-2007-1011

Dear Mr. Bernard:

On June 8, 2006, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your operating records in the Charlottesville Office, Charlottesville, Virginia.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

1. §192.465 External Corrosion Control: Monitoring

(d) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

Review of the corrosion control monitoring records indicated that repairs to rectifiers number 170-2; 170-5; 185-5A; 185-5B and 190-0 was not done promptly. These rectifiers were found to

be inoperative during bi-monthly inspections, and remained inoperative for the following periods:

Rectifier #170-2; 3 months and 25 days,
Rectifier #170-5; 6 months and 2 days,
Rectifier #185-5-A&B; 4 months and 20 days,
Rectifier #190-0; 3 months and 8 days

Evidence for this probable violation are Williams Gas Pipeline cathodic protection records, and Williams Gas Pipeline memo entitled "Request for Williams Gas Pipeline Charlottesville Division – Rectifier Repair Documentation 2004-2006" dated July 13, 2006, from Bruce Bevers, Sr. Engineer, to Syed Shere, Pipeline Inspector, PHMSA/ER.

Proposed Civil Penalty

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation and has recommended that you be preliminarily assessed a civil penalty of \$41,000 as follows:

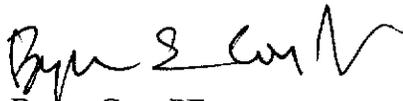
<u>Item number</u>	<u>PENALTY</u>
1.	\$41,000

Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

In your correspondence on this matter, please refer to **CPF 1-2007-1011** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Byron Coy". The signature is fluid and cursive, with a prominent initial "B" and a long, sweeping tail.

Byron Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*