

April 11, 2022

VIA ELECTRONIC MAIL TO: ppcherry@southernco.com

Mr. Pedro Cherry
President and Chief Executive Officer
Chattanooga Gas Company
10 Peachtree Place NE
Atlanta, Georgia 30309

Re: CPF No. 4-2022-025-NOPV

Dear Mr. Cherry:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Southwest Region, this enforcement action will be closed. Service of the Final Order by e-mail is effective upon the date of transmission and acknowledgment of receipt as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Ms. Mary McDaniel, P.E., Director, Southwest Region, Office of Pipeline Safety, PHMSA
Mr. James M. Hotinger, P.E., Director, Regulatory Compliance, Chattanooga Gas Co.,
jhoting@southernco.com

CONFIRMATION OF RECEIPT REQUESTED

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

)	
In the Matter of)	
)	
Chattanooga Gas Company,)	CPF No. 4-2022-025-NOPV
 a subsidiary of Southern Company,)	
)	
Respondent.)	
)	

FINAL ORDER

On February 10, 2022, pursuant to 49 C.F.R. § 190.207, the Director, Southwest Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to Chattanooga Gas Company (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 193. The Notice also proposed certain measures to correct the violation. Respondent did not contest the allegations of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 193.2801 (**Item 1**) — Respondent failed to perform an adequate fire protection evaluation and design an adequate fire water supply system in accordance with NFPA 59A (2001 Edition).

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

Compliance Actions

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violation. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

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

April 11, 2022

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued