

MAR 4 2010

Mr. David Elder
General Manager
Island Energy
440 Walnut Avenue
Mare Island, Vallejo, CA 94592

Re: CPF No. 5-2006-0004

Dear Mr. Elder:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation and finds that Pittsburgh Power Company has completed the actions specified in the Notice required to comply with the pipeline safety regulations. This case is now closed. Service of the Final Order by certified mail is deemed effective upon the date of mailing, or as otherwise provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Enclosure

cc: Mr. Chris Hoidal, Director, Western Region, Office of Pipeline Safety

Mr. Garret Evans, General Manager, Pittsburgh Power Company
City of Pittsburgh, California
65 Civic Avenue
Pittsburgh, CA 94565

CERTIFIED MAIL – RETURN RECEIPT REQUESTED [7009 1410 0000 2472 5125]

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

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In the Matter of)))))
Island Energy,))))	CPF No. 5-2006-0004
Respondent.)))))

FINAL ORDER

On November 16 to 17, 2005, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of the facilities and records of Island Energy, the operator of a natural gas distribution system in Mare, California.

As a result of the inspection, the Director, Western Region, OPS (Director), issued to Island Energy, by letter dated March 3, 2006, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Mare Island had committed 21 separate violations of 49 C.F.R. Part 192 and proposed ordering the company to take certain measures to correct the alleged violations.

On March 12, 2007, more than a year after the issuance of the Notice, PHMSA received a letter from Island Energy responding to the Notice (Response). Respondent did not request a hearing and therefore waived its right to one.

By letter dated November 17, 2009, Pittsburgh Power Company (Pittsburgh Power) submitted a completed operations and maintenance manual on behalf of Island Energy.

FINDINGS OF VIOLATION

Items 1 through 21: The Notice alleged that Mare Island violated 49 C.F.R. §§ 191.5, 191.15, 192.485, 192.491, 192.605, 192.613, 192.615, 192.619, 192.621, 192.703, 192.705, 192.707, 192.709, 192.715, 192.717, 192.719, 192.721, 192.725, 192.739, 192.745, and 192.747. Specifically, the Notice alleged that Island Energy did not have any of the written procedures or documentation required by these regulations for its facility. The Notice also

alleged that Island Energy failed to perform certain inspections of regulator stations and valves on the facility. As Respondent did not submit a timely written response to the Notice, the company waived its right to contest these allegations. Accordingly, I find that Island Energy violated 49 C.F.R. §§ 191.5, 191.15, 192.485, 192.491, 192.605, 192.613, 192.615, 192.619, 192.621, 192.703, 192.705, 192.707, 192.709, 192.715, 192.717, 192.719, 192.721, 192.725, 192.739, 192.745, and 192.747 by failing to have any of the written procedures or documentation required by these regulations for the Island Energy facility, and by failing to perform certain inspections of regulator stations and valves on the facility.

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

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to Items 1 through 21 in the Notice for violations of 49 C.F.R. §§ 191.5, 191.15, 192.485, 192.491, 192.605, 192.613, 192.615, 192.619, 192.621, 192.703, 192.705, 192.707, 192.709, 192.715, 192.717, 192.719, 192.721, 192.725, 192.739, 192.745, and 192.747, respectively. Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. The Director has indicated that Pittsburgh Power has taken the following actions specified in the proposed compliance order:

In November 2009, Pittsburgh Power submitted an operations and maintenance manual for the Island Energy facility. That manual satisfies the requirements of the proposed compliance order.

Accordingly, I find that compliance has been achieved with respect to these violations. Therefore, the compliance terms proposed in the Notice are not included in this Order.

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Date Issued