

Mr. Dan Stecklein
Vice President Operations
Koch Gateway Pipeline Company
P.O. Box 1478
Houston, TX 77251-1478

RE: CPF No. 26100

Dear Mr. Stecklein:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. The Final Order makes a finding of violation and assesses a civil penalty for that violation in the amount of \$1,000. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

I acknowledge receipt of, and accept your check (No. 054287268) dated March 28, 1996 in the amount of \$1,000 as payment in full of the civil penalty assessed against Koch Gateway Pipeline Company in the Final Order. This case is now closed and no further enforcement action is contemplated with respect to the matters involved in the case. Thank you for your cooperation in our joint effort to ensure pipeline safety.

Sincerely,

Gwendolyn M. Hill
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)
)
Koch Gateway Pipeline) CPF No. 26100
Company,)
)
Respondent.)
_____)

FINAL ORDER

On February 26 - March 1, 1996, pursuant to 49 U.S.C. § 60117, a representative of the Office of Pipeline Safety (OPS) conducted an on-site pipeline safety inspection of Respondent's facilities and records in Jackson, Mississippi. As a result of the inspection, the Director, Southern Region, OPS, issued to Respondent, by letter dated March 7, 1996, a Notice of Probable Violation and Proposed Civil Penalty (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Respondent had violated 49 C.F.R. § 192.731(c) and proposed assessing a civil penalty of \$1,000 for the alleged violation.

Respondent replied to the Notice by letter dated March 29, 1996 (Response). Respondent did not contest the allegation of violation and submitted with its Response a check in the amount of the proposed civil penalty (\$1,000), waiving further right to respond, and authorizing entry of this Final Order.

FINDINGS OF VIOLATION

Pursuant to 49 C.F.R. § 190.209(a)(1), I hereby find that the Respondent violated the following section of 49 C.F.R. Part 192 as described more completely in the Notice:

§ 192.731(c) -- Failure to test the Emergency Shutdown System at the Jackson Compressor Station at intervals not exceeding 15 months to determine that it functioned properly.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent. I assess the civil penalty in the amount of \$1,000, already paid by Respondent.

/s/ Richard B. Felder

Richard B. Felder
Associate Administrator for
Pipeline Safety

Date issued: 10/20/97