



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

1200 New Jersey Avenue, SE
Washington, D.C. 20590

JUN 27 2017

Mr. Alan Armstrong
President and Chief Executive Officer
Williams Partners, LP
One Williams Center
Tulsa, Oklahoma 74172

Re: CPF No. 1-2016-5010

Dear Mr. Armstrong:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and assesses a civil penalty of \$22,400. This is to acknowledge receipt of payment of the full penalty amount, by wire transfer, dated November 15, 2016. This enforcement action is now closed. Service of the Final Order is deemed effective 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

Enclosure

cc: Director, Eastern Region, Office of Pipeline Safety, PHMSA
Ms. Stephanie Timmermeyer, Vice President of Safety and Regulatory Compliance,
Williams Field Services Company, LLC, 525 Central Park Drive, Oklahoma City,
Oklahoma 73105

CERTIFIED MAIL - RETURN 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)

Williams Field Services Company, LLC,)
an operating company of Williams Partners, LP,)

Respondent.)
_____)

CPF No. 1-2016-5010

FINAL ORDER

On May 8, 2014, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), reviewed the March 24, 2014 Operator Registry Notification G-20140324-4502 from Williams Field Services Company, LLC (Williams or Respondent), submitted online through the National Registry of Pipeline and LNG Operators website. Williams is an operating company of Williams Partners, LP, and operates approximately 1,153 miles of hazardous liquid pipeline throughout Colorado, Kansas, Pennsylvania, West Virginia and Wyoming.¹

As a result of the review, the Director, Eastern Region, OPS (Director), issued to Respondent, by letter dated October 31, 2016, a Notice of Probable Violation and Proposed Civil Penalty (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Williams had violated 49 C.F.R. § 195.64, and proposed assessing a civil penalty of \$22,400 for the alleged violation.

Williams did not respond to the Notice but paid the proposed civil penalty of \$22,400. In accordance with 49 C.F.R. § 190.208(a)(1), such payment authorizes the Associate Administrator to make a finding of violation and to issue this Final Order.

FINDING OF VIOLATION

Williams did not contest the allegation in the Notice that it violated 49 C.F.R. Part 195, as follows:

Item 1: The Notice alleged that Respondent violated 49 C.F.R. § 195.64(c)(1)(ii), which states:

¹ Pipeline Safety Violation Report (Violation Report), (Oct. 31, 2016) (on file with PHMSA), at 1.

§ 195.64 National Registry of Pipeline and LNG Operators.

(a)

(c) Changes. Each operator must notify PHMSA electronically through the National Registry of Pipeline and LNG Operators at <http://opsweb.phmsa.dot.gov>, of certain events.

(1) An operator must notify PHMSA of any of the following events not later than 60 days before the event occurs:

(i)

(ii) Construction of 10 or more miles of a new or replacement hazardous liquid pipeline.

The Notice alleged that Respondent violated 49 C.F.R. § 195.64(c)(1)(ii) by failing to notify PHMSA of the construction of 10 or more miles of new hazardous liquid pipeline at least 60 days before the event occurred. Specifically, the Notice alleged that Williams failed to notify PHMSA of a construction project that consisted of 50 miles of new hazardous liquid pipeline until after construction of the project began. On May 8, 2014, a PHMSA inspector reviewed a construction notification submitted by Williams, dated March 24, 2014. Williams submitted the "Type G" (construction of 10 miles or more of line pipe) notification through the online National Registry of Pipeline and LNG Operators website. Williams' construction notification reported field construction for approximately 50 miles of new hazardous liquid, interstate pipeline. The notification indicated the new pipeline would start at the Oak Grove Extraction Plant in Moundsville, West Virginia, and end at a meter and regulator site in Houston, Pennsylvania. The Notice also alleged that Williams personnel confirmed that construction of the new hazardous liquid line began on June 13, 2013, over nine months before the construction notification was submitted to PHMSA. Respondent did not contest this allegation of violation.

Accordingly, based upon a review of all of the evidence, I find that Respondent violated 49 C.F.R. § 195.64(c)(1)(ii) by failing to notify PHMSA of the construction of 10 or more miles of new hazardous liquid pipeline at least 60 days before the event occurred.

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

ASSESSMENT OF PENALTY

Under 49 U.S.C. § 60122, Respondent is subject to an administrative civil penalty not to exceed \$200,000 per violation for each day of the violation, up to a maximum of \$2,000,000 for any related series of violations.² In determining the amount of a civil penalty under 49 U.S.C. § 60122 and 49 C.F.R. § 190.225, I must consider the following criteria: the nature, circumstances, and gravity of the violation, including adverse impact on the environment; the degree of Respondent's culpability; the history of Respondent's prior offenses; and any effect that the penalty may have on its ability to continue doing business; and the good faith of

² These amounts are adjusted annually for inflation. *See, e.g.*, Pipeline Safety: Inflation Adjustment of Maximum Civil Penalties, 82 Fed. Reg. 19325 (April 27, 2017).

Respondent in attempting to comply with the pipeline safety regulations. In addition, I may consider the economic benefit gained from the violation without any reduction because of subsequent damages, and such other matters as justice may require. The Notice proposed a total civil penalty of \$22,400 for the violations cited above.

Item 1: The Notice proposed a civil penalty of \$22,400 for Respondent's violation of 49 C.F.R. § 195.64(c)(1)(ii), for failing to notify PHMSA of the construction of 10 or more miles of new hazardous liquid pipeline at least 60 days before the event occurred. Williams neither contested the allegation nor presented any evidence or argument justifying elimination of the proposed penalty. Accordingly, having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$22,400 for violation of 49 C.F.R. § 195.64. Payment for this Item was received on November 15, 2016.

In summary, having reviewed the record and considered the assessment criteria for the Item cited above, I assess the respondent a total civil penalty of **\$22,400**.

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



Alan K. Mayberry
Associate Administrator
for Pipeline Safety

JUN 27 2017

Date Issued