

March 27, 2019

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

Re: CPF No. 1-2018-3002

Dear Mr. Armstrong:

Enclosed please find the Final Order issued in the above-referenced case to your subsidiary, Transcontinental Gas Pipe Line Company, LLC. It makes a finding of violation and assesses a civil penalty of \$48,000. This is to acknowledge receipt of payment of the full penalty amount, by wire transfer, dated May 3, 2018. This enforcement action is now closed. Service of the Final Order by certified mail is effective upon the date of mailing 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: Mr. Robert Burrough, Director, Eastern Region, Office of Pipeline Safety, PHMSA
Mr. Clint Ratke, Manager, Pipeline Safety, Williams Partners, LP

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)	
)	
Transcontinental Gas Pipeline Company, LLC,)	CPF No. 1-2018-3002
a subsidiary of Williams Partners, LP,)	
)	
Respondent.)	

FINAL ORDER

From August 15 through August 17, 2017, 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 Transcontinental Pipeline Gas Company’s (Transco or Respondent) Station 240, Carlstadt Liquefied Natural Gas facility in Carlstadt, New Jersey. Transco, a subsidiary of Williams Partners, LP (Williams), operates approximately 10,200 miles of gas pipelines throughout the United States.¹

As a result of the inspection, the Director, Eastern Region, OPS (Director), issued to Respondent, by letter dated March 28, 2018, a Notice of Probable Violation and Proposed Civil Penalty (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Transco had violated 49 C.F.R. § 193.2719, and proposed assessing a civil penalty of \$48,000 for the alleged violation.

Williams, on behalf of Transco, responded to the Notice by letter dated May 1, 2018 (Response). The company did not contest the allegation of violation and paid the proposed civil penalty of \$48,000 by wire transfer dated May 3, 2018. In accordance with 49 C.F.R. § 190.208(a)(1), such payment authorizes the Associate Administrator to make a finding of violation and issue this final order.

FINDING OF VIOLATION

In its Response, Transco did not contest the allegation in the Notice that it violated 49 C.F.R. Part 193, as follows:

¹ Website available at <https://co.williams.com/operations-2/atlantic-gulf-operating-area/transco/>. (Current as of October 2, 2018).

Item 1: The Notice alleged that Respondent violated 49 C.F.R. § 193.2719(a)(2), which states:

§ 193.2719 Training: records.

- (a) Each operator shall maintain a system of records which –
 - (1) ...
 - (2) Provide evidence that personnel have undergone and satisfactorily completed the required training programs.

The Notice alleged that Respondent violated 49 C.F.R. § 193.2719(a)(2) by failing to maintain records which evidence that personnel had undergone and satisfactorily completed the required training programs. Specifically, the Notice alleged that Transco could not present evidence that it had provided continuing instruction to its liquefied natural gas (LNG) plant operations and maintenance personnel at intervals of not more than two years to keep them current on the knowledge and skills gained as part of their initial training.² According to the Notice, Transco enrolls its staff in the Massachusetts Fire Fighting Academy to learn about the characteristics and hazards of LNG, but could not provide records demonstrating compliance with the continuing education requirement of § 193.2713(b).

Respondent did not contest this allegation of violation, and stated that it would take corrective action to ensure training records were kept as required. Accordingly, based upon a review of all the evidence, I find that Respondent violated 49 C.F.R. § 193.2719(a)(2) by failing to maintain records which evidence that personnel had undergone and satisfactorily completed the required training programs.

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.³ 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; any effect that the penalty may have on its ability to continue doing business; and the good faith of 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

² Section 193.2713(b) requires operators to conduct continuing instruction at intervals of not more than two years to keep all personnel current on the knowledge and skills they gained in the program of initial instruction.

³ 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).

penalty of \$48,000 for the violation cited above.

Item 1: The Notice proposed a civil penalty of \$48,000 for Respondent's violation of 49 C.F.R. § 193.2719(a)(2), for failing to maintain records which evidence that personnel had undergone and satisfactorily completed the required training programs. Transco 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 **\$48,000** for violation of 49 C.F.R. § 193.2719(a)(2), which has already been paid by wire transfer dated May 3, 2018.

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

March 27, 2019

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued