

**JUN 24 2011**

Mr. William G. Cope  
Vice President, Eastern Operations  
Tennessee Gas Pipeline  
569 Brookwood Village, Suite 501  
Birmingham, Alabama 35209

**Re: CPF No. 2-2011-1005**

Dear Mr. Cope:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and assesses a civil penalty of \$25,000. This is to acknowledge receipt of payment of the full penalty amount, by wire transfer, dated April 21, 2011. This enforcement action 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. Alan Mayberry, Deputy Associate Administrator for Field Operations, Pipeline Safety  
Mr. Wayne T. Lemoi, Director, Southern Region, PHMSA

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED [7005 1160 0001 0075 9541]**

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

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<b>In the Matter of</b>	)	
	)	
<b>Tennessee Gas Pipeline, El Paso Corporation</b>	)	<b>CPF No. 2-2011-1005</b>
	)	
<b>Respondent.</b>	)	
_____	)	

**FINAL ORDER**

On October 4 through December 10, 2010, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted on-site safety inspections of the natural gas transmission pipeline facilities and records of Tennessee Gas Pipeline (TGP or Respondent) in Alabama, Mississippi, Tennessee, and Kentucky. TGP is an interstate natural gas transmission system that runs from Louisiana, the Gulf of Mexico and south Texas to the northeastern corridor, including New York City and Boston. TGP is one of several wholly owned transmission systems owned by El Paso Corporation and consists of 14,100 miles of pipeline.

As a result of the inspections, the Director, Southern Region, OPS (Director), issued to Respondent, by letter dated March 31, 2011, a Notice of Probable Violation and Proposed Civil Penalty (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that TGP violated 49 C.F.R. § 192.605(a) and proposed assessing a civil penalty of \$25,000 for the alleged violation.

TGP responded to the Notice by letter dated April 21, 2011 (Response). The company did not contest the allegation of violation and paid the proposed civil penalty of \$25,000, as provided in 49 C.F.R. § 190.227. Payment of the penalty serves to close the case with prejudice to Respondent.

**FINDING OF VIOLATION**

In its Response, TGP did not contest the allegation in the Notice that it violated 49 C.F.R. Part 192, as follows:

**Item 1:** The Notice alleged that Respondent violated 49 C.F.R. § 192.605(a), which states:

**§ 192.605 Procedural manual for operations, maintenance, and emergencies.**

- (a) *General.* Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

The Notice alleged that Respondent violated 49 C.F.R. § 192.605(a) by failing to follow its written procedures for conducting operations and maintenance activities and emergency response. Specifically, the Notice alleged that TGP did not use a locking device, disable, or properly secure a main line block valve, in violation of its operations and maintenance procedures, as outlined in *Section 305 Valve Maintenance*.<sup>1</sup> During a field inspection of TGP Main Line Valve (MLV) 535-2, located in Jasper County, Mississippi, PHMSA's inspector observed the main line block valve hand-wheel resting against the valve body.<sup>2</sup> The hand-wheel was neither secured nor disabled, in violation of Respondent's Operating and Maintenance Procedures. Given that the valve hand-wheel operates the valve, failure to properly secure the hand-wheel compromised the integrity of the pipeline. Pipeline damage or product release could have ensued.

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. § 192.605(a) by failing to follow its manual of written procedures for conducting operations and maintenance activities and for emergency response, which requires that main line valves be secured or disabled in order to prevent unauthorized operation.

In summary, having reviewed the record and considered the assessment criteria, I assess Respondent a total civil penalty of **\$25,000**, which has already been paid by Respondent.

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

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Jeffrey D. Wiese  
Associate Administrator  
for Pipeline Safety

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Date Issued

<sup>1</sup> TGP O&M Manual (Valve Maintenance), Section 305.1 states "Transmission valves that might be required in an emergency . . . may include: (a) Mainline block valves and blowoffs . . . whenever a valve is operated . . . the locking device shall [also] be returned to the valve and secured. Section 305.4(e) *Security* states "valves covered in this section of the O&M Manual shall: have a locking device to prevent unauthorized operation or be disabled (i.e. have the valves in a condition that would provide security equivalent to, or better than, a lock on the valve or valve operator), or be within a secured area."

<sup>2</sup> See Exhibit A, Pipeline Safety Violation Report (Mar. 30, 2011) (Violation Report), at 8.