U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590

JUL 3 1 2007

Mr. Daniel B. Martin
Senior Vice President, Operations
ANR Pipeline Company
1001 Louisiana
Room N-1636B
Houston, TX 77002

Re: CPF No. 3-2001-1005

Dear Mr. Martin:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It withdraws one of the allegations of violation and warns ANR Pipeline Company that enforcement action may be taken if the circumstances leading to noncompliance are not corrected with respect to the other three items.

This case is now closed. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

James Reynolds
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

cc: Mr. Patrick F. Carey, Director, DOT Compliance Services, El Paso Pipeline Group
Nine Greenway Plaza, Houston, TX 77046

Mr. Ivan Huntoon, Director, Central Region, PHMSA

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

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

In the Matter of	)	
ANR Pipeline Company,	)	**CPF No. 3-2001-1005**
Respondent	)	

FINAL ORDER

Between August and December, 2000, pursuant to 49 U.S.C. § 60117, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety conducted an on-site pipeline safety inspection of Respondent's facilities and records in its Waukesha, Wisconsin; Kankakee, Illinois; St. Joseph, Missouri; Enid, Oklahoma; and Paducah, Kentucky operating areas. As a result of the inspection, the Director, Central Region, PHMSA, issued to Respondent, by letter dated May 21, 2001, 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 committed violations of 49 C.F.R. Part 192 and proposed assessing a civil penalty of $5,000 for one of the alleged violations. The Notice also warned Respondent to take appropriate corrective action.

Respondent responded to the Notice by letter dated June 25, 2001 (Response). Respondent contested the allegations, offered information to explain the allegations, and requested that the proposed civil penalty be eliminated.

WITHDRAWAL OF ALLEGATION

Item 1 in the Notice alleged that Respondent violated 49 C.F.R. Part 192, as follows:

> **49 C.F.R. § 192.465 External corrosion control: Monitoring**
> (a) .....
> (d) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

Specifically, Item 1 alleged that Respondent failed to take prompt remedial action to correct nine voltage readings identified as being below -0.85 volts during the 1999 survey.

In its Response, Respondent provided information concerning the remedial actions it had taken during the relevant period. These actions included close interval surveys, rectifier adjustment

rebuilding of ground beds, installing corrosion coupons, resurveys, and in-line inspections. In particular, Respondent provided the results of a depolarization survey and demonstrated that the cathodic protection levels along the relevant portions of the pipeline met the 100 millivolt drop criteria which is an accepted alternative to the -0.85 volt criteria. Based on this information demonstrating compliance with the regulation, I am withdrawing this allegation and the proposed civil penalty of $5,000.

WARNING ITEMS

With respect to Items 2, 3, and 4, the Notice alleged probable violations of Part 192 but did not propose a civil penalty or compliance order for these items. Therefore, these are considered to be warning items. The warnings were for:

> 49 C.F.R. § 192.465(a) (Notice Item 2) — failure to take cathodic protection test readings within the 15-month maximum interval. The Notice alleged that while the 1999 survey readings on the Elk City section of the Enid operating area were taken in early May of 1999, the 2000 survey readings were not taken until late August of 2000 and that as a result, 21 readings were between 12 and 22 days late;
>
> 49 C.F.R. § 192.603(b) (Notice Item 3) — failure to maintain records necessary to administer the procedures established under § 192.605. The Notice alleged that Respondent failed to maintain construction records for electrical control systems on the Spring Prairie Pipeline Section; and
>
> 49 C.F.R. § 192.751 (Notice Item 4) — failure to take steps to minimize the danger of accidental ignition of gas in any structure or area where the presence of gas constitutes a hazard of fire or explosion. The Notice alleged that Respondent failed to place adequate signs, including "No Smoking" signs, at the specified locations and failed to prevent dry weeds from accumulating around and under valves and related piping at two locations.

Respondent presented information in its Response showing that it had taken certain actions to address these items. Having considered such information, pursuant to 49 C.F.R. § 190.205, I find that probable violations of 49 C.F.R. Part 192 have occurred as described in Notice Items 2, 3, and 4. Respondent is hereby advised to correct such conditions. In the event that PHMSA finds a violation for any of these items in a subsequent inspection, Respondent may be subject to future enforcement action.

The terms and conditions of this Final Order are effective on receipt.

Jeffery D. Wiese
Associate Administrator
for Pipeline Safety

JUL 3 1 2007

Date Issued