



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAR 29 2005

Mr. Daniel B. Martin
Senior Vice President
ANR Pipeline Company
Nine Greenway Plaza, Suite 774A
Houston, TX 77046

Re: CPF No. 3-2004-1004

Dear Mr. Martin:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes a finding of violation and assesses a civil penalty. I acknowledge receipt of your wire transfer of \$5,000 dated April 2, 2004, and accept it as payment in full of the civil penalty assessed in the Final Order. 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: Ivan Huntoon, Region Director
Central Region, OPS

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)
)
)

ANR Pipeline Company,)

CPF No. 3-2004-1004

Respondent)
_____)

FINAL ORDER

On March 16, 2004, in accordance with 49 C.F.R. § 190.207, the Director, Central Region, Office of Pipeline Safety (OPS), issued Respondent a Notice of Probable Violation and Proposed Civil Penalty (Notice). The Notice proposed finding that Respondent had violated 49 C.F.R. Part 192 and proposed assessing a civil penalty of \$5,000 for the alleged violation.

Respondent responded to the Notice by letter dated March 30, 2004. Respondent did not contest the allegations, but provided information concerning the corrective actions it has taken. Respondent submitted a wire transfer in the amount of the proposed civil penalty (\$5,000), waiving further right to respond and authorizing the entry of this Final Order.

Pursuant to 49 C.F.R. § 190.209(a)(1) and 49 U.S.C. § 60122, I find that Respondent violated the following section of 49 C.F.R. Part 192, as more fully described in the Notice:

49 C.F.R. § 192.465(a) – failing to conduct cathodic protection testing on the Wilshire/Rockford lateral in Indiana and Ohio for 2001.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent. Having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$5,000, already paid by Respondent.

The Notice did not propose a civil penalty or corrective action for Item 2 in the Notice, failure to maintain records documenting leak surveys and patrols of Respondent's natural gas storage fields in Michigan in accordance with 49 C.F.R. § 192.709(c). Therefore, this is considered a warning item. Respondent is warned that if it does not take appropriate action to correct this item, enforcement action will be taken if a subsequent inspection reveals a violation.

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

Stacey Gerard

Stacey Gerard
Associate Administrator
for Pipeline Safety

MAR 29 2005

Date Issued

for