

JUN 24 2011

Mr. Dwayne Burton
Vice President – Gas Pipeline Operations
Natural Gas Pipeline Company of America LLC
500 Dallas Street, Suite 1000
Houston, TX 77002

Re: CPF No. 3-2010-1001

Dear Mr. Burton:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and finds that Natural Gas Pipeline Company of America LLC has completed the actions specified in the Notice to comply with the pipeline safety regulations. Therefore, this case 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: Alan Mayberry, Deputy Associate Administrator for Field Operations, Pipeline Safety
David Barrett, Director, PHMSA Central Region

CERTIFIED MAIL - RETURN RECEIPT REQUESTED [7005 1160 0001 0075 9589]

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

In the Matter of)	
)	
Natural Gas Pipeline Company of America LLC)	CPF No. 3-2010-1001
)	
Respondent.)	
)	

FINAL ORDER

On various dates between August 10 and October 29, 2009, 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 Natural Gas Pipeline Company of America LLC (NGPA or Respondent) in Minneola, Kansas, Great Bend, Kansas, Glasco, Kansas, Beatrice, Nebraska, and Geneseo, Illinois. Respondent operates a large natural gas pipeline system extending approximately 9,122 miles across several states.

As a result of the inspection, the Director, Central Region, OPS (Director), issued to Respondent, by letter dated February 25, 2010, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that NGPA had committed various violations of 49 C.F.R. Part 192 and proposed ordering Respondent to take certain measures to correct two of the alleged violations.

FINDING OF VIOLATION

The Notice alleged that Respondent violated 49 C.F.R. Part 192, as follows:

Item 2: The Notice alleged that Respondent violated 49 C.F.R. § 192.455(a), which states in relevant part:

§ 192.455 – External corrosion control: Buried or submerged pipelines installed after July 31, 1971.

(a) Except as provided in paragraphs (b), (c), and (f) of this section, each buried or submerged pipeline installed after July 31, 1971, must be

protected against external corrosion, including the following:

- (2) It must have a cathodic protection system designed to protect the pipeline in accordance with this subpart, installed and placed in operation within 1 year after completion of construction.

Specifically, the Notice alleged that Respondent failed to have cathodic protection on a section of pipe at the Atkinson Meter Station in the Geneseo area. In its Response, NGPA acknowledged that the specified section of pipe had been insulated from cathodic protection and explained that it connected it to cathodic protection immediately after the OPS inspection.

Accordingly, after considering all of the evidence, I find that Respondent violated 49 C.F.R. § 192.455(a) by failing to have cathodic protection on a section of pipe at the Atkinson Meter Station in the Geneseo area.

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

WITHDRAWAL OF ALLEGATION

Item 1: The Notice alleged that Respondent violated 49 C.F.R. § 192.201(a), which states in relevant part:

§ 192.201 -- Required capacity of pressure relieving and limiting stations.

(a) Each pressure relief station or pressure limiting station or group of those stations installed to protect a pipeline must have enough capacity, and must be set to operate, to insure the following:

(2) In pipelines other than a low pressure distribution system:

(i) If the maximum allowable operating pressure is 60 p.s.i. (414 kPa) gage or more, the pressure may not exceed the maximum allowable operating pressure plus 10 percent, or the pressure that produces a hoop stress of 75 percent of SMYS, whichever is lower;

(ii) If the maximum allowable operating pressure is 12 p.s.i. (83 kPa) gage or more, but less than 60 p.s.i. (414 kPa) gage, the pressure may not exceed the maximum allowable operating pressure plus 6 p.s.i. (41 kPa) gage; or

(iii) If the maximum allowable operating pressure is less than 12 p.s.i. (83 kPa) gage, the pressure may not exceed the maximum allowable operating pressure plus 50 percent.

Specifically, the Notice alleged that Respondent failed to set pressure relief devices to ensure pressure would not exceed maximum allowable operating pressure (MAOP) plus allowable build-up at several stations in the Minneola and Great Bend areas. In its Response, NGPA established that the MAOP was the same upstream and downstream of the regulation facilities to the point of custody transfer to customer facilities and that to the extent the downstream MAOP was lower it was relevant to customer facilities only. Therefore, the cited facilities are not subject to the regulations.

Based upon the foregoing, I hereby order that Item 1 of the Notice be withdrawn.

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to Item 2 in the Notice for violations of 49 C.F.R. § 192.455(a). Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. The Director indicates that with respect to Item 2, Respondent has reviewed the relevant documentation with OPS and confirmed that no other sections of pipe in the specified stations are isolated from cathodic protection as specified in the proposed compliance order.

Accordingly, I find that compliance has been achieved with respect to this violation. Therefore, the compliance terms proposed in the Notice are not included in this Order.

WARNING ITEMS

With respect to Items 3–9, the Notice alleged probable violations of Part 192 and specifically considered these to be warning items. The warnings were for:

49 C.F.R. § 192.459 (**Item 3**) — Respondent’s alleged failure to maintain records of certain exposed pipe inspections;

49 C.F.R. § 192.603(b) (**Item 4**) — Respondent’s alleged failure to maintain records of emergency response training for personnel in the Great Bend area for years 2007 or 2008;

49 C.F.R. § 192.605(c) (**Item 5**) — Respondent’s alleged failure to conduct periodic reviews of the effectiveness of procedures for responding to two specified abnormal operating condition events;

49 C.F.R. § 192.615(b) (**Item 6**) — Respondent’s alleged failure to review employee activities following a failure emergency to determine whether the relevant emergency procedures were effectively followed;

49 C.F.R. § 192.743(a) (**Item 7**) — Respondent’s alleged failure perform annual capacity calculations for pressure relief devices in the Minneola area within the required interval;

49 C.F.R. § 192.481(a) (**Item 8**) — Respondent’s alleged failure to conduct atmospheric corrosion monitoring inspections on certain above-ground facilities in the Minneola, Glasco, and Geneseo areas within the required interval; and

49 C.F.R. § 192.735(a) (**Item 9**) — Respondent’s alleged failure to store two barrels of combustible materials a safe distance from a compressor building at a station in the Great Bend area.

NGPA presented information in its Response showing that it had taken certain actions to address the cited items. If OPS finds a violation of any of these provisions in a subsequent inspection, Respondent may be subject to future enforcement action.

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

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Date Issued