



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

OCT 20 2005

Mark Shires
Senior Vice President of Operations
Plains Pipeline, L.P.
333 Clay Street, Suite 1600
Houston, TX 77002-4101

Re: CPF No. 4-2004-5030

Dear Mr. Shires:

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 and accept your check #0675226531 in the amount of \$4,000 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

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

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

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In the Matter of)

)
Plains Pipeline, L.P.,)

)
Respondent)
_____)

CPF No. 4-2004-5030

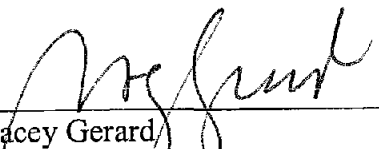
FINAL ORDER

On October 15, 2004, in accordance with 49 C.F.R. § 190.207, the Director, Southwest Region, Office of Pipeline Safety (OPS), issued to Respondent a Notice of Probable Violation and Proposed Civil Penalty (Notice). The Notice proposed finding that Respondent had violated 49 C.F.R. § 195.428 and proposed assessing a civil penalty of \$4,000 for the alleged violation. Respondent responded to the Notice by letter dated November 10, 2004, and did not contest the alleged violation. Respondent submitted a check in the amount of the proposed civil penalty (\$4,000), waiving further right to respond and authorizing the entry of this Final Order.

Pursuant to 49 C.F.R. § 190.213 and 49 U.S.C. § 60122, I find that Respondent violated the following section of 49 C.F.R. Part 195, as more fully described in the Notice:

49 C.F.R. § 195.428 – failing to inspect and test each overpressure safety device at intervals not to exceed 15 months. Respondent tested overpressure safety devices at Wink station on April 24, 2002 and September 16, 2003. This interval exceeded the maximum interval allowed by approximately 50 days.

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 \$4,000, already paid by Respondent. The terms and conditions of this Final Order are effective on receipt.



Stacey Gerard
Associate Administrator
for Pipeline Safety

OCT 20 2005

Date Issued