



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JUN 20 2005

Mr. Dennis Reilley
Chief Executive Officer
Praxair, Inc.
39 Old Ridgebury Road
Danbury, CT 06810-5133

Re: CPF No. 4-2005-1006

Dear Mr. Reilley:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes findings of violation and assesses a civil penalty. I acknowledge receipt of and accept your check numbered 00134866 for \$8,000 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

cc: James R. Ryan
Pipeline Regulatory Compliance Manager
Praxair Inc.
175 East Park Drive, P.O. Box 44
Tonawanda, NY 14151-0044

Rod Seeley, Region Director
Southwest 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

Praxair, Inc.,

Respondent

CPF No. 4-2005-1006

FINAL ORDER

On February 14, 2005, 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 committed violations of 49 C.F.R. Part 192 and proposed assessing a civil penalty of \$8,000 for the alleged violations. Respondent responded to the Notice by letter dated March 8, 2005. Respondent did not contest the allegations and provided information concerning its payment of the proposed civil penalty. Respondent submitted a check in the amount of the proposed civil penalty (\$8,000), 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 sections of 49 C.F.R. Part 192, as more fully described in the Notice:

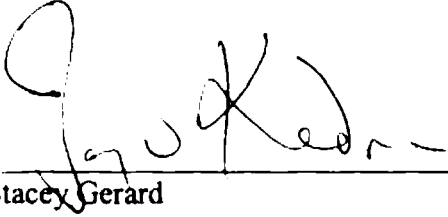
49 C.F.R. § 192.731 – failing to document that valve PV 994 at the Laporte Booster Compressor had been inspected and tested in accordance with §§ 192.739 and 192.743 during the 2002 calendar year.

49 C.F.R. § 192.739 – failing to document that pressure safety valves PSV 920H, 914H, 940H, and 988H located at Bayport Booster had been inspected and tested during the 2002 calendar year.

49 C.F.R. § 192.743 – failing to document that capacity had been determined for pressure safety valves PSV 920H, 914H, 940H, and 988H located at Bayport Booster during the 2002 calendar year.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent. Having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$8,000, already paid by Respondent.

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



Stacey Gerard
Associate Administrator
for Pipeline Safety

for

JUN 20 2005

Date Issued