



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC 15 2003

Mr. W. H. Healy, Jr.
Vice President, Operations
Mojave Pipeline Operating Company
2 North Nevada Ave
Colorado Springs, CO 81593

Re: CPF No. 5-2000-0007, Edison Pipeline & Terminal Company

Dear Mr. Healy:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes findings of violation and finds that you have completed the actions specified in the Notice required to comply with the pipeline safety regulations. This case is now closed and no further enforcement action is contemplated with respect to the matters involved in the case. 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
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)
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Mojave Pipeline Operating Company/
Edison Pipeline & Terminal Company,)
)
)

Respondent)
)
_____)

CPF No. 5-2000-0007

FINAL ORDER

On October 25-29, 1999, pursuant to 49 U.S.C. § 60117, a representative of the Office of Pipeline Safety (OPS) conducted an on-site pipeline safety inspection of Respondent's Mojave (Coolwater) pipeline, which included a field inspection of the pipeline and examination of the manual of written procedures, maps, and maintenance records relevant to the pipeline. The inspection took place in Compton and Daggett, California. As a result of the inspection, the Director, Western Region, OPS, issued to Respondent, by letter dated May 12, 2000, a Notice of Probable Violation, Proposed Compliance Order, and Notice of Amendment (Notice). The Notice was amended by letter dated August 10, 2000. 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 that Respondent take certain measures to correct the alleged violations. The Notice also proposed, in accordance with 49 C.F.R. § 190.237, that Respondent amend its operating and maintenance procedures.

Respondent responded to the Notice by letter dated June 13, 2000 (Response). Respondent did not contest the allegations of violation but provided information concerning the corrective actions it has taken. Respondent also provided documentation that it no longer operates the Mojave pipeline. Respondent did not request a hearing, and therefore has waived its right to one.

FINDINGS OF VIOLATION

In its Response, Respondent did not contest the alleged violations in the Notice. Accordingly, I find that Respondent violated the following sections of 49 C.F.R. Part 192, as more fully described in the Notice, as amended:

49 C.F.R. § 192.463(a) – failing to provide an adequate level of cathodic protection at several locations on the Mojave pipeline, where pipe-to-soil readings were below the -0.85v criteria under Part 192, appendix D, section I, paragraph (A)(1);

49 C.F.R. § 192.473(a) – failing to establish a continuing program to minimize the effects of cathodic protection interference at several locations on the Mojave pipeline where instant off readings indicated that interference was occurring; and

49 C.F.R. § 192.603(b) – failing to keep adequate records to demonstrate Respondent's compliance with the procedures in its Operation and Maintenance Manual and the activities it is required to perform under 49 C.F.R. § 192.605.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to Items 1, 2, 3 and 4(b) of the Notice. 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 Regional Director has indicated that Respondent has taken the following actions specified in the proposed compliance order:

- Respondent submitted documentation demonstrating that it restored adequate cathodic protection to the Mojave pipeline, thereby addressing Items 1, 2, and 4(b) of the Notice and meeting the requirements of the first proposed compliance item.
- Respondent reported that it no longer operates the Mojave pipeline, rendering it unnecessary to require compliance with the second proposed compliance item.

Accordingly, since compliance has been achieved with respect to these violations, the compliance terms are not included in this Order. No further action is required.

AMENDMENT OF PROCEDURES

The Notice alleged inadequacies in Respondent's manual of written procedures and proposed to require amendment of Respondent's procedures to comply with the requirements of 49 C.F.R. § 192.605. Respondent did not contest the alleged inadequacies. Accordingly, I find that Respondent's original procedures as described in the Notice were inadequate to ensure safe operation of its pipeline system.

Respondent submitted copies of its amended procedures, which the Director, Western Region, OPS, reviewed. Respondent also reported that it no longer operates the Mojave pipeline. Based on this information, no need exists to issue an order directing amendment. No further action is necessary.



Stacey Gerard
Associate Administrator
for Pipeline Safety

DEC 15 2003

Date Issued