

JUL 6, 2009

Mr. Michael J. Finch
Vice President of Environmental Safety
and Regulatory Compliance
DCOR LLC
290 Maple Court, Suite 290
Ventura, CA 93003-9144

Re: CPF No. 5-2007-7001

Dear Mr. Finch:

Enclosed is an amended version of the Final Order in the above-referenced case. It corrects a clerical error mad in the text of 49 C.F.R. § 195.452(f)(1), but does not modify the original Final Order in any other respect. Specifically, it still 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. Your receipt of the Final Order constitutes service of that document 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: Mr. Chris Hoidal, Director, Western Region, OPS

CERTIFIED MAIL-RETURN RRECEIPT REQUIRED

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

_____)	
In the Matter of)	
)	
DCOR LLC,)	CPF No. 5-2007-7001
)	
Respondent.)	
_____)	

FINAL ORDER

From May 22 to 24, 2006, pursuant to 49 U.S.C. § 60117, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), and the California State Fire Marshal inspected the Integrity Management Program (IMP) of DCOR LLC (DCOR or Respondent), the operator of a hazardous liquid pipeline whose headquarters are in Ventura, California.

As a result of that inspection, the Director, Western Region, OPS (Director), issued to DCOR, by letter dated February 13, 2007, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that DCOR had violated 49 C.F.R. § 195.452(f)(1) and proposed ordering Respondent to take certain measures to correct the alleged violation.

DCOR responded to the Notice by letter dated April 2, 2007 (Response). Respondent did not contest the allegations of violation, but it did provide information concerning the corrective actions it had taken.

DCOR has not requested a hearing, thereby waiving that right and authorizing the entry of this Final Order.

FINDINGS OF VIOLATION

Item 1: The Notice alleged that DCOR violated 49 C.F.R. § 195.452(f)(1), which states:

§ 195.452 Pipeline integrity management in high consequence areas

(a)

(f) *What are the elements of an integrity management program?* An integrity management program begins with the initial framework. An operator must continually change the program to reflect operating experience, conclusions drawn from results of the integrity assessments, and other maintenance and surveillance data, and evaluation of consequences of a failure on the high consequence area. An operator must include, at minimum, each of the following elements in its written integrity management program:

(1) A process for identifying which pipeline segments could affect a high consequence area . . .

In particular, the Notice alleged that DCOR owned and operated the Fort Apache Pump Station (FAPS), a pipeline facility located in a High Consequence Area (HCA) in Huntington Beach, California. The Notice further alleged that DCOR failed to include the FAPS in its IMP. Respondent does not dispute these allegations. Accordingly, I find that DCOR violated 49 C.F.R. § 195.452(f)(1) as alleged in Item 1 of the Notice, that is, by failing to include the FAPS, a pipeline facility that could affect an HCA in the event of failure, in its IMP.

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

COMPLIANCE ORDER

The Notice proposed a Compliance Order with respect to Item 1 in the Notice for violation of 49 C.F.R. § 195.452(f)(1). Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas, hazardous liquids, or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under Chapter 601. The Director, Western Region, PHMSA has indicated that Respondent has taken the action specified in the proposed Compliance Order; namely, that on April 4, 2007, DCOR submitted documents showing that the FAPS is now included in its IMP. Accordingly, since compliance has been achieved with respect to this violation, the compliance terms are not included in this Order.

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

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Date Issued