

Mr. Ronald L. Adams  
Vice President, Operations and Engineering  
Transcontinental Gas Pipe Line Corporation  
2800 Post Oak Boulevard  
P.O. Box 1396  
Houston, TX 77251-1396

Re: CPF No. 13301

Dear Mr. Adams:

Enclosed is the decision on the Petition for Reconsideration filed in the above-referenced case. The Associate Administrator for Pipeline Safety has granted relief from the Final Order issued December 6, 1995 by reducing the assessed civil penalty. This action closes automatically upon payment of the civil penalty.

Your receipt of the enclosed document constitutes service under 49 C.F.R. § 190.5.

Sincerely,

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Gwendolyn M. Hill  
Pipeline Compliance Registry  
Office of Pipeline Safety

Enclosure

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION  
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION  
WASHINGTON, DC

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In the Matter of )  
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Transcontinental Gas )  
Pipe Line Corporation, ) CPF No. 13301  
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Respondent. )  
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DECISION ON PETITION FOR RECONSIDERATION

On December 6, 1995, pursuant to 49 U.S.C. § 60101 et seq., I issued a Final Order in this case assessing Respondent a civil penalty of \$13,500 for violating 49 C.F.R. § 193.2619(c)(2) by failing to inspect and test a fire protection control system within the required 6-month interval. On December 28, 1995, Respondent filed a petition for reconsideration asking that the Final Order be reconsidered and the civil penalty stayed. I granted the stay on February 6, 1996.

In its petition, Respondent asked that the civil penalty be reconsidered. Respondent objected that the amount of the civil penalty exceeded the magnitude of the violation. Respondent explained that the inspection, albeit late, verified that the control system was functioning properly. Moreover, the control system is self-diagnostic and will give a warning light when there is a problem or malfunction. Respondent explained that this had been one delayed inspection and that it did not have a history of missed or delayed inspections.

Grant of Relief

I have reconsidered the civil penalty assessed for this violation. Respondent does not have a history of prior violations. The delayed inspection occurred on only one fire control system. This system is self-diagnostic, making it unlikely a problem that could affect the fire protection for the plant will go unnoticed for any period of time. More importantly, Respondent has instituted a Quality Assurance

Program to alert Respondent to upcoming inspection deadlines. Accordingly, I will reduce the civil penalty to \$5,000.

**Payment of the civil penalty must be made within 20 days of service.** Payment can be made by sending a certified check or money order (containing the CPF Number for this case) payable to " U.S. Department of Transportation" to the Federal Aviation Administration, Mike Monroney Aeronautical Center, Financial Operations Division (AMZ-320), P.O. Box 25770, Oklahoma City, OK 73125.

Federal regulations (49 C.F.R. § 89.21(b)(3)) also permit this **payment to be made by wire transfer**, through the Federal Reserve Communications System (Fedwire), to the account of the U.S. Treasury. **Detailed instructions are contained in the enclosure.** After completing the wire transfer, send a copy of the **electronic funds transfer receipt** to the **Office of the Chief Counsel** (DCC-1), Research and Special Programs Administration, Room 8407, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590-0001.

**Questions** concerning wire transfers should be directed to: **Valeria Dungee**, Federal Aviation Administration, Mike Monroney Aeronautical Center, Financial Operations Division (AMZ-320), P.O. Box 25770, Oklahoma City, OK 73125; **(405) 954-4719**.

Failure to pay the \$5,000 civil penalty will result in accrual of interest at the current annual rate in accordance with 31 U.S.C. § 3717, 4 C.F.R. § 102.13 and 49 C.F.R. § 89.23. Pursuant to those same authorities, a late penalty charge of six percent (6%) per annum will be charged if payment is not made within 110 days of service. Furthermore, failure to pay the civil penalty may result in referral of the matter to the Attorney General for appropriate action in an United States District Court.

This decision on reconsideration is the final administrative action in this proceeding.

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Richard B. Felder  
Associate Administrator  
for Pipeline Safety

Date Issued: \_\_\_\_\_

