



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

8701 South Gessner, Suite 1110
Houston, TX 77074

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 22, 2009

Mr. Victor Gaglio
Sr. Vice President Operations & Engineering
Columbia Gas Transmission Company
P.O. Box 1273
Charleston, WV 25314

CPF 4-2009-1013W

Dear Mr. Gaglio:

On July 28-31, 2008, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your Columbia Gas Transmission Company (CGT) and its subsidiaries' Operator Qualification (OQ) Plan at your office in Charleston, West Virginia.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

1. §192.13 General

c) Each operator shall maintain, modify as appropriate, and follow the plans, procedures, and programs that it is required to establish under this part.

CGT did not modify or amend its Operator Qualification (OQ) plan after a periodic review had been performed.

CGT's OQ plan includes provisions for periodic review of its OQ plan. Therefore, CGT reviewed its OQ plan and did not modify or amend its OQ plan to incorporate the revision to the rule (Docket No. RSPA-03-15734; Amendment. 192-100) that was effective July 1, 2005. The revised 2008 edition of CGT's OQ plan, reviewed at the time of the inspection, did not include procedures to inform the Administrator if CGT significantly modifies its OQ program, as required by 192.805(i).

CGT has provided a revised OQ Plan with the corrections made as requested during the inspection in July 2008.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advised you to correct the item identified in this letter. Failure to do so would result in Columbia Gas Transmission Company being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 4-2009-1013W**. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,



R. M. Seeley
Director, Southwest Region
Pipeline and Hazardous
Materials Safety Administration