



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

MAR 18 2005

Mr. Charles Fox
Vice President, Operations
Kinder Morgan CO₂ Co., L.P.
500 Dallas, Suite 1000
Houston, TX 77002

Re: CPF No. 4-2003-5003

Dear Mr. Fox:

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 April 3, 2003, wire transfer for \$7,000 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: 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

Kinder Morgan CO₂ Co., L.P.,

Respondent

CPF No. 4-2003-5003

FINAL ORDER

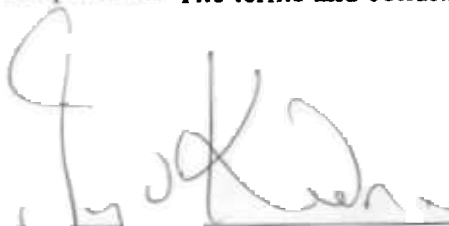
On March 11, 2003, in accordance with 49 C.F.R. § 190.207, the Director, Southwest Region, Office of Pipeline Safety (OPS), issued to Respondent a Notice of Probable Violation and Proposed Civil Penalty (Notice). The Notice proposed finding that Respondent had committed violations of 49 C.F.R. Part 195 and proposed assessing a civil penalty of \$7,000 for the alleged violations. Respondent responded to the Notice by letter dated April 4, 2003 and provided information concerning its payment of the proposed civil penalty. Respondent submitted a wire transfer in the amount of the proposed civil penalty (\$7,000), 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 195, as more fully described in the Notice:

49 C.F.R. § 195.401(b) – failing to correct within a reasonable time cathodic protection readings less negative than the -0.850V criteria set by Respondent; and

49 C.F.R. § 195.402(c)(3) – failing to include in the manual for operations, maintenance and repair a procedure for maintaining pump station operating records.

~~These~~ findings of violation will be considered prior offenses in any subsequent enforcement ~~action~~ taken against Respondent. I assess Respondent a civil penalty of \$7,000 already paid by Respondent. The terms and conditions of this Final Order are effective on receipt.


Stacey Gerard
Associate Administrator
for Pipeline Safety

MAR 18 2003

Date Issued

for