

U.S. Department of Transportation

**Research and
Special Programs**

Administration

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

FEB 6 1997

Mr. Timothy Hearne
Vice President Regulatory Affairs
New Jersey Natural Gas
1415 Wyckoff Road, P.O. Box 1464
Wall, NJ 07719

CPF No. 14003

Dear Mr. Hearne,

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. The Final Order makes a finding of a violation, assesses a civil penalty for that violation, and acknowledges the completion of certain corrective actions. Your receipt of the Final Order constitutes service of that document under 49 C.F.R §190.5. I acknowledge receipt of, and accept your check (No. 1211459) dated July 19, 1994 in the amount of \$5,000 as payment in full of the civil penalty assessed against New Jersey Natural Gas in the Final Order. The Final Order has been reviewed to determine compliance with the terms therein. Based on the recommendation of the Director, Eastern Region, this case is now closed and no further enforcement action is contemplated with the respect to the matters involved in the case. Thank you for your cooperation in our joint effort to ensure pipeline safety.

Sincerely,

Gwendolyn M. Hill'
Pipeline Compliance Registry Office of Pipeline Safety

Enclosure

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

I.

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)
)
New Jersey Natural Gas,)
)
Respondent.)
_____)

CPF No. 14003

FINAL ORDER

On June 16, 1994 the Director, Eastern Region, Office of Pipeline Safety, issued Respondent a Notice of Probable Violation, Proposed Civil Penalty, and Proposed Compliance Order (Notice) in accordance with 49 C.F.R. § 190.207. The Notice proposed finding that Respondent had violated 49 C.F.R. § 191.9(a), proposed a civil penalty in the amount of \$5,000, and proposed a compliance order requiring respondent to submit a Department of Transportation form RSPA F7100.1.

Respondent replied to the Notice by letter dated June 27, 1994. Respondent contested the allegation, offered information to explain the allegation, and requested mitigation or reduction of the proposed civil penalty. On July 20, 1994, the Respondent submitted a check in the amount of the proposed civil penalty (\$5,000), waiving further right to respond, and authorizing the entry of this Final Order.

FINDING OF VIOLATION

Pursuant to 49 C.F.R. § 190.209(a) (1), I hereby find that the Respondent violated the following section of 49 C.F.R. Part 191 as described more completely in the Notice:

§ 191.9(a) -- Failure to submit the Department of Transportation form, RSPA 7100.1 as soon as practicable but not more than 30 days after detection of an incident required to be reported under § 191.5.

I

This finding will be considered as a prior offense in any subsequent enforcement action against Respondent. I assess the civil penalty in the amount of \$5,000, already paid by Respondent.

COMPLIANCE ORDER

The Notice proposed a compliance order. Respondent described the action it had taken to comply with this item. Respondent submitted form RSPA 7100.1 to the appropriate address on June 27, 1994.

The Director, Eastern Region, OPS has accepted this measure as adequately fulfilling the requirements of the regulations and no further action is needed with respect to a compliance order.

Richard B. Felder
Associate Administrator for Pipeline Safety

Date Issued: FEB - 6, 1997