



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

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

SEP - 1 2006

Mr. Reed Robinson
Vice President, Engineering Services
Columbia Gas Transmission Co.
1700 MacCorkle Avenue SE
P.O. Box 1273
Charleston, West Virginia 25325-1273

Re: CPF No. 1-2005-1003

Dear Mr. Robinson :

Enclosed is the Final Order issued by the Acting Associate Administrator for Pipeline Safety in the above-referenced case. It makes findings of violations and assesses a civil penalty. I acknowledge receipt of and accept your wire transfer for \$ 246,000 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: Mr. Darrell A. McKown, Program Manager, Pipeline Safety, Public Service Commission
of West Virginia
Mr. William Gute, Director, Eastern Region, PHMSA

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)	
)	
Columbia Gas Transmission Company,)	CPF No. 1-2005-1003
)	
Respondent)	
_____)	

FINAL ORDER

On August 18 and September 26, 2003, in accordance with 49 C.F.R. § 190.207, the Director, Eastern Region, Pipeline and Hazardous Materials Administration's (PHMSA's)¹ Office of Pipeline Safety, issued to Respondent a Notice of Probable Violation and Proposed Civil Penalty (Notice). The Notice proposed finding that Respondent had violated 49 C.F.R. §§ 192.751, 192.745, 192.739, 192.605(a), 192.603(a) and 192.491(c), and proposed assessing a civil penalty of \$ 246,000 for the alleged violations. Respondent responded to the Notice by providing information concerning its payment of the proposed civil penalty on April 27, 2005. Respondent submitted a wire transfer in the amount of the proposed civil penalty (\$ 246,000), waiving further right to respond and authorizing the entry of this Final Order.

FINDINGS OF VIOLATIONS

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 192, as more fully described in the Notice:

49 C.F.R. § 192.751 – failing to minimize the potential danger of accidental ignition in the presence of natural gas; and

49 C.F.R. § 192.745 – failing to provide evidence of the inspection and partial operation of valves; and

¹ Effective February 20, 2005, the Pipeline and Hazardous Materials Safety Administration (PHMSA) succeeded Research and Special Programs Administration as the agency responsible for regulating safety in pipeline transportation and hazardous materials transportation. See, section 108 of the Norman Y. Mineta Research and Special Programs Improvement Act (Public law 108-426, 118 Stat. 2423-2429 (November 30, 2004)). See also, 70 Fed. Reg. 8299 (February 18, 2005) re delegating the pipeline safety authorities and functions to the PHMSA Administrator.

49 C.F.R. § 192.739 – failing to provide evidence of an inspection; and

49 C.F.R. § 192.605(a) – failing to comply with its own operations and maintenance manual; and

49 C.F.R. § 192.603(a) – failing to operate a pipeline in accordance with Subpart L – Operations of 49 C.F.R. Part 192; and

49 C.F.R. § 192.491(c) – failing to produce evidence that the external corrosion control monitoring under § 192.465(c) was performed.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent. Having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$ 246,000, already paid by Respondent.

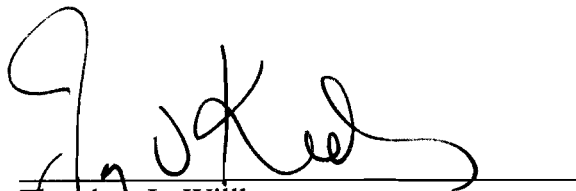
WARNING ITEMS

The Notice did not propose a civil penalty or corrective action for Items 4.C and 4.D in the Notice; therefore, these are considered warning items. Respondent is warned that if it does not take appropriate action to correct these items, enforcement action will be taken if a subsequent inspection reveals a violation. The warnings were for –

49 C.F.R. §192.605 – failing to mark their facilities within 48 hours as specified in their O&M plan; and

49 C.F.R. §192.605 – failing to patrol within the time limits specified in their O&M plan.

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



Theodore L. Willke
Acting Associate Administrator
for Pipeline Safety

SEP - 1 2006

Date Issued