



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

MAY 10 2005

Lynn Lavery Elsenhans
President
Shell Oil Products U.S.
1100 Louisiana
Houston, TX 77002

Re: CPF No. 5-2004-0001

Dear Ms. Elsenhans:

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 for those violations. I acknowledge your wire transfer dated March 30, 2004, for \$7,500 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: Mike Johnson, Manager of Health and Safety
Chris Hoidal, Region Director, Western 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

Shell Oil Products U.S.,

Respondent

CPF No. 5-2004-0001

FINAL ORDER

On October 15 and 16, 2003, in accordance with 49 C.F.R. § 190.207, the Director, Western 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 192 and proposed assessing a civil penalty of \$7,500 for the alleged violations. Respondent did not contest the allegations or the amount of the proposed civil penalty and submitted a wire transfer in the amount of the proposed civil penalty (\$7,500), waiving further right to respond and authorizing the entry of this Final Order.

Pursuant to § 190.209(a)(1) 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. § 192.465(a) – failing to test its cathodic protection system in calendar year 2002; and

49 C.F.R. § 192.465(b) – failing to test its rectifiers within specified intervals during calendar years 2001, 2002, and 2003.

These findings of violation will be considered prior offenses in any subsequent enforcement action against Respondent. Having reviewed the record and considered the assessment criteria, I assess the civil penalty of \$7,500 already paid by Respondent.

The Notice did not propose a civil penalty or corrective action for Items 2 and 3—failing to inspect and test relief valve R-4267 for calendar years 2000 and 2002 and failing to inspect main line valve No. 23 for calendar years 2001 and 2002. 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 terms and conditions of this Final Order are effective on receipt.

for 

Stacey Gerard
Associate Administrator
for Pipeline Safety

MAY 10 2005

Date Issued