



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St. S.W.
Washington D.C. 20590

JUL 29 2003

Mr. Jack Evans
President
Airport Group International
30 North Brand Boulevard
Glendale, California 91203-2308

RE: CPF No. 58511

Dear Mr. Evans:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes findings of violation and requires certain corrective action. When the terms of the compliance order are completed, as determined by the Director, Western Region, this enforcement action will be closed. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

Gwendolyn M. Hill
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

CERTIFIED MAIL RETURN RECEIPT REQUESTED

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

In the Matter of)
Airport Group International,)
Respondent.)
_____)

CPF No. 58511

FINAL ORDER

On February 9 and 10, 1998, a representative of the Office of Pipeline Safety (OPS) conducted an on-site pipeline safety inspection of Respondent's facilities and records in Honolulu, Hawaii. As a result of the inspection, the Director, Southwest Region, OPS, issued to Respondent by letter dated June 10, 1998, a Notice of Probable Violation 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. §§ 195.402, 199.7, and 199.202 and proposed that Respondent take certain measures to correct the alleged violations.

Respondent responded to the Notice by letter dated July 6, 1998 (Response). Respondent did not contest the allegations of violation but provided information concerning the corrective actions it has taken. Respondent did not request a hearing, consequently Respondent waived its right to one.

FINDING OF VIOLATION

In its Response, Respondent did not contest the alleged violations in the Notice. Accordingly I find that Respondent violated the following sections of 49 C.F.R. Parts 195 and 199, as more fully described in the Notice:

49 C.F.R. § 195.402(a)--failing to prepare and follow, for its pipeline system, a manual of written procedures for conducting normal operations, maintenance activities and handling abnormal operations and emergencies;

49 C.F.R. § 195.402(c)(3)--failing to include, in its manual for operations, maintenance, and emergencies, procedures that met the requirements of Subparts F and H (Subpart H, 49 C.F.R. 195.551 and following, is entitled "Corrosion Control"; it has replaced former §§ 195.416 and 195.418) and procedures written in sufficient detail to enable personnel to perform duties in a safe and reliable manner;

49 C.F.R. § 199.101(a) [formerly 49 C.F.R. § 199.7]--failing to maintain and follow a written anti-drug plan that conforms to the requirements of Part 199 and the DOT Procedures, and that contains methods and procedures for compliance with all the requirements of Part 199; and

49 C.F.R. § 199.202--failing to maintain and follow a written alcohol misuse plan that conforms to the requirements of Subpart B, the Alcohol Misuse Prevention Program, and the DOT procedures in 49 C.F.R. Part 40, and that contains methods and procedures for compliance with all the requirements of Subpart B.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

COMPLIANCE ORDER

The Notice proposed a compliance order for violations of 49 C.F.R. §§ 195.402, 199.101, and 199.202.

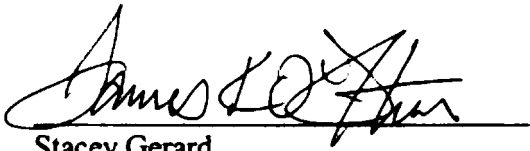
Under 49 U.S.C. § 60118(a), each person who engages in the transportation of hazardous liquids or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. Pursuant to the authority of 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the following actions to ensure compliance with the pipeline safety regulations applicable to its operations. Respondent must--

1. Establish and implement written procedures that satisfy the requirements of § 195.402(c), (d), (e), and (f) in their entirety.
2. Establish and implement written procedures for all requirements of Part 195, Subpart F, Operation and Maintenance and Subpart H, Corrosion Control, that are listed in the Notice and that apply to Respondent's pipeline system.
3. Maintain a recordkeeping system to record all required inspections and maintain these records in accordance with § 195.404(c)(3).
4. Establish and implement a written procedure to ensure that all your pipeline systems, including breakout tank bottoms, are cathodically protected in accordance with the requirements of 49 C.F.R. Subpart H.
5. Establish and implement a written procedure to investigate and correct all interference on your pipeline.
6. Establish and implement a written anti-drug program that satisfies the requirements of § 199.101.

7. Establish and implement a written alcohol misuse prevention program that satisfies the requirements of §199.202.
8. Complete items 1 through 7 within 30 days following receipt of the Final Order.
9. Upon completion, submit written procedures in items 1, 2, 4, 5, 6 and 7, and evidence of completion of item 3, to the Director, Western Region, OPS, for his review and approval, at Golden Hills Centre, Suite A-250, 12600 W. Colfax Avenue, Lakewood, CO 80215-3736.

Failure to comply with this Final Order may result in the assessment of civil penalties of up to \$100,000 per violation per day, or in the referral of the case for judicial enforcement.

Under 49 C.F.R. § 190.215, respondent has a right to petition for reconsideration of this Final Order. The petition must be received within 20 days of Respondent's receipt of this Final Order and must contain a brief statement of the issue(s). The filing of the petition automatically stays the payment of any civil penalty assessed. All other terms of the order, including any required corrective action, remain in full effect unless the Associate Administrator, upon request, grants a stay. The terms and conditions of this Final Order are effective on receipt.



Stacey Gerard

for Associate Administrator
for Pipeline Safety

JUL 29 2003

Date Issued