



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

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

JAN - 5 2005

Mr. Luke Wethers
Vice President, Transportation
Giant Industries
Ciniza Pipe Line Company
23733 North Scottsdale Road
Scottsdale, AZ 85255-3465

Re: CPF No. 4-2004-5027

Dear Mr. Wethers:

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 check numbered 102795 dated October 13, 2004, for \$3,000 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. Roy Armenta
Pipeline Manager

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

In the Matter of

Giant Industries, Inc./
Ciniza Pipe Line Company,

Respondent

CPF No. 4-2004-5027

FINAL ORDER


On September 17, 2004, 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 \$3,000 for the alleged violations. Respondent responded to the Notice by letter dated October 13, 2004. Respondent did not contest the allegations of violation and provided information concerning the corrective actions it has taken. Respondent submitted a check in the amount of the proposed civil penalty (\$3,000), waiving further right to respond, and authorizing 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 195, as more fully described in the Notice:

49 C.F.R. § 195.573(e) – failing to correct several identified cathodic protection deficiencies during a two-year period; and

49 C.F.R. § 195.428(a), (d) – failing to inspect and test each overfill protection system.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent. I assess Respondent a civil penalty of \$3,000, already paid by Respondent.


for _____
Stacey Gerard
Associate Administrator
for Pipeline Safety

JAN - 5 2005

Date Issued