

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Terry McCallister
Vice President of Operations
ARCO Pipe Line Company
15600 John F. Kennedy Boulevard, Suite 300
Houston, Texas 77032

Re: CPF No. 58507

Dear Mr. McCallister:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes a finding of violation and assesses a civil penalty for that violation in the amount of \$10,000. 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. 0000347125) dated December 24, 1998, in the amount of \$10,000, as payment in full of the civil penalty assessed against ARCO Pipe Line Company in the Final Order. This case is now closed and no further enforcement action is contemplated with 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

cc: California Department of Forestry and Fire Protection
Office of the State Fire Marshal
Pipeline Safety and Enforcement Division
P.O. Box 944246
Sacramento, CA 94244-2460

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590

In the Matter of)
ARCO Pipe Line Company,) CPF No. 58507
Respondent.)

FINAL ORDER

On September 26, 1997, a representative of the California State Fire Marshal (CSFM) acting as an agent for the Office of Pipeline Safety (OPS) investigated a release that occurred September 24, 1997, during a valve replacement at valve #90-11, approximately 4 miles west of the Danby Pump Station. As a result of the investigation, the Director, Western Region, OPS, issued to Respondent, by letter dated April 14, 1998, a Notice of Probable Violation and Proposed Civil Penalty (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Respondent had committed a violation of 49 C.F.R. § 195.406 and proposed assessing a civil penalty of \$10,000 for the alleged violation.

FINDING OF VIOLATION

Respondent did not contest the alleged violation. Respondent submitted a check in the amount of the proposed civil penalty (\$10,000), waiving further right to respond and authorizing entry of this Final Order.

Accordingly, I find that Respondent violated the following section of 49 C.F.R. Part 195, as more fully described in the Notice:

49 C.F.R. § 195.406(b) -- failure to limit the pressure surge in a pipeline to within 110 percent of the maximum operating pressure.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent. I assess a civil penalty in the amount \$10,000, already paid by Respondent.

Stacey Gerard
Associate Administrator
for Pipeline Safety

Date Issued