

Richard D. Hatchett
Vice President, Operations
West Texas Gas, Incorporated
211 Colorado
Midland, Texas 79701-4696

Re: CPF No. 47107

Dear Mr. Hatchett:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It withdraws the allegation of violation and warns that appropriate corrective action should be taken to ensure compliance with the regulations. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

This case is now closed. No further enforcement action is contemplated with respect to the matters involved in this 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

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

In the Matter of)
)
West Texas Gas, Inc.) CPF No. 47107
)
Respondent.)
_____)

FINAL ORDER

On May 20 - 22, 1997, pursuant to 49 U.S.C. § 60117, a representative of the Office of Pipeline Safety (OPS) conducted an on-site pipeline safety inspection of Respondent's facilities and records in Dalhart, Texas. As a result of the inspection, the Director, Southwest Region, OPS, issued to Respondent, by letter dated July 24, 1997, a Notice of Probable Violation, Proposed Civil Penalty and Warning (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Respondent had violated 49 C.F.R. §192.745 and proposed assessing a civil penalty of \$5,400 for the alleged violation. The Notice also warned Respondent to take appropriate corrective action.

Respondent responded to the Notice by letter dated August 21, 1997 (Response). Respondent did not contest the allegations of violation but offered an explanation and provided information in mitigation of the proposed civil penalty. Respondent did not request a hearing and therefore, has waived its right to one.

WITHDRAWAL OF ALLEGATION

The Notice alleged that Respondent had violated 49 C.F.R. § 192.745, by failing to perform the required valve inspections. In its response, Respondent submitted information demonstrating that the valve inspections were performed. Therefore, this allegation of violation is withdrawn.

WARNING ITEMS

The Notice did not propose any penalty with respect to the annual report; therefore, Respondent is warned that if it should not take appropriate corrective action and a violation come to the attention of OPS in a subsequent inspection, enforcement action will be taken.

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, shall remain in full effect unless the Associate Administrator, upon request, grants a stay. The terms and conditions of this Final Order are effective upon receipt.

Stacey Gerard
Associate Administrator
for Pipeline Safety

Date Issued