

JUN 12 2009

Ms. Colleen Starring
President
Enstar Natural Gas Company
P.O. Box 190288
401 E. International Airport Road
Anchorage, Alaska 99519

Re: CPF No. 5-2006-0022

Dear Ms. Starring:

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 finds that Enstar has completed the actions specified in the Notice required to comply with the pipeline safety regulations. This case is now closed. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Enclosure

cc: Chris Hoidal, Director, Western Region, PHMSA
John Lau, Director of Transmission Operations, Enstar Natural Gas Company

CERTIFIED MAIL – RETURN RECEIPT REQUESTED [7005 1160 0001 0046 9631]

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

In the Matter of)	
)	
Enstar Natural Gas Company,)	CPF No. 5-2006-0022
)	
Respondent.)	
)	

FINAL ORDER

Between September 25-28, 2005, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of the facilities and records of Enstar Natural Gas Company (Enstar or Respondent) along its Kenai Natural Gas Transportation pipeline in Anchorage, Alaska. Enstar owns and operates over 3,000 miles of natural gas distribution and transmission lines throughout South Central Alaska.

As a result of the inspection, the Director, Western Region, OPS (Director), issued to Enstar, by letter dated June 9, 2006, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Enstar had violated 49 C.F.R. § 192.199 and ordering Enstar to take certain corrective measures.

Enstar responded to the Notice by letter dated May 15, 2008 (Response). Enstar did not contest the allegations of violation but described certain corrective actions that it had implemented. Enstar also offered an explanation for the tardiness of the Response.¹ Respondent did not request a hearing and therefore waived its right to one.

FINDING OF VIOLATION

Item 1: The Notice alleged that Enstar violated 49 C.F.R. § 192.199(h), which states:

§ 192.199 Requirements for design of pressure relief and limiting devices.

¹ Although the May 15, 2008 Response is considered late since Enstar filed it after the thirty day deadline established by 49 C.F.R. § 190.209, the issue is moot since Enstar did not contest the Notice and has satisfied the Compliance Order.

Except for rupture discs, each pressure relief or pressure limiting device must:

(h) Except for a valve that will isolate the system under protection from its source of pressure, be designed to prevent unauthorized operation of any stop valve that will make the pressure relief valve or pressure limiting device inoperative.

The Notice alleged that Enstar failed to design the Gudenrath compressor and regulator station to prevent unauthorized operation as required by 192.199(h). The current design allowed for an unauthorized person to enter the facility and close the valves altering the flow of gas. The station is located at Mile Post 25.1 on the Kenai Natural Gas Transportation pipeline and is accessible by a dirt road. At the time of the inspection, the station was not completely fenced and the mainline valves within the facility were unlocked. The inspector also observed a valve wrench attached to the valve making this station prone to vandalism. In order to comply with 192.199(h), Enstar must either lock the valves or surround the station with a security fence to prevent unauthorized entry. Enstar did not contest this allegation. Accordingly, I find that Enstar violated 49 C.F.R. § 192.199(h) by failing to design the station to prevent unauthorized operation of the regulator valves.

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to Item 1 in the Notice for violating 49 C.F.R. § 192.199(h). Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601.

The Director has indicated that Respondent's personnel have locked the valves at the Gudenrath compressor station and have provided pictures to the Director as evidence of this action. Accordingly, since compliance has been achieved with respect to this violation, the compliance terms are not included in this Order.

The terms and conditions of this Final Order shall be effective upon receipt.

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

Date Issued