



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

SEP - 1 2006

Mr. Alan Englehart
Vice President- Operations & Engineering
Texas Gas Transmission, LLC
3800 Frederica Street
Owensboro, KY 42304-0008

Re: CPF No. 3-2005-1001

Dear Mr. Englehart:

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 acknowledges your completion of the proposed compliance order items 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.

Sincerely,

James Reynolds
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

cc: Ivan A. Huntoon
Director, Central Region, PHP-300

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

**DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590**

_____)
In the Matter of)
)
Texas Gas Transmission, LLC,)
)
Respondent.)
_____)

CPF No. 3-2005-1001

FINAL ORDER

On October 4-22, 2004, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration, Office of Pipeline Safety (OPS) conducted an on-site pipeline safety inspection of Respondent's facilities and records in the Petersburg, Oaktown, Wilfred, Bedford, and Dillsboro districts in Indiana. The operation and maintenance manual was also reviewed in Owensboro, Kentucky. As a result of the inspection, the Director, Central Region, OPS, issued to Respondent, by letter dated January 6, 2005, 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 committed violations of 49 C.F.R. Part 192 and proposed ordering Respondent to take certain measures to correct one of the alleged violations.

Respondent responded to the Notice by letter dated June 2, 2006 (Response). Respondent did not contest the allegations of violation but provided information concerning the corrective actions it has initiated in response to the Notice. Respondent provided documentation of the corrective actions it has taken by letter dated July 1, 2005. Respondent did not request a hearing, and therefore has 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 section of 49 C.F.R. Part 192, as more fully described in the Notice:

49 C.F.R. § 192.619(a) (Notice Item 5) – During normal operations, Respondent failed to operate a pipeline at or below the maximum allowable operating pressure (MAOP).

COMPLIANCE ORDER

The Notice proposed a Compliance Order with respect to Item 5 in the Notice for violating 49 C.F.R. § 192.619(a) by failing to operate a pipeline at or below the MAOP. 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, Central Region, OPS has indicated that Respondent has taken the following actions specified in the proposed compliance order:

Respondent lowered the operating pressure of the line to 245 psig to assure that the pressures do not exceed the MAOP during normal operations. Respondent scheduled an up-rating of the Versailles Meter Station for August 2005. Respondent also evaluated its entire Texas Gas system for operating conditions similar to that of the Versailles Meter Station to ensure operations do not exceed the MAOP. In accordance with the proposed compliance order, Respondent submitted to OPS documentation of its evaluation of the Texas Gas system.

Accordingly, since compliance has been achieved with respect to this violation, it is unnecessary to include compliance terms in this Order.

WARNING ITEMS

The Notice did not propose a civil penalty or corrective action for Notice Items 1, 2, 3 and 4. Therefore, these are considered to be warning items. The warnings were for -

49 C.F.R. § 192.477 (Item 1) – failing to check internal corrosion coupons twice a year in order to monitor internal corrosion.

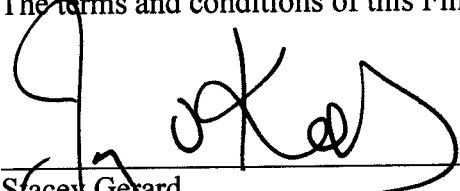
49 C.F.R. § 192.491(c) (Item 2) – failing to maintain records of surveys and inspections to monitor atmospheric corrosion.

49 C.F.R. § 192.603 (Item 3) – failing to properly maintain records documenting abnormal operation conditions (AOC) as is required by Respondent's written procedures.

49 C.F.R. § 192.605(a) (Item 4) – failing to follow written procedures for setting the set point for relief devices.

Respondent presented information in its response showing that it has initiated actions addressing the cited items. Respondent is warned that if OPS finds a violation for any of these items in a subsequent inspection, enforcement action will be taken.

The terms and conditions of this Final Order are effective on receipt



 Stacey Gerard
 Associate Administrator
 for Pipeline Safety

SEP - 1 2006

 Date Issued