



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

APR 15 2005

Mr. George Rootes
President
Shell Pipeline, L.P.
Two Shell Plaza
P.O. Box 2648
Houston, Texas 77252

Re: CPF No. 4-2003-5008

Dear Mr. Rootes:

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 wire transfer for \$12,000 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

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

Shell Pipeline, L.P.,

Respondent

CPF No. 4-2003-5008

FINAL ORDER

On April 8, 2003, 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 violated 49 C.F.R. §§ 195.402(a) and 199.105(b) and proposed assessing a civil penalty of \$12,000 for the alleged violations. Respondent responded to the Notice by letter dated May 5, 2003. In the response, Respondent did not contest the allegations, agreed to pay the amount of the proposed civil penalty, and provided information concerning corrective actions it has taken. Respondent submitted a wire transfer in the amount of the proposed civil penalty (\$12,000), waiving further right to respond and authorizing the entry of this Final Order.

Pursuant to 49 C.F.R. § 190.213 and 49 U.S.C. § 60122, I find that Respondent violated the following sections of 49 C.F.R. Parts 195 and 199, as more fully described in the Notice:

49 C.F.R. § 195.402(a) – failing to follow written procedures requiring the completion of a Work Authorization Permit; and

49 C.F.R. § 199.105(b) – failing to drug test no later than 32 hours after an accident, each employee involved in performing a task that resulted in the release of approximately 200 barrels of crude oil.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent. Having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$12,000, already paid by Respondent. The terms and conditions of this Final Order are effective on receipt.



Stacey Gerard
Associate Administrator
for Pipeline Safety

APR 15 2005

Date Issued

f →