



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

OCT 14 2005

Mr. Dan Tutcher
President
Enbridge (U.S.) Inc.
1100 Louisiana St, Suite 3300
Houston, TX 77002-5216

Re: CPF No. 4-2003-1010

Dear Mr. Tutcher:

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 \$70,000 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)
)
Enbridge (U.S.) Inc.,)
)
Respondent)
)

CPF No. 4-2003-1010

FINAL ORDER

On December 3, 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 committed violations of 49 C.F.R. Part 192 and proposed assessing a civil penalty of \$70,000 for the alleged violations. Respondent responded to the Notice by submitting a wire transfer in the amount of the proposed civil penalty (\$70,000), waiving further right to respond and authorizing the entry of this Final Order.

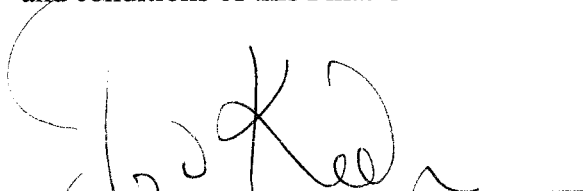
Pursuant to 49 C.F.R. § 190.213 and 49 U.S.C. § 60122, I find that Respondent violated the following sections of 49 C.F.R. Part 192, as more fully described in the Notice:

49 C.F.R. § 192.475 – failing to investigate the effect of corrosive gas transported by pipeline and take steps to minimize internal corrosion.

49 C.F.R. § 192.477 – failing to check five internal corrosion coupons at intervals not exceeding 7½ months, but at least twice each calendar year.

49 C.F.R. § 192.605 – failing to review and update Respondent’s manual of written procedures at intervals not exceeding 15 months, but at least once each calendar year.

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 \$70,000, already paid by Respondent. The terms and conditions of this Final Order are effective on receipt.



Stacey Gerard
Associate Administrator
for Pipeline Safety

OCT 14 2005

Date Issued

for