



**U.S. Department
Of Transportation
Pipeline and
Hazardous Materials
Safety Administration**

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.989.2171

WARNING LETTER

OVERNIGHT EXPRESS MAIL

April 04, 2012

Mr. Jimmy D. Staton
Executive Vice President & CEO
NiSource Gas Transmission & Storage
801 E. 86th Ave
Merrillville, IN 46410

CPF 1-2012-1005W

Dear Mr. Staton:

Between October 4-6, 2011, representatives of the New York State Department of Public Service (NYS DPS), acting as agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected Columbia Gas Transmission Corporation (CGT), which is a subsidiary of NiSource Gas Transmission & Storage, Dundee Storage Field facilities located in Schuyler, Steuben and Yates Counties, New York, and at Rock Stream, New York.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation is:

1. § 192.705 Transmission lines: Patrolling.

(a) Each operator shall have a patrol program to observe surface conditions on and adjacent to the transmission line right-of-way for indications of leaks, construction activity, and other factors affecting safety and operation.

(b) The frequency of patrols is determined by the size of the line, the operating pressures, the class location, terrain, weather, and other relevant factors, but intervals between patrols may not be longer than prescribed in the following table:

	Maximum interval between patrols
Class location of line	At highway and railroad crossings
3	4 1/2 months; but at least four times each calendar year

The operator failed to meet the maximum interval between patrols at a highway crossing in a Class 3 location for the County Route 17 highway crossing of Line 2 in the town of Montour Falls, NY.

The operator listed the County Route 17 highway crossing of Line C2 in the town of Montour Falls, NY to be in a class 3 location on the operator's "Class Location Map". However the operator's "Line C2 Marked Patrol and Leakage" record lists the Route 17 highway crossing (ASSET: 769286) as "PIPE-ROAD/RR CROSSING CLASS 1/2". The Route 17 highway crossing was patrolled on 4/7/2011 and 9/23/2011, an interval of 24 weeks or 5 ½ months which exceeded the maximum interval of 4 ½ months for a class 3 highway crossing.

The CGT records reviewed during the NYSDPS inspection indicated when patrols and leakage surveys were completed on the above referenced road crossing.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the items identified in this letter. Failure to do so will result in CGT being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, please refer to **CPF 1-2012-1005W** on all correspondence. Please send your correspondence to Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628. Please, whenever possible, provide a signed PDF copy in electronic format. Smaller files may be emailed to Byron.Coy@dot.gov. Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,

Byron E. Coy, P.E.
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Cc: Mr. Kevin Speicher, NYSDPS