



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. Jeffrey L. Barger, Senior V.P.
Dominion Transmission, Inc.
445 West Main Street
Clarksburg, WV 26301

CPF 1-2012-1006W

Dear Mr. Barger:

Between June 28 and July 7, 2011, representatives of the New York State Department of Public Service (NYSDPS), acting as agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected Dominion Transmission, Inc. (DTI) Ithaca operations facilities located in Ithaca, 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. **§ 192.709 Transmission lines: Record keeping.**

(c) A record of each patrol, survey, inspection, and test required by subparts L and M of this part must be retained for at least 5 years or until the next patrol, survey, inspection, or test is completed, whichever is longer.

DTI failed to maintain patrol records for transmission lines Pipelines 31 and 473 which cross State Route 79 in the Town of Ithaca in NY as required by §192.709(c).

The records must be retained for at least 5 years or until the next patrol, survey, inspection, or test is completed, whichever is longer.

The NYSDPS representatives reviewed the 2011 inspection records during the DTI inspection for the State Route 79 crossing and each road north and south of State Route 79.

There are three pipelines (Pipeline 1, Pipeline 31 and Pipeline 473) which cross State Route 79 in the Town of Ithaca in NY.

There is no record that Pipelines 31 and 473 which cross State Route 79 in the Town of Ithaca in NY, were patrolled.

The operator only has a patrol record for one line (Pipeline 1) at Route 79. Pipelines 1 and 31 cross together in the same right of way and Pipeline 473 crosses approximately one half mile to the west of the other two lines.

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 DTI being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 1-2012-1006W**. 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