



CITY OF DANVILLE, VIRGINIA
Utilities Department

1040 Monument St.
Danville, Va. 24541
Tel (434) 799-5270
Fax (434) 799-6583

January 23, 2014

Byron Coy, Director, Eastern Region
Pipeline & Hazardous Materials Safety Administration
U. S. Department of Transportation
820 Bear Tavern Road, Suite 103
West Trenton, New Jersey 08628

VIA CERTIFIED MAIL

RE: CFP 1-2013-0009

Dear Mr. Coy:

The City of Danville (City) has received your Notice of Probable Violation Proposed Compliance Order and Proposed Civil Penalty dated December 23, 2013, and respectfully requests a hearing to contest allegations relating to the proposed violations and civil penalties stated in items 1 and 2.

In response to the Notice of Probable Violation, we the City provide the following:

1. **§ 192.605 Procedural manual for operations, maintenance, and emergencies.**
 - (a) **General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.**

The City failed to follow City procedure, Chapter 2, Part G-6, Table II.G-6.1 Titled Grade 1 Leaks. The procedure provides action criteria for Grade 1 leaks. It states

that any gas above 80% LEL in a confined space or 80% LEL or greater in a small substructure from which gas would likely migrate to the outside wall of a building is a Class 1 leak.

During an inspection of the City's leak records, the VA SCC inspector discovered that a leak at 164 Martin Avenue was called in at 12:02 pm on 09/03/2011.

- a) The leak, according to Work Order ID 106346, was a Class 2
- b) The field notes indicate that City personnel found 11% gas in air in a manhole
- c) Typically, natural gas has an LEL of 4-5% and an 80% LEL equates to approximately 4% gas in air.
- d) Since the 11% gas in air measurement found in the manhole exceeded the 4% criteria specified in the City's procedures, the leak should have been classified as a Class 1 leak. This was not done.

Therefore, the City failed to follow their procedure for classifying leaks.

During an exit interview with the City, no explanation was offered to address the VA SCC inspector concerns. The repairs were documented as being completed on 09/07/2011.

The City's response:

The VA SCC issued a NOI INS 2012 – 2001 regarding the above issues. Attached is the NOI with The City's responses.

At the requested hearing the City will present circumstances and actions to mitigate the Probable Violation.

The City requests that the VA SCC statement that the City offered no explanation to address the VA SCC inspector's concerns should not prejudice your ultimate findings. The City shall always be allowed ample time for research so that a correct and factual explanation can be offered.

As provided in the City's response to the VA SCC Notice of Investigation, it was noted that the City devoted the discussion during the Divisional Safety Meeting held March 29, 2012 to reviewing the procedures for leak classification as described in the City's O&M plan.

The City has determined that re-education/re-training is the best method for ensuring that proper procedures are being followed.

There were also additional one-on-one discussions between the Water and Gas Superintendent and the Department Crew Supervisors for the purpose of

ensuring understanding of the actions to be taken regarding leak repairs and subsequent documentation.

Procedures have also been modified to have the Water and Gas Distribution Superintendent review documentation to gauge compliance with the City's leak classification procedures.

With regard to the Civil Penalty we request a hearing in accordance with Response Option 1.a.4.

2. § 192.725 Test requirements for reinstating service lines.

(b) Each service line temporarily disconnected from the main must be tested from the point of disconnection to the service line valve in the same manner as a new service line, before reconnecting. However, if provisions are made to maintain continuous service, such as by installation of a bypass, any part of the original service line used to maintain continuous service need not be tested.

The City of Danville (City) failed to test each service line temporarily disconnected from the main from the point of disconnection to the service line valve, in the same manner as a new service line, before reconnecting.

During an inspection of the City's leak records, the VA SCC inspector discovered that the City failed to pressure test service lines from the point of disconnection to the service line valve connection on 12 occasions. The records indicate that repairs were made to the service lines and the lines were soap tested at the point of repair prior to returning them to service. The City could not produce records to show that a pressure test was performed on the lines prior to their return to service.

The VA SCC inspector observed records stating "soap test" as the only test performed after repairing a damaged service line at the following locations and dates:

1. WO 106170 29 Old Farm Road 8/24/2011
2. WO 104324 Piney Forest and Deer Run Road 6/14/2011
3. WO 106634 543 Rosemary Lane 9/14/2011
4. 151 Tolliver Place 9/26/2011
5. WO 101821 449 Winstead Drive 3/22/2011
6. WO 105647 111 Winston Court 8/4/2011
7. WO 100383 159 Kirkwood Drive 2/29/2011
8. WO 103064 Kings Court and Princess Drive 5/5/2011
9. WO 101313 100 Joanis Drive 2/18/2011
10. WO 104505 131 James Road 6/22/2011

11. WO 106178 Colquhoun Street and Craighead Street 8/25/2011
12. WO 108288 319 Girard Street 12/4/2011.

During an exit interview with the City, no explanation was offered to address the VA SCC inspector's concerns. The City stated that the operator used pretested pipe in the repair.

The City's response:

At the requested hearing the City will present circumstances and actions to mitigate the Probable Violation. Attached is the response to the VA SCC regarding actions taken by the City prior to the issuance of the Probable Violation. In addition the City presents the minutes of the aforementioned March 29, 2012 Safety Meeting. These minutes document re-education of all division field staff regarding reinstating service lines.

The City requests that the VA SCC statement that the City offered no explanation to address the VA SCC inspector's concerns should not prejudice your ultimate findings. The City shall always be allowed ample time for research so that a correct and factual explanation can be offered.

The City has determined that re-education/re-training is the best method for ensuring that proper procedures are being followed.

Following receipt of the VA SCC Notice of Investigation, the City determined that each of the service lines should be tested in accordance with the City's O&M Plan to verify the integrity of the pipelines. Each of the twelve (12) service lines were re-excavated at the location of the damage and pressure tested from that point to the meter valve.

In light of this review by the VA SCC and its findings The City reviewed its Operations and Maintenance Plan, made modifications that provided compliance with §192.725 and published results on 8/1/2012, prior to this Compliance Order.

According to standard practice all manuals were updated.

Following these changes to the City O&M plan, the Water and Gas Superintendent reviewed the regulation and the City's corresponding procedures with all Water and Gas personnel.

The modifications to the City's O&M plan will be forwarded to your office separate from this correspondence prior to or by February 27, 2014. This fulfills the requirement of the compliance order.

With regard to the Civil Penalty we request a hearing in accordance with Response Option 1.a.4.

Sincerely,

A handwritten signature in cursive script that reads "Allen Wiles". The signature is written in black ink and is positioned above the printed name and title.

Allen Wiles
Director of Danville Utilities Water and Gas