



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

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

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

UPS EXPRESS MAIL DELIVERY

May 31, 2011

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

CPF 1-2011-1011

Dear Mr. Barger:

Between July 15 and August 17, 2010, inspectors from 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 your Woodhull Storage Facility in Woodhull, NY.

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. § 192.195 Protection against accidental overpressuring.

(a) *General requirements.* Except as provided in §192.197, each pipeline that is connected to a gas source so that the maximum allowable operating pressure could be exceeded as the result of pressure control failure or of some other type of failure, must have pressure relieving or pressure limiting devices that meet the requirements of §192.199 and §192.201.

Dominion Transmission, Inc. (DTI) failed to ensure that each pipeline that was connected to a gas source, for which the maximum allowable operating pressure could be exceeded as the result of pressure control failure or of some other type of failure, had a pressure relieving or pressure limiting device that met the requirements of §192.199 and §192.201.

The maximum allowable operating pressure (MAOP) in the Woodhull Storage field (MAOP of 2,160 psig) was above the MAOP of the downstream pipeline system fed by three pipelines. Two of the three pipelines had an MAOP of 1,000 psig, and one had an MAOP of 1,200 psig. These pipelines were used when moving gas from the storage field facility to market. There was not any additional over pressure relieving or pressure limiting device installed on the pipeline downstream of the storage field that would prevent an accidental over-pressurization to that pipeline system when the gas was flowing out of the storage field and bypassing the compressor station compressor engines.

Evidence of the probable violation is based on the DTI Woodhull PEG diagram given to the NYSDPS inspector that shows compressor station schematic facilities, and follow-up communications with DTI representatives.

Proposed Civil Penalty

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. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation and has recommended that you be preliminarily assessed a civil penalty of \$50,000 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$50,000

Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

Please send your correspondence to Byron Coy, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628 and please refer to **CPF 1-2011-1011**. For each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Byron Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Cc: NYSDPS

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*