

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 31, 2014

Ms. Holli Garrard
Property Manager
Eureka Gardens Apartments
1214 Labelle Street
Jacksonville, FL 32205

CPF 2-2014-0006W

Dear Ms. Garrard:

On June 18, 2014, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Southern Region, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, inspected the Eureka Gardens Apartments master meter and downstream piping and facilities at Eureka Gardens North and South properties. Eureka Gardens North is served by a master meter located on the side of a utility building closest to the southwest corner of building #2. Eureka Gardens South is served by a master meter located between buildings #26 and #27 against a pump house.

As a result of the inspection, it appears that Eureka Gardens Apartments has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are as follows:

- 1. §192.481 Atmospheric corrosion control: Monitoring.**
 - (a) Each operator must inspect each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion, as follows:**

If the pipeline is located:	Then the frequency of inspection is:
Onshore	At least once every 3 calendar years, but with intervals not exceeding 39 months
Offshore	At least once each calendar year, but with intervals not exceeding 15 months

... (c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by Sec. 192.479.

Eureka Gardens Apartments did not inspect its onshore pipeline exposed to the atmosphere for evidence of atmospheric corrosion at least once every 3 calendar years, but with intervals not exceeding 39 months. Moreover, Eureka Gardens Apartments did not provide protection against atmospheric corrosion in accordance with §192.479, which requires pipelines to be properly cleaned and coated to prevent atmospheric corrosion.

The PHMSA inspector observed atmospheric corrosion at many regulator risers on buildings in North and South Eureka. These risers had not been properly cleaned and coated to prevent atmospheric corrosion.

2. §§192.625 Odorization of gas.

... (f) To assure the proper concentration of odorant in accordance with this section, each operator must conduct periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable. Operators of master meter systems may comply with this requirement by-

- (1) Receiving written verification from their gas source that the gas has the proper concentration of odorant; and**
- (2) Conducting periodic "sniff" tests at the extremities of the system to confirm that the gas contains odorant.**

Eureka Gardens Apartments did not present records to demonstrate that it had assured the proper concentration of odorant in its pipeline system by receiving written verification from its gas source that the gas has the proper concentration of odorant or by conducting periodic "sniff" tests at the extremities of the system to confirm that the gas contains odorant.

3. §192.721 Distribution systems: Patrolling.

... (b) Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage must be patrolled -

... (2) Outside business districts, at intervals not exceeding 7 1/2 months, but at least twice each calendar year.

Eureka Gardens Apartments did not present records to show it had patrolled its distribution system in the residential area at intervals not exceeding 7½ months, but at least twice each calendar year.

4. §192.747 Valve maintenance: Distribution systems.

(a) Each valve, the use of which may be necessary for the safe operation of a distribution system, must be checked and serviced at intervals not exceeding 15 months, but at least once each calendar year.

Eureka Gardens Apartments did not present records to demonstrate that it had checked and serviced its shut off (or key valve) which may be necessary for the safe operation of its distribution system at intervals not exceeding 15 months, but at least once each calendar year.

5. §192.1015 What must a master meter or small liquefied petroleum gas (LPG) operator do to implement this subpart?

(a) General. No later than August 2, 2011 the operator of a master meter system or a small LPG operator must develop and implement an IM program that includes a written IM plan as specified in paragraph (b) of this section. The IM program for these pipelines should reflect the relative simplicity of these types of pipelines.

Eureka Gardens Apartments did not present records to demonstrate that it had developed and implemented an IM program.

Under 49 United States Code, § 60122, Eureka Gardens Apartments is subject to a civil penalty not to exceed \$ 200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a 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 the Eureka Gardens Apartments 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 2-2014-0006W**. 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,

Wayne T. Lemoi
Director, Office of Pipeline Safety
PHMSA Southern Region