

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 25, 2011

Mr. Carlos Fandino
Director
City of Vernon
Light and Power Department
4305 Santa Fe Avenue
Vernon, CA 90058

CPF 5-2011-0008W

Dear Mr. Fandino:

On August 16 to 19, and on November 3, 2010, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected manuals and records, and conducted a field audit of your pipeline facilities in Vernon, California.

As a result of the inspection, it appears that the City of Vernon has committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

1. § 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.**

The City of Vernon is not assuring the proper concentration of odorant as required by §192.625(f). The City Operations, Inspection, and Maintenance Plans (May 27, 2010 revision) contains procedures to assure proper concentration of odorant, but the procedures have not been implemented. Historically, odorization has been provided by SoCal Gas Company and supporting odorant concentration confirmation records were provided to the City of Vernon in the past. However, no recent records from SoCal Gas Company were available at the time of the inspection. Additionally, The City of Vernon has not been conducting any periodic "sniff" tests at the extremities of the system to confirm that the gas contains odorant.

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 item identified in this letter. Failure to do so will result in City of Vernon Light and Power Department 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 5-2011-0008W**. 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,

Chris Hoidal
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry
PHP-500 P. Nguyen (#128473)