

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 1, 2012

Mr. Alan Winter
Manager of Engineering & Construction
City of Long Beach Gas Department
2400 East Spring Street
Long Beach, CA 90806

CPF 5-2012-0003M

Dear Mr. Winter:

On May 10-12, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected the City of Long Beach's Operations and Maintenance Procedural Manuals and supporting records for its gas distribution system in Long Beach, California. Field inspection of these facilities was also conducted.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within the City of Long Beach's plans or procedures, as described below:

1. §192.16 Customer notification.

(a) This section applies to each operator of a service line who does not maintain the customer's buried piping up to entry of the first building downstream, or, if the customer's buried piping does not enter a building, up to the principal gas utilization equipment or the first fence (or wall) that surrounds that equipment. For the purpose of this section, "customer's buried piping" does not include branch lines that serve yard lanterns, pool heaters, or other types of secondary equipment. Also, "maintain" means monitor for corrosion according to §192.465 if the customer's buried piping is metallic, survey for leaks according to §192.723, and if an unsafe condition is found, shut off the flow of gas, advise the customer of the need to repair the unsafe condition, or repair the unsafe condition.

(c) Each operator shall notify each customer not later than August 14, 1996 or 90 days after the customer first receives gas at a particular location, whichever is later. However, operators of master meters systems may continuously post a general notice in a prominent location frequented by customers.

The City of Long Beach has a process of notifying its customers that it does not maintain the Customers buried piping downstream of their gas meter. However, the procedure is inadequate because the City failed to include the required timeframe for this notification in its Operations and Maintenance Manual. Pursuant to §192.16, operators must notify each customer not later than 90 days after the customers first receives gas at a particular location.

- 2. §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...**
- (d) Safety-related condition reports. The manual required by paragraph (a) of this section must include instructions enabling personnel who perform operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the reporting requirements of §191.23 of this subchapter.**

Although the City of Long Beach has a process of reporting Safety Related Conditions (SRCs), it failed to identify SRCs applicable to its system in the Operations and Maintenance Manual. At a minimum, the Operations and Maintenance Manual must include procedures to recognize SRCs listed in §191.23 that may be applicable to their pipeline facilities.

Furthermore, the City of Long Beach does not have a process or instructions in their Operations and Maintenance Manual enabling individuals who perform operation and maintenance activities to recognize conditions that potentially may be Safety Related Conditions that are subject to the reporting requirements of §191.23.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. 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.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 60 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that the City of Long Beach maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Chris Hoidal, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2012-0003M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

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

cc: PHP-60 Compliance Registry
PHP-500 H. Monfared (#132914)