



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

409 3rd Street, SW, Suite 300
Washington, DC 20024

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

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 14, 2008

Mr. Reed Robinson
Vice President, Engineering Services
Columbia Gas Transmission Corp.
P.O. Box 1273
1700 MacCorkle Avenue, SE
Charleston, WV 25325-1273

CPF 1-2008-1003

Dear Mr. Robinson:

On August 23, 2006, State inspectors from the West Virginia Public Service Commission (WV PSC) acting as agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code conducted an investigation into the incident that occurred at the Lost River Compressor Station on August 21, 2006 in Hardy County, West Virginia.

As a result of this investigation, 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 are:

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 one 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.

Section §192.605(b)(3) of the Pipeline Safety Regulations requires that the manual of written procedures required by §192.605(a) above must include procedures for making construction records, maps, and operating history available to appropriate operating personnel. The operator failed to provide adequate construction records and/or maps showing the location of an abandoned tap on the WB-Loop Line to appropriate personnel and/or the excavating contractor. In addition, the operator failed to follow the procedure established for safe excavating practices, as outlined in their Operations and Maintenance Plan, Section No. 110.01.13 (Trenching and Excavation Requirements), during construction activities within the yard limits of the Lost River Compressor Station.

Section 3.4, subpart A, of the Operations and Maintenance Plan, states that “prior to starting work, investigations shall be made determine if underground structures or installations will be encountered, if so, their location shall be determined. As work proceeds, the exact location shall be determined and proper support or protection provided as needed”. The operator failed to communicate with its contractor, ST Pipeline, the exact location of an underground abandoned pipeline tap on the WB-Loop Line at the Lost River Compressor Station. The failure to identify and communicate the location of the abandoned tap was a contributing factor which led to the incident.

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(s) and has recommended that you be preliminarily assessed a civil penalty of \$100,000 as follows:

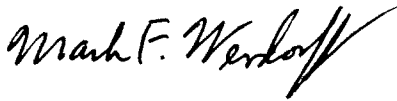
<u>Item number</u>	<u>PENALTY</u>
1	\$100,000

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.

In your correspondence on this matter, please refer to **CPF 1-2008-1003** and for each document you submit, please provide a copy in electronic format whenever possible

Sincerely,



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

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

Cc: WV PSC