



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 30, 2008

Mr. Jeff Barger
Vice President, Operations
Dominion Transmission, Inc.
445 West Main Street
Clarksburg, WV 26301

CPF. No. 1-2008-1008W

Dear Mr. Barger:

On November 14, 2008, representatives from 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 on the Dominion Transmission's (DTI) transmission line just outside the Cove Point, MD LNG Plant gate on November 13, 2008.

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:

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.
 - (b) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.
 - (1) **Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part.**
 - (2) **Controlling corrosion in accordance with the operations and maintenance requirements of subpart I of this part.**
 - (3) **Making construction records, maps, and operating history available to appropriate operating personnel**

Section §192.605(b)(3) of the Pipeline Safety Regulations requires that the manual of written procedures must be followed 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 the abandoned 2” stub line on the transmission line. The operator failed to communicate with its contractor, the exact location of an underground abandoned pipeline tap.

On November 13, 2008 DTI had an incident wherein a Dominion backhoe contractor rolled over a below-grade 2” abandoned stub piece connected to the transmission line causing an incident (NRC 889931). The 2” stub fixture was apparently close enough to the surface that the weight of the backhoe disturbed the fixture. Further investigation by DTI revealed that the prior operator used this stub piece for an instrumentation connection.

According to DTI the instrumentation had later been removed by the prior owner, leaving the 2” stub line in place just below grade. DTI should have used ILI data or other historical records to identify appurtenances on the transmission line, and then account for them in current maps or records. The failure to identify and communicate the location of the abandoned tap was a contributing factor which led to the incident.

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 DTI 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 120081008W**. 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,



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