



U.S. Department
Of Transportation
Pipeline and
Hazardous Materials
Safety Administration

820 Bear Tavern Road, Suite 306
West Trenton, NJ 08628
609.989.2171

WARNING LETTER

EXPRESS OVERNIGHT DELIVERY

May 3, 2010

Mr. Christopher L. Beschler
Director, Department of Public Utilities
Deputy Chief Administrative Officer,
City of Richmond
Department of Public Utilities
730 East Broad Street, 6th Floor
Richmond, VA 23219

CPF 1-2010-0002W

Dear Mr. Beschler:

On March 27, 2008, a State Inspector from the Virginia State Corporation Commission (VA SCC) acting as Agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected your pipeline facilities in Richmond, VA.

As a result of the inspection, 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. §192.273 General

(b) Each joint must be made in accordance with written procedures that have been proven by test or experience to produce strong gastight joints.

On March 27, 2008, the VA SCC inspector observed a City of Richmond (City) contractor fail to make a mechanical joint on plastic pipe in accordance with City's O&M manual Chapter 3, Section II, Paragraph E by not marking stab depths as required by the manufacturer's instructions. The City contractor's crew was working in the Stonehurst Subdivision, Henrico County, Virginia.

The VA SCC inspector took photographs at the site, and notified City representatives of the findings. The City contractor cut out the improperly made joints, and re-installed new fittings using required procedures.

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(s) identified in this letter. Failure to do so will result in the City of Richmond 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 1-2010-0002W**. 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,

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

Cc: Jim Hotinger, VA SCC