



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

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.989.2171

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

OVERNIGHT EXPRESS MAIL

May 9, 2011

Mr. Victor Gaglio
Sr. Vice President, Operations
Columbia Gas Transmission Company
1700 Maccorkle Avenue
Charleston, West Virginia 25314

CPF 1-2011-1006

Dear Mr. Gaglio:

During the week of May 18, 2009, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Columbia Gas Transmission Company's (Columbia) Donegal Storage Field in Claysville, PA.

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. §192.736 Compressor stations: Gas detection.

- (b) Except when shutdown of the system is necessary for maintenance under paragraph (c) of this section, each gas detection and alarm system required by this section must-**
(1) Continuously monitor the compressor building for a concentration of gas in air of not more than 25 percent of the lower explosive limit; and

Columbia failed to continuously monitor the Claysville Compressor Station for a concentration of gas in air of not more than 25 percent of the lower explosive limit (LEL).

During the inspection, Columbia provided a record documenting the inspections and tests of gas detectors, Sensor#1 and Sensor#2 in the Claysville Compressor Station, having occurred from 1/5/2006 through 4/8/2009. In November 2006, procedures were updated to require the calibration of the detectors at the 25% LEL level; however, the records showed that from 1/9/2007 to 10/03/2008 Sensor#1 and Sensor#2 were both calibrated at 50% LEL, not the required 25% LEL. Specifically, Columbia's Gas Detector Record was reviewed and through a series of documented answers in the record, verified that the gas detectors, Sensor #1 and Sensor#2, were in fact calibrated at 50% LEL.

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 \$67,800 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$67,800

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 send to Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628 and refer to **CPF 1-2011-1006**. For each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

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