



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 AMENDMENT

OVERNIGHT EXPRESS MAIL

December, 16 2014

Mr. Robert Alessio
Senior Vice President, United Resources Inc.
157 Church Street
New Haven, CT 06510

CPF 1-2014-3005M

Dear Mr. Alessio:

Between April 7-10, 2014, inspectors from the Connecticut Department of Energy and Environmental Protection (DEEP), acting as agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected Total Peaking Services (TPS) procedures for the Total Peaking Services LNG plant (TPS) in Milford, CT.

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

1. **§193.2509 Emergency procedures.**
 - (b) To adequately handle each type of emergency identified under paragraph (a) of this section and each fire emergency, each operator must follow one or more manuals of written procedures. The procedures must provide for the following:
 - (3) Coordinating with appropriate local officials in preparation of an emergency evacuation plan, which sets forth the steps required to protect the public in the event of an emergency, including catastrophic failure of an LNG storage tank

The operator's emergency procedures are inadequate in that they do not include requirements for how to document the coordination of evacuation plans with local officials in preparation of an emergency evacuation plan as prescribed in §193.2521 (Operating records).

The operator's procedure states that the operator must conduct the coordination of evacuation plans with public officials; however, the procedure does not require the creation and retention of records.

2. **§193.2605 Maintenance procedures.**
 - b) Each operator shall follow one or more manuals of written procedures for the maintenance of each component, including any required corrosion control. The procedures must include:
 - (1) The details of the inspections or tests determined under paragraph (a) of this section and their frequency of performance; and
 - (2) A description of other actions necessary to maintain the LNG plant according to the requirements of this subpart.

The operator's current maintenance procedures are inadequate in that they do not provide sufficient detail on how to inspect for support systems or foundation of each component under §193.2609.

Specifically, the procedures do not include:

1. The criteria for the amount of settlement in the piping area that would require action by the Operator
2. Actions to be taken if the amount of settlement has exceeded the criteria
3. Guidance for reporting anomalies (i.e. ice formations, etc.) that may skew the amount of settlement.
4. Documentation requirements if elevations are not taken during a survey.

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 30 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 Total Peaking Services maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Byron E. Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. In correspondence concerning this matter, please refer to **CPF 1-2014-3005M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Additionally, if you choose to respond to this (or any other case), please ensure that any response letter pertains solely to one CPF case number.

Sincerely,

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

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

Cc: Karl Baker, CT DEEP