



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

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

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

August 24, 2015

Mr. Robert Steidel
Director, City of Richmond
Department of Public Utilities
730 East Broad Street
Richmond, VA 23219

CPF 1-2015-0010W

Dear Mr. Steidel:

On February 12, 2015, an inspector from the Virginia State Corporation Commission (VA SCC) acting as Agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code inspected the City of Richmond's (City) pipeline facilities in Richmond, Virginia.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

- 1. §192.455 External corrosion control: Buried or submerged pipelines installed after July 31, 1971.**
(a) Except as provided in paragraphs (b), (c), and (f) of this section, each buried or submerged pipeline installed after July 31, 1971, must be protected against external corrosion, including the following:
(2) It must have a cathodic protection system designed to protect the pipeline in accordance with this subpart, installed and placed in operation within 1 year after completion of construction.

The City failed on two occasions to have a cathodic protection system designed to protect the pipeline in accordance with this subpart, installed and placed in operation within 1 year after completion of construction (City leak records #576281 and #575621):

City leak record #576281: VA SCC inspector found that a City steel main constructed on Queens Thorpe Court in 1972 had no cathodic protection. The City had scheduled this line for replacement prior to the VA SCC inspection on February 12, 2015.

City leak record #575621: VA SCC inspector found that a two inch steel main constructed on Greendale Road in 1966, with a main extension constructed in 1972, has no cathodic protection. The City has scheduled this line for replacement. VA SCC identified the missed main extension constructed during the VA SCC inspection on February 12, 2015.

Evidence is based on the VA SCC Notice of Investigation (NOI) to the City, City leak records, and the City response to the VA SCC NOI.

2. 192.605 Procedural manual for operations, maintenance, and emergencies.

(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.

(3) Making construction records, maps, and operating history available to appropriate operating personnel.

The City failed to make accurate construction records, maps, and operating history available to appropriate operating personnel (City leak record #576281).

Regarding City leak record #576281, the VA SCC inspector observed that the mapping of this segment of line stated that the line was 1 ¼ inch diameter cast iron, when it actually was 1-½ inch diameter coated steel.

The probable violation has existed since 1972. The City has corrected the incorrect map.

Evidence is based on the VA SCC Notice of Investigation (NOI) to the City, City leak record, and the City response to the VA SCC NOI.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a 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 being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, please address your correspondence to: Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628 and please refer to **CPF 1-2015-0010W**. 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).

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

Cc: Mr. Massoud Tahamtani, VA SCC
Mr. Jim Fisher, VA SCC