U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.771.7800

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

June 15, 2017

Kelly P. Kinnett, P.E.
Water and Gas Director
City of Danville
1040 Monument Street
Danville, VA 24540

CPF 1-2017-0002W

Dear Mr. Kinnett:

On January 18, 2017, inspectors from the Virginia State Corporation Commission (VA SCC) acting as Agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected the City of Danville's (City) records in Danville, VA.

As a result of the inspection, it is alleged that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violation(s) are:

1. **§192.725(b) Test requirements for reinstating service lines.**

   (b) Each service line temporarily disconnected from the main must be tested from the point of disconnection to the service line valve in the same manner as a new service line, before reconnecting. However, if provisions are made to maintain continuous service, such as by installation of a bypass, any part of the original service line used to maintain continuous service need not be tested.

The City failed to test each service line temporarily disconnected from the point of disconnection to the service line valve in the same manner as a new service line, before reconnecting.

During the inspection conducted on January 18, 2017, the VA SCC inspector reviewed the City's leak records. Work order 170122 (WO), created on February 20, 2016, indicated that the City did not pressure test a Grade 1 leak at 415 Old Spring Road in the City of Danville to the service line valve in the same manner as a new service line, before reconnecting.

The WO indicated that a mechanical fitting was removed and reconnected by butt fusing the two remaining ½-inch plastic service lines back together. The fusion was soap tested. The line was not pressure tested back to the service line valve.

The VA SCC issued a Notice of Investigation to the City on January 26, 2017. The City responded to VA SCC on February 13, 2017. In their response, the City acknowledged that they did not test the service as required per §192.725 at 415 Old Spring Rd. The City reviewed leaks from 2013 to 2016 to determine if this is an isolated incident or a systemic failure in training.

As of April 27, 2017, under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed $209,002 per violation per day the violation persists up to a maximum of $2,090,022 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 of Danville being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, please submit all correspondence in this matter to Robert Burrough, Acting Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please refer to **CPF 1-2017-0002W** on each document you submit, and whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to robert.burrough@dot.gov. Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office.

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,

Robert Burrough
Acting Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration