

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

December 18, 2017

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

CPF 1-2017-0005W

Dear Mr. Kinnett:

On June 20, 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) renewal of the service line located at 417 South Woodbury Avenue, 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. **§ 192.605 Procedural manual for operations, maintenance, and emergencies.**
 - (a) **General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.**

The City failed to follow its manual of written procedures for conducting maintenance activities. Specifically, the City failed to follow Section 3.12.6.2 of its *Natural Gas Operation and Maintenance Plan Chapter II Part F-Construction, dated 01/16/2017*, (Procedure) while renewing the service line at 417 South Woodbury Avenue, Danville, VA.

During the inspection, PHMSA inspector reviewed the City's Procedure. Section 3.12.6.2 Preventing Pipe Damage stated in part:

“(3) Locate the squeeze-off tool a minimum of 3x the pipe diameter, or 12-inches, whichever is greater, from any fusion joint, mechanical connection, prior squeeze-off point, or second squeeze-off tool.”

The PHMSA inspector observed a squeeze-off operation during a service renewal at 417 South Woodbury Avenue, Danville, VA. The squeeze-off was not located at the minimum required distance from a mechanical connection.

Therefore, the City failed to follow its Procedure regarding preventing pipe damage during maintenance activities.

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. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 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.

Please 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).

No reply to this letter is required. If you choose to reply, please submit all correspondence in this matter to Robert Burrough, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please refer to **CPF 1-2017-0005W** 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.

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,

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