

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

October 28, 2019

Mr. Brian Sheppard
VP, Eastern Pipeline Operations
Dominion Energy Transmission, Inc
925 White Oaks Boulevard
Bridgeport, WV 26330

CPF 1-2019-1021W

Dear Mr Sheppard:

From May 21–23, 2019, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), performed an inspection of Dominion Energy Transmission, Inc.'s (Dominion) pipeline system in and around Delmont, Pennsylvania.

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 item(s) 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. 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.

Dominion failed to review and update its manual of written procedures for emergencies at intervals not exceeding 15 months, but at least once each calendar year. Specifically, Dominion failed to review and update its emergency procedures contained in its Dominion Transmission, Inc. Emergency Plan, revised 3/28/16 (Combined Emergency Plan) during calendar years 2017 and 2018.

During the inspection, the PHMSA inspector reviewed the Combined Emergency Plan. Dominion confirmed during the inspection that the last review and update of this emergency procedure was completed on March 28, 2016. Dominion stated that they review and update their Combined Emergency Plan only as needed. Their Site-Specific Emergency Plans are reviewed/updated at intervals not exceeding 15 months, but at least once each year calendar year.

Dominion stated in the Combined Emergency Plan that the document includes written procedures for minimizing hazards resulting from natural gas and liquid pipeline emergencies. The Combined Emergency Plan (in conjunction with Dominion's Site-Specific Emergency Plans) meets the description in § 192.615 Emergency Plans of written procedures to minimize the hazard resulting from a gas pipeline emergency. In accordance with § 192.605(e), these procedures must be included in the manual required by § 192.605(a), and thus are subject to the same review and updating requirements therein.

Therefore, Dominion failed to meet the requirements of § 192.605(a) by not reviewing and updating their Combined Emergency Plan at intervals not exceeding 15 months, but at least once each year calendar year during calendar years 2017 and 2018.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. 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 Dominion Energy Transmission, Inc. being subject to additional enforcement action.

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, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. Please refer to **CPF 1-2019-1021W** 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 USB flash drive accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

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