

WARNING LETTER

VIA ELECTRONIC MAIL: Calvin.Farr@richmondgov.com

February 5, 2021

Calvin Farr Jr.
Director - City of Richmond DPU
City of Richmond
730 East Broad Street
Richmond, VA 23219

CPF 1-2021-003-WL

Dear Calvin Farr:

From April 6, 2020 to June 23, 2020, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected City of Richmond's (City) procedures and activities in Glen Allen, 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 item inspected and the probable violation is:

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 for each pipeline, a manual of written procedures for conducting operations and maintenance activities. Specifically, the City failed to follow the manufacturer's

instructions for a stab fitting, as required by the City's Natural Gas Procedure Manual, Procedure Number 11.3.111, Construction of Services (Construction Procedure).

The Construction Procedure, Section IV.B.2. of Volume II stated in part, "Follow all manufacturer instruction when fusing or installing fittings." The Installation Instructions for the Honeywell Perfection PERMASERT® 2.0 Non-Corrosive Mechanical Coupling states in part, "2. Wipe the tubing with a dry, clean cloth."

During the inspection, the VA SCC inspector observed the City installing a stab fitting as part of the construction of a new service line. The VA SCC inspector observed the crew foreman cut, chamfer, and mark the service line piping in preparation to join it to an excess flow valve with a stab fitting. Prior to inserting the piping into the stab fitting, the inspector observed the crew foreman wipe the piping with his hand and insert it into the fitting. The pipe was not wiped with a dry, clean cloth as per the manufacturer instructions.

Therefore, City failed to follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities.

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 City of Richmond 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 1-2021-003-WL** 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