

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 2, 2014

Ms. Jenne McLain-Bankhead
Property Manager
PK Management, LLC
26301 Curtis Wright Parkway, Suite 110
Richmond Heights, OH 44143

CPF 2-2014-0003W

Dear Ms. McLain-Bankhead:

On May 22, 2014, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Southern Region, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, inspected the Forest Green Apartments master meter and downstream piping and facilities at 3501 N.E. 15th Street, Gainesville, Florida.

As a result of the inspection, it appears that Forest Green Apartments has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are as follows:

1. §192.465 External corrosion control: Monitoring
... (d) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

Forest Green Apartments did not take prompt remedial action to correct deficiencies indicated by the external corrosion control monitoring of its pipeline system.

A review of Forest Green Apartments' corrosion control monitoring records for three years (2012 - 2014) revealed low¹ pipe-to-soil (p/s) readings. Table 1 includes the p/s readings taken on the dates shown at various locations along the Forest Green Apartments pipeline system. Every reading shown in the table fails to meet the criteria for cathodic protection contained in the federal pipeline safety regulations. Yet, at the time of the PHMSA inspection, Forest Green Apartments had not taken remedial actions to correct these deficiencies.

¹ The criteria for cathodic protection are contained in 49 CFR Part 192, Appendix D. The criteria being referenced in this letter is negative (cathodic) voltage of at least 850mV with reference to a saturated copper-copper sulfate half-cell. Accordingly, a "low" p/s reading is a reading less negative than 850mV.

	Jan 24, 2012	Feb 7, 2013	Jan 15, 2014
Building N	- 600 <i>mV</i>	- 730 <i>mV</i>	- 670 <i>mV</i>
Building P	- 530 <i>mV</i>	- 730 <i>mV</i>	- 550 <i>mV</i>
Building S	- 630 <i>mV</i>	- 630 <i>mV</i>	- 630 <i>mV</i>
Building T	- 700 <i>mV</i>	- 700 <i>mV</i>	- 640 <i>mV</i>
Building R	- 670 <i>mV</i>	- 600 <i>mV</i>	- 700 <i>mV</i>
Building W	- 590 <i>mV</i>	- 630 <i>mV</i>	- 650 <i>mV</i>
Building V	- 520 <i>mV</i>	- 530 <i>mV</i>	- 630 <i>mV</i>

Table 1

2. §192.625 Odorization of gas.

... (f) **To assure the proper concentration of odorant in accordance with this section, each operator must conduct periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable. Operators of master meter systems may comply with this requirement by-**

- (1) Receiving written verification from their gas source that the gas has the proper concentration of odorant; and**
- (2) Conducting periodic "sniff" tests at the extremities of the system to confirm that the gas contains odorant.**

Forest Green Apartments did not present to the PHMSA inspector records to demonstrate that it had assured the proper concentration of odorant in its pipeline system by receiving written verification from its gas source that the gas has the proper concentration of odorant or by conducting periodic "sniff" tests at the extremities of the system to confirm that the gas contains odorant.

3. §192.721 Distribution systems: Patrolling.

(a) The frequency of patrolling mains must be determined by the severity of the conditions which could cause failure or leakage, and the consequent hazards to public safety.

(b) Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage must be patrolled -

... (2) Outside business districts, at intervals not exceeding 7 1/2 months, but at least twice each calendar year.

Forest Green Apartments did not present to the PHMSA inspector any records to show it patrolled its distribution system in the residential area at intervals not exceeding 7½ months, but at least twice each calendar year.

4. §192.747 Valve maintenance: Distribution systems.

(a) Each valve, the use of which may be necessary for the safe operation of a distribution system, must be checked and serviced at intervals not exceeding 15 months, but at least once each calendar year.

(b) Each operator must take prompt remedial action to correct any valve found

inoperable, unless the operator designates an alternative valve.

Forest Green Apartments did not present to the PHMSA inspector records to demonstrate that it had checked and serviced its shut off (or key valve) which may be necessary for the safe operation of its distribution system at intervals not exceeding 15 months, but at least once each calendar year.

5. §192.1015 What must a master meter or small liquefied petroleum gas (LPG) operator do to implement this subpart?

(a) General. No later than August 2, 2011 the operator of a master meter system or a small LPG operator must develop and implement an IM program that includes a written IM plan as specified in paragraph (b) of this section. The IM program for these pipelines should reflect the relative simplicity of these types of pipelines.

Forrest Green Apartments did not present to the PHMSA inspector records to demonstrate that it had developed and implemented an Integrity Management program.

Under 49 United States Code, § 60122, Forest Green Apartments is 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 items identified in this letter. Failure to do so will result in the Forest Green Apartments being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 2-2014-0003W**. 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,

Wayne T. Lemoi
Director, Office of Pipeline Safety
PHMSA Southern Region

cc: Shelandarae Adam-Hudson
Property Manager
3501 N.E. 15th Street
Gainesville, Florida 32609