



U.S. Department
of Transportation

Western Region
Pipeline Safety

12600 W. Colfax Ave
Suite A-250
Lakewood, CO 80215-3736

Research and
Special Programs
Administration

**NOTICE OF PROBABLE VIOLATION
AND
PROPOSED CIVIL PENALTY**

CERTIFIED MAIL -RETURN RECEIPT REQUESTED

February 8, 2002

2-8-02

Mr. James Mathews
Regulatory Affairs
Southwest Gas Corporation
5241 Spring Mountain Road
Las Vegas, Nevada 89102

CPF No. 5-2002-0001

Dear Mr. Mathews:

On December 26, 2002, a representative of the Western Region, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, was notified of an incident involving a pipeline operated by Southwest Gas Corporation. The incident occurred in Las Vegas, Clark County, California, at 9:49 a.m. PST (12:49 p.m. EST) on December 20, 2001. The information available to this office indicates that this incident was due to natural gas releasing out of a half inch PVC service line while trying to excavate the line to find an unknown leak. It was reported that one employee sustained a knee injury while trying to escape from the ignited gas.

As a result of our review of this incident, it appears that you have committed a probable violation, as noted below, of pipeline safety regulations Title 49, Code of Federal Regulations, Part 191. The item investigated and probable violation is:

§191.5 Telephonic notice of certain incidents

(a) At the earliest practicable moment following discovery, each operator shall give notice in accordance with paragraph (b) of this section of each incident as defined in part 191.3.

Southwest Gas Corporation failed to provide telephonic notice of the above mentioned incident "at the earliest practicable moment following discovery" in accordance with Part 191.5.

Telephonic notice of the incident, which met criteria of Part 191.5 for reporting, was not made until 10:58 a.m. PST (1:58 p.m. EST) on December 26, 2001. This is approximately 145 hours after the incident occurred. An Alert Notice issued by the Department of Transportation, dated April 5, 1991, required that telephonic reports be made within one to two hours after discovery. This notice was sent to each owner and/or operator of a gas pipeline facility.

Under 49 United States Code, §60122, you are subject to a civil penalty not to exceed \$25,000 for each violation for each day the violation persists up to a maximum of \$500,000 for any related series of violations. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation, and it is recommended that you be preliminarily assessed a civil penalty of \$5,000.

Attached is a description of the response options available to you. Please note that if you elect to make a response, you must do so within 30 days of your receipt of this Notice or waive your rights under 49 CFR 190.209. A response which does not contest the allegations in the Notice authorizes the Associate Administrator, Office of Pipeline Safety to find the facts to be as alleged.

Sincerely,



Chris Hoidal, PE
Director

Enclosures

cc: Compliance Registry
DPS 28