

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 13, 2011

Mr. Paul A. Cummings  
Assistant Director  
City of Redding  
Redding Electric Utility  
17120 Clear Creek Road  
Redding, CA 96001

**CPF 5-2011-0003W**

Dear Mr. Paul A. Cummings:

On March 18, 2010, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your Operator Qualification program in Redding, California.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

- 1. §192.809 (a) Operators must have a written qualification program by April 27, 2001. The program must be available for review by the Administrator or by a state agency participating under 49 U.S.C. Chapter 601 if the program is under the authority of that state agency.**

Redding Electric Utility (REU) did not have a written qualification program by April 27, 2001 for its pipeline personnel. A City of Redding official stated that the Operator Qualification (OQ) program was not available until February 1, 2008 was shown as the original effective date for the City of Redding Natural Gas Transmission Pipeline Operator Qualification Plan.

**2. §192.809 (b) Operators must complete the qualification of individuals performing covered tasks by October 28, 2002.**

No documents were produced to show that the qualification of individuals performing covered tasks was completed by October 28, 2002. Individuals performing covered tasks for the natural gas pipeline are now qualified under the current City of Redding OQ Plan.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any 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 Redding Electric Utility 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 5-2011-0003W**. 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,

Chris Hoidal  
Director, Western Region  
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry  
PHP-500 P. Nguyen