

## **WARNING LETTER**

### **CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

January 14, 2011

Mr. Dennis Newman  
HES Manager  
Vintage Production California, LLC  
9600 Ming Avenue Suite 300  
Bakersfield, CA 93311

**CPF 5-2011-0006W**

Dear Mr. Newman:

On August 23-26, 1010, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your written procedures contained within your Operations and Maintenance (O&M) Procedural Manuals for the Santa Paula gas system. Our representative also reviewed records to ensure that the O&M procedures were properly implemented. These procedures and records review were conducted at your Santa Paula, California office.

As a result of the inspection, it appears that Silicon Valley Power (SVP) has committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

1. **§192.616 Public Awareness**

**a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference).**

**(e) The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations.**

**(f) The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas.**

Vintage sent a Public Awareness flyer to stakeholder residences along the right-of-way on October 1, 2007 and again on May 19, 2010. This notification is 6.5 months beyond the 2 year interval recommended by API 1162. API 1162, tables 2-2 and 2-3, recommends public awareness communications for natural gas transmission and gathering pipelines to be mailed to the residents along the operator's right-of-way once every 2 years.

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 Vintage Production California LLC 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 5-2011-0006W**. 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 H. Monfared (#128422)