

## NOTICE OF AMENDMENT

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 2, 2018

Ms. Kelly Nguyen  
Director of Gas & Electric  
City of Vernon  
4305 Santa Fe Ave.  
Vernon, CA 90058

**CPF 5-2018-0006M**

Dear Ms. Nguyen:

On April 24-27, 2017 and May 22-26, 2017, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected the natural gas transmission and distribution pipeline system in Vernon, California.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within The City of Vernon's (Vernon) plans or procedures, as described below:

1. **§192.303 Compliance with specifications or standards.**  
**Each transmission line or main must be constructed in accordance with comprehensive written specifications or standards that are consistent with this part.**

The Vernon comprehensive written specifications and standards do not contain procedures or statements addressing the use of miter joints to join steel pipe.<sup>1</sup> Vernon's written specifications and standards should include, at a minimum, a statement that it does not utilize

---

<sup>1</sup> Part 192 includes regulations governing miter joints. *See* 49 C.F.R. § 192.233 (prescribing minimum safety requirements for the use of miter joints).

miter joints on its system.

2. **§192.605 Procedural manual for operations, maintenance, and emergencies.**
  - (a) . . .
  - (e) **Surveillance, emergency response, and accident investigation. The procedures required by §192.613(a), 192.615, and 192.617 must be included in the manual required by paragraph (a) of this section.**

The Vernon Operations, Maintenance and Inspections Plans (O&M) manual did not have sufficient written procedures for prompt incident reporting, as required by §192.613(a), which mandates that operators “take appropriate action concerning . . . failures” and §192.615 governing emergency plans to minimize hazards resulting from an emergency.<sup>2</sup> Specifically, Vernon’s O&M does not identify a time frame for incident reporting, nor does it require that incident reports be submitted as soon as practicable, but no later than one hour after confirmed discovery.

3. **§192.605 Procedural manual for operations, maintenance, and emergencies.**
  - (a) . . .
  - (d) ***Safety-related condition reports.* The manual required by paragraph (a) of this section must include instructions enabling personnel who perform operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the reporting requirements of §191.23 of this subchapter.**

Vernon’s reporting procedure contained in the O&M requires Safety Related Condition Reports (SRCR) to be mailed to PHMSA. However, §191.25 requires each report of a safety-related condition under §191.23(a) be filed by electronic mail or facsimile.

4. **§192.605 Procedural manual for operations, maintenance, and emergencies.**

**Each operator shall include the following in its operating and maintenance plan:**

  - (a)...
  - (b) **Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.**
    - (1) **Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and Subpart M of this part.**

Vernon’s O&M does not contain a process to report events listed in §191.22(c) despite the fact that these construction changes may relate to operating, maintaining and repairing its pipeline.

---

<sup>2</sup> See also 49 C.F.R. §191.5(a) (requiring that at the earliest practical moment, but no later than one hour after confirmed discovery, each operator must give notice of incidents to the National Response Center).

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Vernon maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Kim West, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2018-0006M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Kim West  
Director, Western Region  
Pipeline and Hazardous Materials Safety Administration

cc: PHP-60 Compliance Registry  
PHP-500 J. Dunphy (#156372)

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*