

August 28, 2020

VIA ELECTRONIC MAIL TO: kjones@cityofsusanville.org

Mr. Kevin Jones
Interim City Administrator
City of Susanville
66 North Lassen Street
Susanville, California 96130

Re: CPF No. 5-2020-0009

Dear Mr. Jones:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Western Region, this enforcement action will be closed. Service of the Final Order by electronic mail is effective upon the date of transmission as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Dustin B. Hubbard, Director, Western Region, Office of Pipeline Safety, PHMSA
Mr. Daniel Gibbs, Acting Public Works Director, City of Susanville,
dgibbs@cityofsusanville.org

CONFIRMATION OF RECEIPT REQUESTED

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, D.C. 20590**

In the Matter of)	
)	
City of Susanville, California,)	CPF No. 5-2020-0009
a municipal corporation,)	
)	
Respondent.)	
)	

FINAL ORDER

On July 13, 2020, pursuant to 49 C.F.R. § 190.207, the Director, Western Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to City of Susanville (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 192. The Notice also proposed certain measures to correct the violations. Respondent did not contest the allegations of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 192.616(c) **(Item 1)** — Respondent failed to complete an annual audit or review pursuant to API RP 1162, Section 8.3, of whether its public awareness program had been developed and implemented according to the guidelines of API RP 1162; and

49 C.F.R. § 192.616(c) **(Item 2)** — Respondent failed to conduct a program effectiveness survey in 2018, four years since its last survey, pursuant to API RP 1162, Section 8.4.2.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

COMPLIANCE ACTIONS

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violations. The Director may grant an extension of time to comply with any of the required items upon a written request timely

submitted by the Respondent and demonstrating good cause for an extension. Upon completion of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

August 28, 2020

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued