



U.S. Department
Of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

820 Bear Tavern Road, Suite 306
West Trenton, NJ 08628
609.989.2171

WARNING LETTER

EXPRESS OVERNIGHT DELIVERY

May 3, 2010

Mr. Christopher L. Beschler
Director, Department of Public Utilities
Deputy Chief Administrative Officer,
City of Richmond
Department of Public Utilities
730 East Broad Street, 6th Floor
Richmond, VA 23219

CPF 1-2010-0003W

Between December 5, 2006, and May 1, 2007, a State Inspector from the Virginia State Corporation Commission (VA SCC) acting as Agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your pipeline facilities in Richmond, VA.

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. § 192.303 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 City of Richmond's (City) contractor (RTS Construction) failed to follow comprehensive written welding specifications by exceeding the maximum welding rod size approved for the welding procedure.

On December 5, 2006, the VA SCC inspector observed contractor welding operations in the 1100 block of East Broad Street in Richmond, Virginia. Visual inspection indicated that a 3/16" diameter welding rod was being used for the hot pass of the welding operation. The maximum size rod permitted by the welding procedure for this pass was 5/32". The welding procedure used was "Welding Procedure Specification (WPS) No. SMAW-Butt-42K-1", dated August 4, 2005. The contractor welder acknowledged the use of the wrong size rod for the welding procedure.

2. §192.605 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

The City's contractor (RTS Construction) failed to follow comprehensive written procedures by not reaming the ends of an existing steel service to remove rough edges prior to insertion of a 1 inch plastic service piping as required by the City's O&M Manual, Chapter 3, Section III.

On December 12, 2006, the VA SCC inspector observed the City's contractor replacing a steel service with plastic pipe at 13 Lexington Road in Richmond, and noticed a damaged section of 1 inch plastic pipe. Apparently, the damage resulted from a failure to ream the old steel pipe service ends prior to inserting the plastic pipe. The RTS foreman stated that he did not ream the ends of the pipe because he did not have a reaming tool. The RTS foreman left the job site to acquire a reaming tool. When he returned to the job site, he reamed the ends of the steel pipe, and inserted a new section of 1 inch plastic piping.

3. §192.605 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.

The City's contractor (Trafford Construction) failed to follow comprehensive written procedures, by not properly setting a holiday detector to the correct voltage as required by the City's O&M Manual, Chapter 3, Section II.

On May 1, 2007, the VA SCC inspector observed the pipe coating jeeeping operations of the City's contractor at Hungary Road in Henrico County, Virginia. The holiday detector used for jeeeping the pipe was set to 6,500 volts, and the jeeeping of the main had already begun. The voltage setting for jeeeping the fusion bonded epoxy coating on the 8 inch main should have been set between 1,600 to 3,000 volts. The VA SCC inspector discussed the observed conditions with the contractor, and with a City representative.

The holiday detector manufacturer's voltage setting sheet, supplied to the VA SCC inspector at the job site, listed the 1,600 to 3,000 volt setting for fusion bonded epoxy pipe.

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 the City 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 1-2010-0003W**. 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,

Byron E. Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Cc: Jim Hotinger, VA SCC