



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

840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628
609.771.7800

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

VIA EMAIL TO: daniel.rifenburgh@rva.gov

April 15, 2026

Daniel Rifenburgh, Director
Richmond Gas Works
City of Richmond
400 Richmond Highway
Richmond, Virginia 23224

CPF 1-2026-035-NOPV

Dear Mr. Rifenburgh:

On March 1, 2024, and June 17, 2024, an inspector from the Virginia State Corporation Commission, Division of Pipeline Safety (VA SCC), acting as an agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), Eastern Region, pursuant to Chapter 601 of Title 49 United States Code (U.S.C.), inspected the City of Richmond's (the City or Respondent) procedures and records associated with the City's natural gas distribution system in Richmond, Virginia.

As a result of the inspection, it is alleged that you have committed probable violation(s) of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item(s) inspected, and the probable violation(s) are:

1. **§ 192.614 Damage prevention program.**
(a) Except as provided in paragraphs (d) and (e) of this section, each operator of a buried pipeline must carry out, in accordance with this section, a written program to prevent damage to that pipeline from excavation activities. For the purposes of this section, the term "excavation activities" includes excavation, blasting, boring, tunneling, backfilling, the removal of underground structures by either explosive or mechanical means, and other earthmoving operations.

The City failed to carry out a written program to prevent damage to its pipelines from excavation activities in accordance with section 192.614(a). Specifically, on 465 occasions, the City failed to respond to locate requests within the required timeframe by Volume I, Chapter 5, Section I, Part C in its damage prevention program.

The procedure states, in part that “[m]arkout personnel shall be available during normal working hours to check for, and if necessary markout, facilities by the end of the second working day after the day of notification to Miss Utility.”

During the inspection, the VA SCC inspector reviewed Virginia 811 locate request records (811 Ticket Records) for the period of January 1, 2021, through March 14, 2024. The 811 Ticket Records indicated that the City failed to provide a timely response to 465 locate requests.

Therefore, the City failed to carry out a written program to prevent damage to its pipelines from excavation activities in accordance with section 192.614(a).

2. § 192.273 General.

(a) ...

(b) Each joint must be made in accordance with written procedures that have been proven by test or experience to produce strong gastight joints.

The City failed to ensure each joint was made in accordance with its written procedures that have been proven by test or experience to produce strong gastight joints in accordance with section 192.273(b). Specifically, on five occasions, the City failed to make a joint in accordance with chapter 3, section VII in its *Utility: Natural Gas Volume II Procedures Manual* (10/15/2015) (O&M Manual).

During the inspection, the VA SCC inspector reviewed leak records and corresponding failure investigation records for failed plastic pipe joints associated with five occasions of joint failure. The VA SCC inspector reviewed the City of Richmond Leak Reporting Forms and the Material/Failure Report Forms for the following dates and locations:

- February 2, 2021 – 6004 Glen Abbey Drive, Henrico.
A four-inch plastic butt fusion was cut out due to a leak. The City’s failure investigation revealed that the joiner did not properly clean the pipe ends, which led to improper bead rollback during the fusion process.
- February 18, 2021 – 8701 Grand Summit Road, Chesterfield.
A four-inch plastic butt fusion was cut out due to a leak. The City’s failure investigation revealed that the joiner did not properly clean the pipe ends, which led to improper bead rollback during the fusion process.
- March 22, 2021 – Haverhill Road and Wilkerson Road, Richmond.

A butt fusion was cut out due to a leak. The City's failure investigation revealed that the joiner applied excessive pressure during fusion, leading to an unacceptable concave melt on the fusion surface.

- August 26, 2021 – 11050 Little Five Loop, Henrico.
An electrofusion tapping tee on a two-inch plastic main was cut out due to a leak. The City's failure investigation revealed that the leak was caused by improper fusion.
- May 12, 2022 – 1807 North 22nd Street, Richmond.
A mechanical stab coupling was found to be leaking. The City's failure investigation revealed that the joiner did not fully stab the coupling.

Therefore, the City failed to ensure each joint was made in accordance with its written procedures that have been proven by test or experience to produce strong gastight joints in accordance with section 192.273(b).

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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to perform annual Emergency Plan training for applicable employees in accordance with chapter 6, section I in its *Utility: Natural Gas Volume I Procedures Manual* (10/11/2013) (O&M Manual).

The City's O&M Manual stated that annual employee meetings would be scheduled in each department to discuss and train employees in emergency procedures.

During the inspection, the VA SCC inspector reviewed a spreadsheet that tracks all employees and their annual training status for the Gas Emergency Annual Overview training. The spreadsheet indicated that 58 individuals were not trained on the Emergency Plan. The VA SCC inspector confirmed that the untrained individuals would be required to act in an emergency and therefore the individuals must be trained annually.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

4. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, on January 8, 2024, the City failed to document the test medium on a Pressure Test Report for the National Street location in Richmond, Virginia, as required by chapter 3, section VIII in its *Utility: Natural Gas Volume I Procedures Manual* (2/23/2022) (O&M Manual).

During the inspection, the VA SCC inspector reviewed a pressure test record, dated January 8, 2024, for a gas main on National Street in the City of Richmond. The O&M Manual required the pressure test record to include the test medium (air, nitrogen, or natural gas). However, the City failed to include the test medium on the January 8, 2024 pressure test record.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

5. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, on February 6, 2023, the City failed to document an explanation for pressure variations on its Pressure Test Report for the Michaux Street location in Richmond, Virginia in accordance with chapter 3, section VIII in its *Utility: Natural Gas Volume I Procedures Manual* (2/23/2022) (O&M Manual).

During the inspection, the VA SCC inspector reviewed a pressure test record, dated February 6, 2023, for a gas main on Michaux Lane in Henrico County. The pressure variations on the pressure test record demonstrated that the test failed on the first attempt, then passed on the second attempt.

The O&M Manual required that the pressure test record include explanations for pressure variations and/or leaks along with their disposition, if appropriate. However, the City failed to include an explanation or a disposition for the pressure variation documented on the February 6, 2023 pressure test record.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

6. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to tap a pipeline in accordance with chapter 3, section VII in its *Utility: Natural Gas Volume II Procedures Manual* (10/15/2015) (O&M Manual).

During the inspection, the VA SCC inspector reviewed a City of Richmond Leak Reporting Form, dated January 12, 2021, for a leaking plastic service line tee at 5527 Cooper Walk Lane, Richmond, Virginia. The inspector also reviewed a Material/Failure Report Form, dated January 12, 2021, for the failure investigation performed by the City at 5527 Cooper Walk Lane. The failure investigation record indicated that the nature of the failure was due to the tapper not being threaded downward into the main to set the locking sleeve in place.

The O&M Manual required that all tapping procedures be in accordance with the tapping equipment manufacturer's recommended procedures. The January 12, 2021 leak at 5527 Cooper Walk Lane was caused by the City's failure to follow the manufacturer's tapping procedure during the tapping process.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

7. § 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 failed to follow its manual of written procedures for emergency response in accordance with section 192.605(a). Specifically, the City failed to review its employees' responses to emergency conditions in accordance with chapter 6, section I in its *Utility: Natural Gas Volume I Procedures Manual* (10/11/2013) (O&M Manual).

During the inspection, the VA SCC inspector reviewed the City's Failure Investigation Summary. This document contained a summary of the investigative findings of an emergency situation occurring on May 10, 2023 near 3500 West Broad Street, Richmond, Virginia.

The O&M Manual required that responses to emergency conditions be reviewed to determine whether the actions taken were consistent with the O&M plan and public safety. However, the Failure Investigation Summary did not include a review of the emergency response to the emergency conditions to determine whether the actions taken were consistent with the City's O&M plan.

Therefore, the City failed to follow its manual of written procedures for emergency response in accordance with section 192.605(a).

8. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to properly abandon a service line on two occasions in accordance with chapter 7, section V in its *Utility: Natural Gas Volume II Procedures Manual*, (11/27/2013) (O&M Manual).

During the inspection, the VA SCC inspector reviewed the City of Richmond Leak Reporting Forms (Leak Record) for two locations and dates: (i) 4409 Leonard Parkway, Richmond, Virginia dated June 7, 2021; and (ii) 1822 North 30th Street, Richmond, Virginia dated September 21, 2021.

The Leak Record for the 4409 Leonard Parkway incident documented a leak on the service line near this location in which a reading of 36 percent gas was taken from the “cut riser.” The Leak Record indicated that this line had previously been abandoned. The City’s DPU Gas Service Sketch Card (Rev 11/15/2010) (record of abandonment) dated December 16, 2015, indicated that the line at 4409 Leonard Parkway was “killed.” The record of abandonment did not document that the service line was sealed at the riser end during the 2015 abandonment.

The O&M Manual required that both ends of the abandoned service be welded closed, plugged, or otherwise effectively sealed. However, in 2015, the City failed to seal both ends of the service line, leading to the 4409 Leonard Parkway leak in 2021 due to residual gas in the abandoned service line riser.

The Leak Record for the 1822 North 30th Street incident documents the City’s leak response to excavation damages at the address. The Leak Record stated that the service line was blind capped and scheduled to be discontinued. However, the City did not abandon the main until May 8, 2023, 594 days after the service line was abandoned at the curb valve, as documented by the record drawing DPU NO A-1532.

The O&M Manual required that “[w]hen a service line (2 inch diameter or less) is to be abandoned in place, but the main is to continue in use, the service shall be physically disconnected from the main, at the main.” As an exception to this requirement, the O&M stated that “[i]f the main is scheduled for abandonment along with the service, then the service can be abandoned at the curb.”

The City failed to provide a record indicating that the main was scheduled for abandonment at the time that the service line was abandoned at the curb, and the City did not physically disconnect the service line from the main.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

9. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to perform and properly document the annual reviews of its manual in accordance with chapter 1, section 1 in its *Utility: Natural Gas Volume I Procedures Manual* (12/05/2022) (O&M Manual).

The O&M Manual required that the annual review be acknowledged in signature by the Gas Standards Operations Manager in the O&M Procedures Manual Annual Review Log.

During the inspection, the VA SCC inspector requested records documenting that the City performed an annual O&M review during calendar years 2021, 2022, and 2023. However, the City failed to provide an O&M Annual Review Log for its 2021, 2022, and 2023 annual review meetings.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

10. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to install an Excess Flow Valve (EFV) on a service line in accordance with chapter 3, section III of its *Utility: Natural Gas Volume II Procedures Manual* (05/07/2018) (O&M Manual).

During the inspection, the VA SCC inspector reviewed a City of Richmond Leak Reporting Form, dated February 24, 2021, for an incident occurring at 2909 Chamberlayne Avenue, Richmond, Virginia. The Leak Record documented the leak cause as excavation damage to a one-inch plastic service line. The Leak Record further indicated that an EFV was not installed, and a work order was submitted to have an EFV installed.

The O&M Manual stated that for emergency service replacement or repair, an EFV may be installed at a later date if installation was not feasible at the time of repair. The O&M required that in these circumstances, a work order for an EFV to be installed at a later date must be written and submitted to the General Supervisor of Gas Maintenance as soon as practical.

The City failed to provide a record of a work order demonstrating that an EFV was eventually installed on the service line following the emergency repair.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

11. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to perform a residential leak survey at least once every three calendar years at intervals not exceeding 39 months in accordance with chapter 6, section I in its *Utility: Natural Gas Volume II Procedures Manual* (07/22/2013) (O&M Manual).

The O&M Manual required residential surveys to be conducted with leak detector equipment at least once every 3 years at intervals not exceeding 39 months.

The VA SCC inspector reviewed a City of Richmond Leak & Service Inspection Sheet (Leak Survey), dated August 16, 2021. The leak survey technician wrote “NSF,” or “No Service Found” next to 622 North Graham Street on the Leak Survey. Therefore, the indoor meter piping at 622 North Graham Street was not leak surveyed in 2021 and the City failed to produce any records indicating 622 North Graham Street had been previously surveyed since 2018.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

12. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with 192.605(a). Specifically, the City failed to perform atmospheric corrosion monitoring at least once every three calendar years but at intervals not exceeding 39 months in accordance with chapter 4, section II in its *Utility: Natural Gas Volume II Procedures Manual* (07/22/2013) (O&M Manual).

The O&M Manual required each pipeline that is exposed to the atmosphere to be inspected at least once every three calendar years but at intervals not exceeding 39 months.

The VA SCC inspector reviewed a City of Richmond Leak & Service Inspection Sheet (Leak Survey), dated August 16, 2021. The leak survey technician wrote “NSF,” or “No Service Found” next to 622 North Graham Street on the Leak Survey. Therefore, the indoor meter piping at 622 North Graham Street was not inspected for atmospheric corrosion in 2021. The City failed to provide any records indicating 622 North Graham Street had been inspected since 2018.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

13. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to perform a business district leak survey at intervals not exceeding 15 months but at least once each calendar year in accordance with chapter 6, section I in its *Utility: Natural Gas Volume II Procedures Manual* (07/22/2013) (O&M Manual).

The O&M Manual required surveys in business districts be conducted with leak detector equipment at intervals not exceeding 15 months but at least once each calendar year.

During the inspection, the VA SCC inspector reviewed the City of Richmond Leak & Service Inspection Sheet, Form 24, for a gas main (Main) located behind the 4900 block of Nine Mile Road. The Main was leak surveyed on January 18, 2021, and again on February 14, 2023. The City failed to provide a record demonstrating that the Main was leak surveyed during calendar year 2022.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

14. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a). Specifically, the City failed to report all excavation damages to underground natural gas facilities to the Virginia State Corporation Commission (VA SCC) in accordance with chapter 2, section VI in its *Utility: Natural Gas Volume I Procedures Manual* (07/22/2013) (O&M Manual).

The O&M Manual required that all excavation damages to underground natural gas facilities be reported to the SCC by the Project Management Analyst. However, the City failed to report 33 damages to underground natural gas facilities to the Virginia SCC during calendar year 2022.

During the inspection, the VA SCC inspector reviewed the City's Annual Report for Calendar Year 2022 Gas Distribution System (Annual Report) and records of reported damage to underground natural gas facilities (Damage Reports) submitted to VA SCC for calendar year 2022. The City's Annual Report reported 140 excavation damages to underground natural gas facilities. The VA SCC's Damage Prevention department received and reviewed only 107 reports during calendar year 2022.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

15. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities. Specifically, the City failed to follow its *Utility: Natural Gas Volume II Procedures Manual*, Chapter 6 Section I (07/22/2013) (O&M) by not performing a business district leak survey at intervals not exceeding 15 months but at least once each calendar year, as required by section 192.605(a).

The O&M Manual stated that "when notified of a planned blasting operation, RGW will review the location of the blasting relative to the distribution facilities." If the proposed blast was within 150 feet of a natural gas line, the O&M Manual required the City to (i) contact the excavator and

request that notification of the date and time of each blast at least two full working days before the blasting is to occur; (ii) conduct a pre-blast leak survey of nearby gas facilities; (iii) establish an emergency response plan to shut down portions of the system that may be affected by the blast using critical valves or other valves in the area; (iv) assign an on-site inspector or valve crew to be present during the blasting operations; (v) conduct a post-blast leak survey of gas facilities; and (vi) complete the Blasting Form.

During the inspection, the VA SCC inspector requested to review Blasting Form Records for pre-blasting and post-blasting leakage survey activities that were performed in response to Virginia 811 locate request number A304701179-00A (Ticket Record). The Ticket Record documents blasting work near the intersection of Tredegar Street and S 5th Street in Richmond, Virginia with a due date of February 22, 2023. However, the City failed to provide Blasting Form Records indicating that any pre-blasting or post-blasting leakage surveys had been performed for the blasting activities noted above.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

16. § 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 failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with 192.605(a). Specifically, the City failed to remediate a cathodic protection deficiency by the time of the next scheduled monitoring in accordance with chapter 4, section II in its *Utility: Natural Gas Volume II Procedures Manual* (04/13/2015) (O&M Manual).

The O&M Manual required the operator to “take prompt remedial action to correct deficiencies indicated by the monitoring IAW Title 49 CFR 192 Article 465 (d).” The O&M Manual stated that under normal conditions, “the OPS would expect that . . . the operator should have the evaluations and decisions made and action started within a few month[s] . . . and correction completed by the time of the next scheduled monitoring.”

During the inspection, the VA SCC inspector reviewed cathodic protection testing records for the following systems: (i) System 03-026 (Darbytown Road from CSX R/R to Parker Street), Test Point #6; and (ii) System 05-092 (Libbie Ave/Grove Ave), Test Point #2.

The City failed to remediate the deficiency in System 03-026 from March 29, 2022 to July 11, 2023, a period of 15 months and 13 days. The City has failed to remediate the deficiency in System 05-092 since June 3, 2022, at least 25 months.

Therefore, the City failed to follow its manual of written procedures for conducting operations and maintenance activities in accordance with section 192.605(a).

Proposed Civil Penalty

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$272,926 per violation per day the violation persists, up to a maximum of \$2,729,245 for a related series of violations. For violation occurring on or after December 28, 2023 and before December 30, 2024, the maximum penalty may not exceed \$266,015 per violation per day the violation persists, up to a maximum of \$2,660,135 for a related series of violations. For violation occurring on or after January 6, 2023 and before December 28, 2023, the maximum penalty may not exceed \$257,664 per violation per day the violation persists, up to a maximum of \$2,576,627 for a related series of violations. For violation occurring on or after March 21, 2022 and before January 6, 2023, the maximum penalty may not exceed \$239,142 per violation per day the violation persists, up to a maximum of \$2,391,412 for a related series of violations. For violation occurring on or after May 3, 2021 and before March 21, 2022, the maximum penalty may not exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations.

We have reviewed the circumstances and supporting documentation involved for the above probable violation(s) and recommend that you be preliminarily assessed a civil penalty of **\$72,200** as follows:

Item 1: \$72,200

Warning Items

With respect to items 2 through 16 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 promptly correct these items. Failure to do so may result in additional enforcement action.

Response to this Notice

This Notice is issued in accordance with 49 CFR § 190.207(c). Any response you may have submitted to the original Notice is no longer applicable. You must respond as set forth below.

Enclosed as part of this Notice is a document entitled Response Options for Pipeline Operators in Enforcement Proceedings. Please refer to this document and note the response options. All material you submit in response to this enforcement action may be 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 your receipt of this Notice, you have 30 days to respond as described in the enclosed Response Options. 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 a Final Order. If you are responding to this Notice, we propose that you submit your correspondence to my office within 30 days from receipt of this Notice. The Region Director may extend the period for responding upon a written request timely submitted demonstrating good cause for an extension.

In your correspondence on this matter, please refer to **CPF 1-2026-035-NOPV** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

ROBERT THOMAS
BURROUGH

Digitally signed by ROBERT
THOMAS BURROUGH
Date: 2026.04.15 08:23:04
-04'00'

Robert Burrough
Director, Eastern Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

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

cc: Jarrod Cath, Engineer, City of Richmond, Jarrod.Cath@rva.gov
Eddie Childers, Operations Manager, City of Richmond, eddie.childers@rva.gov