



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials  
Safety Administration**

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West Trenton, NJ 08628  
609.771.7800

## **WARNING LETTER**

**VIA ELECTRONIC MAIL TO: [daniel.rifenburgh@rva.gov](mailto:daniel.rifenburgh@rva.gov)**

March 17, 2026

Mr. Daniel Rifenburgh, Director  
City of Richmond  
400 Richmond Highway  
Richmond, Virginia 23224

**CPF 1-2026-042-WL**

Dear Mr. Rifenburgh:

Between February 26, 2025 and October 23, 2025 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), pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected City of Richmond's (City) pipeline near 37 Huneycutt Drive, Henrico, Virginia.

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

1. **§ 192.283 Plastic pipe: Qualifying joining procedures.**
  - (a) **Heat fusion, solvent cement, and adhesive joints. Before any written procedure established under § 192.273(b) is used for making plastic pipe joints by a heat fusion, solvent cement, or adhesive method, the procedure must be qualified by subjecting specimen joints that are made according to the procedure to the following tests, as applicable:**
    - (1) **The test requirements of—**
      - (i) ...
      - (ii) **In the case of thermosetting plastic pipe, paragraph 8.5 (Minimum Hydrostatic Burst Pressure) or paragraph 8.9 (Sustained Static Pressure Test) of ASTM D2517 (incorporated by reference, see § 192.7).**

- (iii) **In the case of electrofusion fittings for polyethylene (PE) pipe and tubing, paragraph 9.1 (Minimum Hydraulic Burst Pressure Test), paragraph 9.2 (Sustained Pressure Test), paragraph 9.3 (Tensile Strength Test), or paragraph 9.4 (Joint Integrity Tests) of ASTM F1055 (incorporated by reference, see § 192.7).**

The City failed to qualify its electrofusion joining procedure in accordance with applicable testing requirements.

At the time of VA SCC Staff's initial inspection effort on February 26, 2025, the City had been utilizing a generic electrofusion joining procedure provided by Energy World Net ("EWN") to qualify its joining personnel to make electrofusion joints. Personnel qualifying to make electrofusion joints on the City's gas distribution system were required to make specimen joints using the EWN procedure to qualify pursuant to 49 C.F.R. § 192.285 (a)(2).

49 C.F.R. § 192.283 (a)(1)(iii) requires operators to qualify electrofusion joining procedures by subjecting specimen joints made in accordance with the applicable procedure to, in the case of electrofusion fittings, applicable sections of ASTM F1055-98 (2006) (as incorporated by reference in 49 C.F.R. § 192.7).

The City was unable to provide records to demonstrate that such specimen joint testing had been conducted with the EWN procedure. Therefore, the EWN procedure, which the City had been using to qualify joining personnel, was not a qualified joining procedure. As stated in the City's response to the initial Notice of Investigation, "the City erroneously believed that the procedure in the EWN training was a qualified procedure under 49 CFR 192.283(a)."

The City failed to follow its manual of written procedures by utilizing mechanized equipment in close proximity to an exposed gas service line.

## **2. § 192.285 Plastic pipe: Qualifying persons to make joints.**

- (a) No person may make a plastic pipe joint unless that person has been qualified under the applicable joining procedure by:**
- (1) Appropriate training or experience in the use of the procedure; and**
  - (2) Making a specimen joint from pipe sections joined according to the procedure that passes the inspection and test set forth in paragraph (b) of this section.**

The City failed to qualify persons to create plastic pipe joints under the applicable joining procedures.

During the inspection, the VA SCC inspector found that the City installed electrofusion fittings from a variety of manufacturers.

Volume 2, Chapter 3, Section 5 of the City's Operations and Maintenance Procedures Manual ("O&M Plan") (effective date of May 7, 2018), which was in effect at the time of the inspection, states: "The ability of fusers of polyethylene pipe to make sound joints will be determined by evaluating test joints using the polyethylene pipe manufacturer's suggested guidelines." It also

states: “Always refer to the manufacturer’s procedure.” The City’s O&M Plan required joining personnel to follow manufacturer procedures when fusing plastic pipe.

While the City required its joining personnel to follow unique manufacturer procedures while installing electrofusion fittings, Staff found that the City had only been qualifying its joining personnel to a singular, generic Energy World Net procedure. Therefore, joining personnel were not being qualified to each of the manufacturer procedures, which the City’s O&M Plan required joining personnel to follow.

49 C.F.R. § 192.285 (a) and (c) requires plastic pipe fusion qualification to be provided each calendar year to joining personnel for each applicable joining procedure (emphasis added). A November 12, 1992, interpretation letter (“Letter”) from the Pipeline and Hazardous Materials Safety Administration’s predecessor, the Research and Special Programs Administration, indicates that 49 C.F.R. § 192.285 qualification is based on the joining procedure. The Letter indicates that if plastic pipe is to be joined with a different procedure, the person performing the joining would have to qualify in the use of that procedure, as well.

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 \$2,391,142 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 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 City of Richmond 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 1-2026-042-WL**. 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,

**ROBERT THOMAS**  
**BURROUGH**

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

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