



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

12300 W. Dakota Ave., Suite 110
Lakewood, CO 80228

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 3, 2019

Mr. Garrett Evans
City Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

CPF 5-2019-0021W

Dear Mr. Evans:

On April 8 through 12, 2019, representatives of the California Public Utilities Commission (CPUC) on behalf of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected your natural gas distribution system (Island Energy) on Mare Island in Vallejo, California.

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

1. **§192.615 Emergency plans.**
 - (a) . . .
 - (c) **Each operator shall establish and maintain liaison with appropriate fire, police, and other public officials to:**
 - (1) **Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency;**

- (2) Acquaint the officials with the operator's ability in responding to a gas pipeline emergency;**
- (3) Identify the types of gas pipeline emergencies of which the operator notifies the officials; and,**
- (4) Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.**

Island Energy could not locate for inspection the 2018 mailing list of public officials.

2. §192.603 General provisions

- (a) . . .**
- (b) Each operator shall keep records necessary to administer the procedures established under §192.605.**

Island Energy failed to properly document the March 28, 2018 service abandonment at Building 115. Specifically, Island Energy did not record on Form 727 if the service was purged of natural gas. Also, Island Energy could not present the 2017 maintenance record for the system pressure relief valve.

3. §192.491 Corrosion control records.

- (a) Each operator shall maintain records or maps to show the location of cathodically protected piping, cathodic protection facilities, galvanic anodes, and neighboring structures bonded to the cathodic protection system. Records or maps showing a stated number of anodes, installed in a stated manner or spacing, need not show specific distances to each buried anode.**

The Island Energy system maps did not show the location of system rectifiers or anodes.

4. §192.491 Corrosion control records.

- (a) . . .**
- (c) Each operator shall maintain a record of each test, survey, or inspection required by this subpart in sufficient detail to demonstrate the adequacy of corrosion control measures or that a corrosive condition does not exist. These records must be retained for at least 5 years, except that records related to §192.465(a) and (e) and §192.475(b) must be retained for as long as the pipeline remains in service.**

Island Energy could not present the 2018 cathodic protection monitoring records for the system.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$213,268 per violation per day the violation persists, up to a maximum of \$2,132,679 for a related series of violations. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 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 Island Energy 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 5-2019-0021W**. 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,



Dustin Hubbard
Director, Western Region
Pipeline and Hazardous Materials Safety Administration

cc. PHP-60 Compliance Registry
Jason Dunphy, WR (#165643)
Doug Buchanan, General Manager Island Energy, 995 Walnut Ave., Vallejo, CA
94592