

July 25, 2024

VIA ELECTRONIC MAIL TO: ed.shikada@cityofpaloalto.org

Mr. Ed Shikada
City Manager
City of Palo Alto
250 Hamilton Avenue
Palo Alto, California 94301

Re: CPF No. 5-2023-052-NOPV

Dear Mr. Shikada:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and finds that the proposed actions to comply with the pipeline safety regulations have been completed. This case is now closed. Service of the Final Order by e-mail is effective upon the date of transmission and acknowledgement of receipt 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 Hubbard, Director, Western Region, Office of Pipeline Safety, PHMSA
Mr. Dean Batchelor, Director of Utilities, City of Palo Alto,
dean.batchelor@cityofpaloalto.com

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 Palo Alto Utilities,

Respondent.

)
)
)
)
)
)
)

CPF No. 5-2023-052-NOPV

FINAL ORDER

On October 27, 2023, 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 Palo Alto Utilities (Respondent). The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 192 and 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 conduct an annual audit of the Public Awareness Program to measure program implementation as required by API RP 1162, Section 8.

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

The Director has indicated that Respondent completed the actions proposed in the Notice to correct the violations. Therefore, it is not necessary to include the proposed compliance terms in this Final Order.

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

July 25, 2024

Alan K. Mayberry
Associate Administrator
for Pipeline Safety

Date Issued