

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: gevans@pittsburgca.gov

March 4, 2024

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

CPF 5-2024-012-NOA

Dear Mr. Evans:

On July 10 through 26, 2023, 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.

On the basis of the inspection, PHMSA has identified inadequacies found within Island Energy's plans or procedures, as described below:

1. § 192.16 Customer notification.

(a) ...

(b) Each operator shall notify each customer once in writing of the following information:

(1) The operator does not maintain the customer's buried piping.

(2) If the customer's buried piping is not maintained, it may be subject to the potential hazards of corrosion and leakage.

(3) Buried gas piping should be—

- (i) Periodically inspected for leaks;**
- (ii) Periodically inspected for corrosion if the piping is metallic; and**
- (iii) Repaired if any unsafe condition is discovered.**
- (4) When excavating near buried gas piping, the piping should be located in advance, and the excavation done by hand.**
- (5) The operator (if applicable), plumbing contractors, and heating contractors can assist in locating, inspecting, and repairing the customer's buried piping. ...**

Island Energy's Customer Notification document is inadequate to ensure the safe operation of a pipeline because this notice document did not contain certain provisions required by § 192.16(b). Specifically, Island Energy's Customer Notification form did not contain any provisions notifying customers that they should repair any unsafe conditions discovered, as is required by § 192.16(b)(3)(iii). The form also did not contain a provision that piping should be located in advance of any excavation and the excavation be done by hand as is required by § 192.16(b)(4).

Accordingly, Island Energy must amend its Customer Notification notice document to meet the requirements of § 192.16(b).

2. § 192.281 Plastic pipe.

- (a) ...**
- (c) *Heat-fusion joints.* Each heat fusion joint on a PE pipe or component, except for electrofusion joints, must comply with ASTM F2620 (incorporated by reference in § 192.7), or an alternative written procedure that has been demonstrated to provide an equivalent or superior level of safety and has been proven by test or experience to produce strong gastight joints, and the following:**
 - (1) A butt heat-fusion joint must be joined by a device that holds the heater element square to the ends of the pipe or component, compresses the heated ends together, and holds the pipe in proper alignment in accordance with the appropriate procedure qualified under § 192.283.**
 - (2) ...**
 - (3) An electrofusion joint must be made using the equipment and techniques prescribed by the fitting manufacturer, or using equipment and techniques shown, by testing joints to the requirements of § 192.283(a)(1)(iii), to be equivalent to or better than the requirements of the fitting manufacturer. ...**

Island Energy's procedures were inadequate to ensure the safe operation of a pipeline because the procedures did not fully address the requirements for joining plastic pipe as required by § 192.281(c)(1) & (3). Specifically, Island Energy's Operation & Maintenance manual (OMM) Sections 30.5.3 and 30.5.4 list the butt fusion steps, however, they do not include the use of a facer or any other tool that can square off pipe ends. Without squaring the pipe ends prior to heating the pipe, the pipe cannot be properly joined by "a device that holds the heater element square to the ends of the pipe or component" as required by § 192.281(c)(1). Additionally, OMM Section 30.5.7, Electrofusion, does not provide information about the electrofusion procedure itself but instead only states who is qualified to perform electrofusion. The regulations at § 192.281(c)(3) require that Island Energy's Electrofusions "be made using the equipment and techniques prescribed by the fitting manufacturer, or using equipment and techniques shown, by

testing joints to the requirements of § 192.283(a)(1)(iii), to be equivalent to or better than the requirements of the fitting manufacturer.”

Accordingly, Island Energy must amend its procedures to fully conform to the requirements of § 192.281(c)(1) & (3).

3. § 192.513 Test requirements for plastic pipelines.

- (a) Each segment of a plastic pipeline must be tested in accordance with this section.**
- (b) The test procedure must insure discovery of all potentially hazardous leaks in the segment being tested.**
- (c) The test pressure must be at least 150% of the maximum operating pressure or 50 psi (345 kPa) gauge, whichever is greater. However, the maximum test pressure may not be more than 2.5 times the pressure determined under § 192.121 at a temperature not less than the pipe temperature during the test.**
- (d) During the test, the temperature of thermoplastic material may not be more than 100 °F (38 °C), or the temperature at which the material's long-term hydrostatic strength has been determined under the listed specification, whichever is greater.**

Island Energy’s procedures were inadequate to ensure the safe operation of a pipeline because their procedures did not require the correct test pressure for testing plastic pipelines as is required by § 192.513(c). Specifically, Island Energy's OMM Section 18.5.2, Facility Leak Test Requirements - Steps, states that "All Island Energy distribution mains and service lines extended onto the existing distribution system, or replaced, will be leak tested at a pressure of not less than **60 psig** using compressed air and calibrated gauges." Island Energy’s minimum test pressure does not meet the requirement that plastic pipelines be tested at 150% of the maximum operating pressure. Island Energy’s MAOP is 50 psig. Under § 192.513, the correct minimum test pressure is 1.5 x 50 psig, which equals 75 psig.

Accordingly, Island Energy must amend its procedures to require plastic mains and services to be pressure tested at not less than 1.5 x MAOP (1.5 x 50 psig = 75 psig).

4. § 192.605 Procedural manual for operations, maintenance, and emergencies.

- (a) ...**
- (b) *Maintenance and normal operations.* The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.**
 - (1) Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and subpart M of this part. ...**

Island Energy’s procedures were inadequate to ensure the safe operation of a pipeline because their operations manual did not contain procedures for maintenance and calibration of equipment used in joining plastic pipe by heat fusion as required by § 192.605(b)(1) to meet the requirements of Subpart M section § 192.756. Specifically, Island Energy's OMM did not contain procedures for the maintenance and calibration of equipment used in joining plastic pipe by heat fusion.

Accordingly, Island Energy must amend its procedures to include processes for the maintenance and calibration of equipment used in joining plastic pipe by heat fusion.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. 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. 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).

Following the receipt of this Notice, you have **30** days to submit written comments, revised procedures, or a request for a hearing under §190.211. 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 an Order Directing Amendment. If your plans or procedures are found inadequate, as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within **30** days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Island Energy maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Dustin Hubbard, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2024-012-NOA**, and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

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

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

cc: PHP-60 Compliance Registry
PHP-500 J. Dunphy (#23-265511)
Terrence Eng, Program Manager, Gas Safety and Reliability Branch, California Public
Utilities Commission
Doug Buchanan, General Manager Island Energy, 995 Walnut Ave., Vallejo, CA 94592