

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

CPF No. 56013-W

August 19, 1999

Mr. Peter Hayes, P.E.
Chief Engineer and Assistant General Manager, Gas Department
City of Long Beach
2400 East Spring Street
Long Beach, CA 90806

Dear Mr. Hayes:

On August 19, 1996, representatives of the California Public Utilities Commission (CPUC) acting as an agent for the inspection of municipal pipeline systems for the Western Region, Office of Pipeline Safety, pursuant to Chapter 601 of Title 49, United States Code, §60106(a), conducted an onsite pipeline safety inspection of your pipeline facilities and records in Long Beach, California.

As a result of the inspection, it appears that you have committed probable violations, as noted below, of the pipeline safety regulations, Title 49, Code of Federal Regulations, Part 192. The items inspected and the probable violations are:

1) §192.605(a) Procedural manual for operations, maintenance, and emergencies.

§192.605(a) requires each operator to 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.

Many sections of Part 192 require that an operator perform a certain activity on a "sufficient," "adequate," "frequent," etc., basis. Performance terms such as these allow the operator some flexibility in defining, based on experience and/or good industry practice, what frequency or amount constitutes compliance for their pipeline system.

Once determined, the frequency or amount must be indicated within the operator's Operation, Maintenance, and Emergency Response Manual and maintenance operations should be conducted accordingly. At the time of inspection the City of Long Beach Operations, Maintenance, and Emergency Response Manual did not define, where necessary, what frequency or amount constitutes sufficient, adequate, etc. Long Beach should amend its procedures to give more definitive direction to its employees regarding operations, maintenance, and emergency response functions.

2) §192.13(c) General.

§192.13(c) requires each operator to maintain, modify as appropriate, and follow the plans, procedures, and programs that it is required to establish under this Part.

A) Several leaks that were discovered were not classified nor graded as required by the City of Long Beach Operation and Maintenance Manual.

B) Two grade B leaks, both related to repair order number R.O. 16953 and located at the addresses of 904-10 and 835 Ohio Avenue, were not corrected within the six-month interval specified in the City of Long Beach Operation and Maintenance Manual.

C) Equipment layout maps, for regulating stations which have been rebuilt, have not been updated within the maintenance records as required by the City of Long Beach Operation and Maintenance Manual.

D) §192.747 requires each valve, the use of which may be necessary for the safe operation of a distribution system, to be checked and serviced at intervals not exceeding 15 months, but at least once each calendar year. At the time of inspection the City of Long Beach Operation, Maintenance, and Emergency Response Manual indicated that all valves were necessary for the safe operation of the distribution system requiring all valves in the distribution system be partially operated when checked per 192.747. However, during the years 1994 and 1995, it was noted that a preponderance of the gate valves within the distribution system were not partially operated. All valves deemed necessary for the safe operation of the distribution system must be checked and operated as required by the City of Long Beach Operation, Maintenance, and Emergency Response Manual.

3) §192.285(d) plastic pipe: qualifying persons to make joints.

§192.285(d) requires that each operator shall establish a method to determine that each person making joints in plastic pipelines in his system is qualified in accordance with this section.

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At the time of inspection the method used by the City of Long Beach to determine that each person making joints in plastic pipelines in their system was qualified in accordance with 192.285 was not adequate as it did not denote the extent of the individual's qualifications. All persons performing plastic fusion must be requalified per 192.285 and appropriate records kept denoting the extent of each individual's qualifications to assure compliance with 192.285.

Under 49 United States Code §60122, you are subject to a civil penalty not to exceed \$25,000 for each violation for each day the violation persists up to a maximum of \$500,000 for any related series of violations.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to assess you a civil penalty. We advise you, however, that should you not correct the circumstances leading to the violations, we will take enforcement action when and if the continued violations come to our attention.

You will not hear from us again with regard to the noted inspection and our subsequent action. Because of the good faith that you have exhibited up to this time, we expect that you will act to bring your pipeline and operations into compliance with the pipeline safety regulations.

Sincerely,

Edward J. Ondak
Director

cc: CA PUC