

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 7, 1999

Mr. Eric Oyer
Borough Manager
Borough of Chambersburg
100 South Second Street
Chambersburg, PA 17201-0909

CPF No. 19001W

Dear Mr. Oyer:

On July 13 - 15, 1999, a representative from the Eastern Region, Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code, conducted an onsite pipeline safety inspection of your pipeline facilities and records in Chambersburg, Pennsylvania.

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

The items inspected and the probable violations are:

1. § 192.747 Valve maintenance: Distribution Systems:

Each valve, the use of which may be necessary for the safe operation of a distribution system, must be checked and serviced at intervals not exceeding 15 months, but at least once each calendar year.

Your valves were not inspected in the calendar year 1998. They were inspected in November 1997, and again in March of 1999.

2. **§ 192.465 External corrosion control: Monitoring:**

- (a) **Each pipeline that is under cathodic protection must be tested at least once each calendar year, but with intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of § 192.463.**

Your cathodic protection system was monitored in September of 1997, and not again until March of 1999. No survey was performed in the calendar year 1998, and a lapse of 17 months was permitted to exist between monitoring.

3. **§ 192.465 External corrosion control: Monitoring:**

- (b) **Each cathodic protection rectifier or other impressed current power source must be inspected six times each calendar year, but with intervals not exceeding 2 ½ months, to insure that it is operating.**

More than 2 ½ months lapsed between your rectifier readings taken November 30, 1998, and on March 10, 1999. Also between your readings taken on April 4, 1999, and on July 7, 1999. It would appear that proper attention is not given to the time interval required in monitoring your cathodic protection systems as described in the federal pipeline safety regulations and in your own Operations and Maintenance (O&M) manual.

On June 3, 1998, you received a Final Order from the Department finding the Borough to be in violation of § 192.605 (b) 2, failing to include procedures in your O&M manual for controlling corrosion, based on an inspection made on October 29 - 31, 1996. We preliminarily assessed a civil penalty of \$5,000.00. (See Notice letter dated March 18, 1997) We did not assess this proposed penalty in our Final Order because we felt that “respondent quickly revised and updated its O&M manual”. The revised O& M procedures you submitted to us dated September 26, 1997, clearly specify monitoring requirements on Page 4-15. It is disappointing to note that you are disregarding your own manual procedures. You are further reminded that having Corpro troubleshoot your system does not fulfill the intent of § 192.465(a).

You are also delinquent in your response to item #4 of the June 3, 1998, Compliance Order in regard to adequately addressing prompt remedial action to correct deficiencies indicated by the monitoring of the cathodic protection system.

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.

I would appreciate a response within 30 days of this letter indicating any activities Chambersburg has or will have initiated, regarding the concerns addressed in this letter.

Sincerely,

William H. Gute
Director, Eastern Region
Office of Pipeline Safety

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FILE: CPF-19001W/Warning Letter Re: Borough of Chambersburg
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cc: DPS-22.1, DPS-24, NJDO, MEDO, PIDO, Regions, Phillip, Joy
cc: Catrina Pavlik-electronic copy