

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 14, 2001

Mr. Tom Lawrey
Plant Manager
Florida Power Corporation
Post Office Box 14042
St. Petersburg, Florida 33733

CPF No. 220006003W

Dear Mr. Lawrey:

On 22 - 24 October 2000, a representative of the Southern Region, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, conducted an onsite pipeline safety inspection of your pipeline records and facilities at St. Petersburg, Florida.

As a result of the inspection, it appears that you have committed probable violations of pipeline safety regulations Title 49, Code of Federal regulations, Part(s) 195 as noted below.

The items inspected and the probable violations are:

1. **§ 195.403(b)(1) requires that each operator review with their personnel their performance in meeting the objectives of the training program at intervals not exceeding 15 months, but at least once each calendar year.**

There was no documentation to show that the annual personnel training performance review required by your "Review of Operating and Training Personnel" procedure is being performed

2. **§ 195.404(b)(1) requires that each operator shall maintain for at least three (3) years daily operating records that indicate the discharge pressure at each pump station.**

The Bartow Plant pump discharge records maintained by the Computational Pipeline Monitoring Leak detection system are only maintained for one (1) year.

3. **§ 195.440 requires that each operator shall establish a continuing education program to enable the public, appropriate government organizations and persons**

engaged in excavation-related activities to recognize a hazardous liquid pipeline emergency and report it to the operator or the fire, police, or other appropriate public officials.

A continuing education program to educate the public located adjacent to the pipeline's Right-of-Way is not implemented as to how to recognize and report a liquid pipeline emergency.

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 violations persist 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 violation(s), we will take enforcement action when and if the continued violation(s) come(s) 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 bring your pipeline (and or your operations) into compliance with pipeline safety regulations.

Sincerely,

Frederick A. Joyner
Director, Southern Region
Office of Pipeline safety

cc: Compliance Registry, OPS Headquarters