

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 8, 1999

Mr. Frank Czeschin
President
Indiana Utilities Corporation
123 West Chestnut Street
Corydon, Indiana 47112

CPF NO. 29106W

Dear Mr. Czeschin:

On June 21-22, 1999, 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 facilities and records in Corydon, Indiana.

As a result of the 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. §192.605(b)(9) requires that the manual of written procedures for operations, maintenance, and emergencies contain procedures for taking adequate precautions in excavated trenches to protect personnel from the hazards of unsafe accumulations of vapor or gas, and making available when needed at the excavation, emergency rescue equipment, including a breathing apparatus and, a rescue harness and line.**

In reviewing the company's Operations and Maintenance Manual, procedures for taking adequate precautions in excavated trenches to protect personnel were not found **in the manual**.

- 2. §192.615(b)(9) requires the operator to have written procedures for abnormal operations that provide safety when operating design limits have been exceeded.**

Procedures for abnormal operations were not found in the company's Operations & Maintenance Manual.

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 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 comes 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/or your operations) into compliance with pipeline safety regulations).

Sincerely,

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