



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

233 Peachtree Street Ste. 600
Atlanta, GA 30303

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 4, 2015

Mr. Jeffrey Householder
President
Florida Public Utilities Company
P.O. Box 960
Winter Haven, FL 33882

CPF 2-2015-0006W

Dear Mr. Householder:

From July 13-16, 2015, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Southern Region, Office of Pipeline Safety (OPS) inspected the Florida Public Utilities Company (FPUC) liquefied petroleum gas (LPG) pipeline procedures and records in its Fernandina Beach, Florida office and pipeline facilities located in Clay, Duval, Nassau, and St. Johns counties, Florida, pursuant to Chapter 601 of 49 United States Code.

As a result of the inspection, it appears that FPUC has committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is as follows:

1. **§ 192.11 Petroleum gas systems.**
 - (a) **Each plant that supplies petroleum gas by pipeline to a natural gas distribution system must meet the requirements of this part and NFPA 58 and 59 (incorporated by reference, see §192.7).**

FPUC did not meet the requirements for fire extinguishers in NFPA 58 (2004), Section 6.23.4.2, which states that "Each industrial plant, bulk plant, and distributing point shall be provided with at least one approved portable fire extinguisher having a minimum capacity of 18 lb (8.2 kg) of dry chemical with a B:C rating. Where fire extinguishers have more than one letter classification, they can be considered to satisfy the requirements of each letter class."

FPUC did not provide at least one approved portable fire extinguisher having a minimum capacity of 18 lb of dry chemical with a B:C rating at the distribution points in its LPG distribution systems. The locations identified where FPUC did not provide the required fire extinguisher were: Amelia Markets, Bartram Walk, Lindsey's Crossing, Oak Leaf Plantation - East, Oak Leaf Plantation - West, Pirate's Cove, The Preserve 1, The

Preserve 5, Schooner Landing, Seascape, and Shoppes at Eagle Harbor.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in Florida Public Utilities Company being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 2-2015-0006W**. 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).

Sincerely,



Chris Taylor
Acting Director, Office of Pipeline Safety
PHMSA Southern Region