



U.S. Department
Of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.989.2171

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

OVERNIGHT EXPRESS MAIL

October 06, 2014

Shawn L. Patterson
President Engineering & Project Development
Columbia Gas Transmission Corp.
1700 MacCorkle Avenue, SE
Charleston, WV 25314

CPF 1-2014-1010

Dear Mr. Patterson:

On June 10, 2013 a PHMSA representative, and State inspectors from the West Virginia Public Service Commission (WV PSC), acting as agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected Columbia Gas Transmission Corp. (CGT) Clendenin, Glenville and Smithfield compressor stations and Line 1740 records in Charleston, WV, along with field observations at Clendenin Compressor Station.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation is:

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

(a) General. Each operator shall 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.

CGT failed to follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities. Specifically, CGT failed to follow their plan number 110.01.10, Lockout Tagout, effective 4/29/2013 when working on Compressor Unit 3 located in Compressor Building 3 at the Clendenin Compressor Station.

CGT's plan states, in part, the following [italics added]:

3.2 Primary Work Categories that will Require Lockout/Tagout

This section . . . is an outline of typical situations that subject employees to hazards that can be eliminated or minimized by the locking/tagging out of energy sources.

Examples of Work Categories:

- *Equipment installation, maintenance, lubrication, and repair.*
- *Electrical installation and repair.*
- *Hydraulic and pneumatic system installation and repair.*
- *Work on pipeline, vessels, measurement and regulation equipment, compressors, and wells. Includes launchers & receivers for pigging operations and pipeline cleaning projects.*

According to CGT's lockout/tagout procedures and checklist, CGT completed the lockout and tagout for Unit 3 on 6/3/2013. The checklist indicates that CGT isolated the equipment from all energy sources relevant to the scope of work, including electrical, gas and compressed air, and that they had locked and tagged all energy-isolating devices.

During the inspection on 6/10/2013, the WV PSC inspector observed that Compressor Unit 3 was partially disassembled for maintenance repairs. The inspector asked CGT to identify the locations of the energy sources that CGT had locked out on 6/3/2013. CGT personnel could not demonstrate that they had locked out either the electrical or compressed air energy sources.

Photographs of the breaker for Compressor Unit 3 show the breaker in the "on" position and a photograph for the electrical switch for the compressor shows that the switch was tagged but not locked. CGT personnel acknowledged that the electrical panel was not locked out and that the compressed air line connected to the compressor did not have any shutoff valves and that the compressed air system was still in service.

Proposed Civil Penalty

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. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation(s) and has recommended that you be preliminarily assessed a civil penalty of \$40,300 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$40,300

Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. All material submit in response to this enforcement action may be 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

In your correspondence on this matter, please refer to **CPF 1-2014-1010** and for each document you submit, please provide a copy in electronic format whenever possible. Smaller files may be emailed to Byron.Coy@dot.gov. Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Byron Coy", with a stylized flourish at the end.

Byron Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Cc: David Hippchen WV PSC

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*