

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 14, 2011

Mr. Joseph Thorndyke
Station Manager
Santee Cooper - Rainey Generating Station
P.O. Box 70
2900 Opry House Road
Iva, SC 29655

CPF 2-2011-1003W

Dear Mr. Thorndyke:

On October 20-21, 2010, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) inspected the Santee Cooper - Rainey (SCR) Generating Station records and pipeline facilities in Iva, SC, pursuant to Chapter 601 of 49 United States Code.

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

1. **§192.615 Emergency plans.**
.... **(b) Each operator shall:**
.... **(2) Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.**

While SCR's training records indicated SCR had completed some training related to emergencies, SCR failed to meet the regulations because its records did not demonstrate that it had adequately trained the appropriate operating personnel on the company's emergency procedures and did not show that SCR had verified the effectiveness of the training.

2. **§192.616 Public awareness.**
(a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §192.7).

SCR failed to meet the regulations because it did not complete a public awareness program effectiveness evaluation no later than June 20, 2010.

API RP 1162 Section 8.5, Table 8-1 requires an operator to conduct an evaluation of the effectiveness its public awareness program implementation at intervals of no more than four years. The first effectiveness evaluation was due no later than June 20, 2010.

At the time of the inspection, SCR personnel provided documentation showing it had communicated with a contractor to perform the effectiveness evaluation, but SCR could not verify that the evaluation had actually been completed.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any 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(s) identified in this letter. Failure to do so will result in Santee Cooper Rainey 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 2-2011-1003W**. 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,

Wayne T. Lemoi
Director, Office of Pipeline Safety
PHMSA Southern Region