

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 6, 2011

Steven Boyd
Vice President Field Operations
Suburban Propane
3161 Cameron Park Drive, No 207
Cameron Park, CA 95682

CPF 2-2011-0003W

Dear Mr. Boyd:

On January 24-26, 2011, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) inspected facilities of two Suburban Propane (Suburban) liquefied petroleum gas (LPG) pipeline systems in Largo and Seminole, Florida, pursuant to Chapter 601 of 49 United States Code. The Suburban LPG systems inspected served more than 100 customers each in the Center City subdivision in Largo, Florida, and in the Golfwoods Estates subdivision in Seminole, Florida. The procedures and records were evaluated in Suburban's office in Clearwater, Florida.

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

- 1. §191.11 Distribution system: Annual report.**
 - (a) Except as provided in paragraph (b) of this section, each operator of a distribution pipeline system shall submit an annual report for that system on Department of Transportation Form RSPA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year.**

Suburban did not submit annual reports for the calendar years 2009 and 2010.

- 2. §192.355 Customer meters and regulators: Protection from damage.**
 -(c) Pits and vaults. Each pit or vault that houses a customer meter or regulator at a place where vehicular traffic is anticipated, must be able to support that traffic. (See also NFPA 59, Section 7.8.1, Protection of Container Accessories)**

Suburban did not protect the vaults in which the regulators are housed from vehicular traffic. These vaults do not appear to be capable of supporting vehicular traffic. Also, the underground LPG tanks were not secured from unauthorized operation, no locks.

3. §192.465 External corrosion control: Monitoring.

(a) Each pipeline that is under cathodic protection must be tested at least once each calendar year, but with intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of §192.463.

Suburban did not test each of its pipelines under cathodic protection in calendar years 2006, 2007, 2008, 2009, and 2010. The last cathodic protection monitoring of the Center City system was conducted in April/May 2005. The last cathodic protection monitoring of the Golfwood Estates system was conducted in November 2002.

4. §192.465 External corrosion control: Monitoring

.... (b) Each cathodic protection rectifier or other impressed current power source must be inspected six times each calendar year, but with intervals not exceeding 2 1/2 months, to insure that it is operating.

Suburban did not inspect each rectifier in the Center City system six times each calendar year, but at intervals not exceeding 2 1/2 months, to insure they were operating. The Center City system has two rectifiers, which Suburban inspected only once a year in April/May 2005, August 2007, and in January 2008 but not at all in 2006, 2009 and 2010.

Moreover, the PHMSA field inspection of the two rectifiers on January 25, 2011, found that both the rectifiers were not operating and showed a zero amperage output. The federal pipeline safety regulation in §192.465(d) require operators to take prompt remedial action to correct any deficiencies indicated by the monitoring.

5. §192.465 External corrosion control: Monitoring

.... (d) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

Suburban did not take prompt remedial action to correct deficiencies, i.e. unsatisfactory levels of cathodic protection indicated by low¹ pipe-to-soil (p/s) readings found during cathodic protection surveys conducted in 2005.

The pipe-to-soil monitoring conducted in April/May 2005 on the Center City LPG System showed an unsatisfactory low level of cathodic protection at the following test stations:

8996 Easy Street:	- 503 mV	11474 Easy Street:	- 550 mV
9018 Fairweather Dr.:	- 483 mV	9139 Fairweather Dr.:	- 484 mV
9038 Fairweather Dr.:	- 495 mV	9125 Fairweather Dr.:	- 650 mV
9195 Fairweather Dr.:	- 800 mV	11376 92 nd Street N:	- 504 mV
11242 92 nd Street N:	- 350 mV		

¹ The criteria for cathodic protection are contained in 49 CFR Part 192, Appendix D. The criteria being referenced in this letter is negative (cathodic) voltage of at least 850mV with reference to a saturated copper-copper sulfate half cell. Accordingly, a “low” p/s reading is a reading less negative than 850mV.

Field tests at selected test stations conducted on the Center City LPG System during the PHMSA inspection on January 25, 2011, revealed low p/s readings as follows:

11376 92 nd Street N:	- 265 mV	9195 Fairweather Dr.:	- 700 mV
11543 Easy Street:	- 550 mV		

Field tests at selected test stations conducted on the Golfwoods Estates LPG System during the PHMSA inspection on January 25, 2011, revealed low p/s readings as follows:

8256 Lark Street:	- 204 mV	8319 Iris Avenue:	- 410 mV
8126 Flamevine Av:	- 348 mV	8518 Magnolia Dr.:	- 252 mV
8641 Lantana Drive:	- 327 mV	8697 Lantana Dr.:	- 510 mV

Additionally, Suburban did not take prompt remedial action to repair a rectifier at 11565 92nd Way North and a rectifier located at 9050 Fairweather Dr., each of which was found inoperative by the PHMSA inspectors on January 25, 2011.

6. §192.491 Corrosion control records.

(a) Each operator shall maintain records or maps to show the location of cathodically protected piping, cathodic protection facilities, galvanic anodes, and neighboring structures bonded to the cathodic protection system. Records or maps showing a stated number of anodes, installed in a stated manner or spacing, need not show specific distances to each buried anode.

(b) Each record or map required by paragraph (a) of this section must be retained for as long as the pipeline remains in service.

(c) Each operator shall maintain a record of each test, survey, or inspection required by this subpart in sufficient detail to demonstrate the adequacy of corrosion control measures or that a corrosive condition does not exist. These records must be retained for at least 5 years, except that records related to §§192.465(a) and (e) and 192.475(b) must be retained for as long as the pipeline remains in service.

Suburban did not have a revised and updated system map showing the location of galvanic anodes, rectifiers and cathodically protected piping.

7. §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. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least one 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.

Suburban did not properly prepare and follow a manual of written procedures for conducting operations and maintenance activities and for emergency response. While the operator had a manual dated January 3, 2011, the manual was generic and contained no site specific operations and maintenance procedures or site specific procedures for emergency response.

8. §192.625 Odorization of gas

(a) A combustible gas in a distribution line must contain a natural odorant or be odorized so that at a concentration in air of one-fifth of the lower explosive limit, the gas is readily detectable by a person with a normal sense of smell.

.... (f) To assure the proper concentration of odorant in accordance with this section, each operator must conduct periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable.

(See also NFPA 58, Section 4.2.3, LP-Gas Odorization)

Suburban did not conduct periodic sampling (“sniff tests”) to assure the proper concentration of odorant using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable.

9. §192.723 Distribution systems: Leakage surveys.

(a) Each operator of a gas distribution system shall conduct periodic leakage surveys in accordance with this section.

(b) The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions, but it must meet the following minimum requirements:

(1) A leakage survey with leak detector equipment must be conducted in business districts, including tests of the atmosphere in gas, electric, telephone, sewer, and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks, at intervals not exceeding 15 months, but at least once each calendar year.

Suburban did not conduct periodic leakage surveys with leak detector equipment in business districts along its pipeline system at intervals not exceeding 15 months, but at least once in calendar years 2009 and 2010. That is, Suburban did not provide any records to demonstrate that it had conducted leakage surveys in business districts with leak detector equipment in accordance with the prescribed intervals.

10. §192.723 Distribution systems: Leakage surveys.

(a) Each operator of a gas distribution system shall conduct periodic leakage surveys in accordance with this section.

(b) The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions, but it must meet the following minimum requirements:

.... (2) A leakage survey with leak detector equipment must be conducted outside business districts as frequently as necessary, but at least once every 5 calendar years at intervals not exceeding 63 months. However, for cathodically unprotected distribution lines subject to § 192.465(e) on which electrical surveys for corrosion are impractical, a leakage survey must be conducted at least once every 3 calendar years at intervals not exceeding 39 months.

The operator did not conduct a residential gas leak survey with leak detector equipment at intervals not exceeding 63 months but at least once every 5 calendar years. Moreover, Suburban did not provide any records to demonstrate that it had conducted leakage surveys outside of business districts with leak detector equipment in accordance with the prescribed intervals.

11. §192.739 Pressure limiting and regulating stations: Inspection and testing.

(a) Each pressure limiting station, relief device (except rupture discs), and Pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is—

(1) In good mechanical condition;

(2) Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;

(3) Except as provided in paragraph (b) of this section, set to control or relieve at the correct pressure consistent with the pressure limits of §192.201(a);; and

(4) Properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation.

Suburban had Fisher 64SR regulators installed on 500-gallon and 1000-gallon underground LPG tanks. These regulators are ¾-inch in size with a ¼-inch orifice and have pressure ratings of 250 psig at the inlet and 5-35 psig at the outlet. Suburban did not inspect and test these regulators in calendar years 2009 and 2010. The regulator stability test was last done in November 2002.

Suburban did not provide any records to demonstrate that the regulators are set to control or relieve at the correct pressure consistent with the pressure limits of §192.201(a). That is, there were no set points recorded for these regulators and the capacity at the inlet pressure and the capacity at the outlet pressure were not calculated.

12. §192.747 Valve maintenance: Distribution systems.

(a) Each valve, the use of which may be necessary for the safe operation of a distribution system, must be checked and serviced at intervals not exceeding 15 months, but at least once each calendar year.

Suburban did not check and service each valve in its distribution system that may be necessary for the safe operation of its distribution system in calendar years 2009 and 2010. The last valve inspection was conducted in November 2002.

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 items identified in this letter. Failure to do so will result in Suburban Propane 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 2-2011-0003W**. 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
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PHMSA Southern Region

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