

Enforcement Orders Signed August 1, 2017

Magic Valley MHP

Docket No. GUD 10492

System Name: MAGIC VALLEY R.V. AND M.H.P. (System id 760883)

(5) Violation of 49 CFR 192.1015(a) - The Distribution Integrity Management Plan was not written and implemented per the requirement of 192.1015 by 08/02/2011, OR

For a gas system put into service, or acquired after 08/02/2011, a plan was not written and implemented prior to beginning of operating.

(10) Violation of 49 CFR 192.747 (a) - The listed valve(s) which may be necessary for the safe operation of the distribution system, was not checked and serviced at intervals not exceeding 15-months, but at least once each calendar year.

(13) Violation of 16 TAC 8.51 (b) – The master meter operator did not have on file with the Commission an approved organization report Form P-5.

PENALTY PAID: \$1,250.00

Magic Valley MHP

Docket No. GUD 10585

System Name: MAGIC VALLEY R.V. AND M.H.P. (System id 760883)

1. Title 16, 8.205

Alleged Violation Code: 16C-205-015: There were no written procedures for reporting natural gas leak complaints.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 16 TAC §8.205-Written Procedure for Handling Natural Gas Leak Complaints

2. 49 CFR 192.625(f)(2)

Alleged Violation Code: 192-625-005: Periodic "sniff" tests were not conducted at the extremities of the master meter gas system to confirm that the gas contains odorant.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 49 CFR 192.625-Odorization of gas

3. 49 CFR 192.721(b)(2)

Alleged Violation Code: 192-721-004: Outside business districts, distribution mains were not patrolled at intervals not exceeding 7-1/2 months, but at least twice each calendar year in places or on structures where anticipated physical movement or external loading could cause failure or leakage.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 49 CFR 192 Subpart M-

Maintenance

4. 49 CFR 192.747(a)

Alleged Violation Code: 192-747-001: The valve(s) which may be necessary for the safe operation of the distribution system, was not checked and serviced at intervals not exceeding 15-months, but at least once each calendar year.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 49 CFR 192 Subpart M-Maintenance

5. 49 CFR 192.615(a)

Alleged Violation Code: 192-615-013: A liaison had not been established and/or maintained with appropriate fire, police and other public officials.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 49 CFR Part 192-Transportation of Natural and Other Gas by Pipeline

6. Title 16, 8.51(b)

Alleged Violation Code: 16B-051-002: The master meter operator did not have on file with the Commission an approved organization report Form P-5.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 16 TAC §8.51-Organization Report

7. Title 16, 8.201(c)(1)

Alleged Violation Code: 16C-201-004: The annual pipeline safety program fee assessed by the Commission for each natural gas master meter system has not been received.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 16 TAC §8.201-Pipeline Safety and Regulatory Program Fees

8. Title 16, 8.225 (c)

Alleged Violation Code: 16C-225-003: The operator of a natural gas pipeline system with plastic pipe installed did not file the Plastic Pipe Inventory on Form PS-81 with the Commission by March 15.

Enforcement Action Recommendation: \$100.00. 16 TAC Ch. 8; Table 1, 16 TAC §8.225-Plastic Pipe Requirements

9. 49 CFR 192.809(a)

Alleged Violation Code: 192-809-001: The operator did not have a written qualification program by April 27, 2001.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 49 CFR 192 Subpart N-Qualification of Pipeline Personnel

10. 49 CFR 192.1015(a)

Alleged Violation Code: 192-MIM-101: The Distribution Integrity Management Plan was not written and implemented per the requirement of 192.1015 by 08/02/2011, OR For a gas system put into service, or acquired after 08/02/2011, a plan was not written and implemented prior to beginning of operating.

Enforcement Action Recommendation: \$500.00. 16 TAC Ch. 8; Table 1, 49 CFR 192, Subpart P- Gas Distribution Pipeline Integrity Management

**Agreed order signed 8/1/17 - \$1000 penalty collected

City of Sunray

Docket No. 10583

System Name: Sunray (System Id 110555)

1. 16 TAC 18.3(a)

Alleged Violation Code: 16E-018-005: The Excavator did not notify the Notification Center for a locate prior to excavation activities.

Enforcement Action Recommendation: \$2,500.00. 16 TAC Ch. 18; Table 1, Item 2: Failure to notify notification center.

2. 49 CFR 199.202

Alleged Violation Code: 199-202-802: The operator did not have a written alcohol misuse plan that conforms to Part 199 and/or DOT Procedures.

Enforcement Action Recommendation: \$1,000.00: 16 TAC Ch. 8; Table 1, 49 CFR Part 199 Drug and Alcohol Testing.

3. 49 CFR 199.105(b)

Alleged Violation Code: 199-105-802: The operator did not conduct the prescribed post-accident testing for the presence of a prohibited drug.

Enforcement Action Recommendation: \$1,000.00: 16 TAC Ch. 8; Table 1, 49 CFR Part 199 Drug and Alcohol Testing.

4. 49 CFR 199.225(a)

Alleged Violation Code: 199-225-801: The operator did not conduct the prescribed post-accident testing for the presence of alcohol.

Enforcement Action Recommendation: \$1,000.00: 16 TAC Ch. 8; Table 1, 49 CFR Part 199 Drug and Alcohol Testing.

5. 49 CFR 192.13(c)

Alleged Violation Code: 192-013-003: Plans, procedures and/or programs required by Part 49 CFR 192 were not maintained, modified, or followed as necessary.

Enforcement Action Recommendation: \$1,000.00 16 TAC Ch. 8; Table 1, Part 192-Transportation of Natural and Other Gas by Pipeline

\$6,500.00: Base Total of Alleged Violations from Accident Investigation IP 114206 (itemized 1-5 above).

\$15,000.00: (\$5,000 X 3) Table 2, Death or Personal Injury: Three employees were injured as a result of the incident.

**Agreed order signed 8/1/2017 - \$21,500.00 penalty paid

Trif Texas

Docket No. 10587

System Name: Spanish Oaks Apartments (System ID 460683)

- (1) The master meter operator did not have on file with the Commission an approved organization report Form P-5.

Title 16, 8.51 (b)

- (2) The Distribution Integrity Management Plan was not written and implemented per the requirement of 192.1015 by 08/02/2011, OR

For a gas system put into service, or acquired after 08/02/2011, a plan was not written and implemented prior to beginning of operating.

49 CFR 192.1015 (a)

Penalty Paid: \$1,000.00