Enforcement Orders Signed March 26, 2019

GUD 10729

OHM OPERATING

System Name: GRACED LAND AND CRUTCH RANCH GAS
System ID No.: 111098

Violation Code: 199-202-802

The operator did not have a written alcohol misuse plan that conforms to Part 199 and/or DOT Procedures.

Requirement: 49 CFR 199.202

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written Anti-Alcohol Abuse Plan.

Violation Code: 192-DIM-501

The DIMP plan was not written and implemented per the requirement of 192.1005 by 08/02/2011
OR
For a gas system put into service or acquired after 08/02/2011, was a DIMP plan written and implemented prior to beginning of operation.

Requirement: 49 CFR 192.1005

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written Distribution Integrity Management Program (DIMP) for the Graced Land and Crutch Ranch gas distribution system.

Violation Code: 192-616-001

The operator did not develop and implement a written continuing public education and awareness program following the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162.

Requirement: 49 CFR 192.616 (a)

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written Public Education and Awareness program.

Violation Code: 192-615-001

There was no written emergency plan.

Requirement: 49 CFR 192.615(a)

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written Emergency Plan for the Graced Land and Crutch Ranch gas distribution system.

Violation Code: 192-614-001

The operator had a buried pipeline and did not carry out, in accordance with 49 CFR Part 192.614, a written program to prevent damage to that pipeline from excavation activities, including excavation, blasting, boring, tunneling, backfilling, removal of aboveground structures by either explosive or mechanical means, and other earth moving operations.

Requirement: 49 CFR 192.614(a)

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written Damage Prevention program.

Violation Code: 199-101-801

The operator did not have a written anti-drug plan that conforms to Part 199 and/or DOT Procedures.

Requirement: 49 CFR 199.101 (a)

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written Anti-Drug Abuse plan.

Violation Code: 16B-130-004

During the evaluation of the operator's facilities the operator was not able to provide resources in the form of company employees and/or contractors with the equipment necessary to conduct normal inspections or evaluations of the listed operation and maintenance covered tasks:

Requirement: Title 16 T.A.C. 8.130 (c) (1)

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator is required and expected to have reasonable access to certain equipment which can used by qualified individuals to perform normal operations investigations and inspections on their regulated gas distribution system. The required equipment is expected to be calibrated according to manufacturers recommendation. During the evaluation the operator did not have the capability to provide an instrument/meter capable to measure the level of odorant within the gas delivered to the Graced Land and Crutch Ranch gas distribution system The use of an "instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable" is required by 49 CFR 192.625 (f) [Odorization of Gas]. During the evaluation the operator was not able to provide equipment that is capable of locating a natural gas leak below ground or an instrument that could be used to effectively grade a below ground leak for the ability to properly grade the hazard associated with an underground leak. Leak locating and leak grading equipment is required through the Texas Administrative Code, Title 16, Part 1, Chapter 8, Subchapter C, Rule 8.207 (a)(2) [Leak Grading and Repair].

Violation Code: 192-603-003

Records necessary to administer the operation and maintenance plan were not maintained or were inadequate.

Requirement: 49 CFR 192.603(b)

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	O & M Program Records	Pipeline Safety Program Requirements: The operator did not have any of the required minimum records that could demonstrate that the

Graced Land and Crutch Ranch distribution system was being maintained and operated within the minimum safety requirements defined within 49 CFR 191, 192 and the Texas Administrative Code. Records include but are not limited to:
a) Odorization and/or Odor Testing
b) Emergency Valve maintenance
c) Leakage Surveying per 16 TAC 8.206
d) Cathodic Protection and Pipe to Soil monitoring
e) Maintaining gas regulator and over pressure protection devices.
f) Atmospheric Corrosion monitoring
g) Line patrolling
h) Emergency Liaison meetings
i) Public and Customer Education activities
j) Customer Notification records
k) Other operations, maintenance and construction/mapping records that an effective Operation and Maintenance Plan would deem necessary to display useful knowledge of the system and its proper operation and care.

Record requirements are located within the federal and state pipeline safety regulations.

Violation Code: 192-603-002

There was no written operation and maintenance plan.

Requirement: 49 CFR 192.605(a)

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety	The operator did not have a written procedures for

			Program Requirements	the following items that are required by PHMSA (Pipeline and Hazardous Materials Safety Administration): 1. Operator emergency response procedures for leaks caused by excavation damage near buildings including investigating the possibility of multiple leaks and underground migration of gas into nearby buildings. 2. Identification of plastic pipe and components which have shown a trend of experiencing defects/leaks and actions to mitigate the safety concerns. 3. Directional drilling/boring procedures to include actions for protecting all facilities from the dangers posed by drilling and other trench-less technologies. 4. Written procedures pertaining to Excavation Notifications, Facility Marking, Positive Response and the availability and use of the one call system.
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written manual for Operations and Maintenance for the Graced Land and Crutch Ranch gas distribution system. The required plan should include procedures as required by the Texas Administrative Code: Chapter 8 (Pipeline Safety Regulations) and Chapter 18 (Underground Pipeline Damage Prevention).

Violation Code: 192-809-001

The operator did not have a written Operator Qualification program as required by CFR 192 Subpart N Qualification of Pipeline Personnel.

Requirement: 49 CFR 192.809(a)

Violation Notes

Evaluation ID	Violation State	Previous Evaluation ID	Location	Note
20180180	Repeat	20162833	Pipeline Safety Program Requirements	The operator did not have a written Operator Qualification program for employees or contractors that may be required to perform covered task work on the regulated Graced Land and Crutch Ranch gas distribution system.

Penalty collected: $5,000.00