

NOTICE OF PROBABLE VIOLATION
PROPOSED COMPLIANCE ORDER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 10, 1998

Mr. Rudy Wadlington
Louisiana-Nevada Transit Co.
16415 Addison Road, Suite 610
Dallas, Texas 75248

CPF No. 28100

Dear Mr. Wadlington:

On February 2-4, 1998, a representative of the Southern Region, Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code, conducted an inspection of your facilities and the records in Hope, Arkansas.

As a result of the inspection, it appears that you have committed probable violations as noted below of pipeline safety regulations, Title 49, Code of Federal Regulations, Part 192. The items inspected and the probable violations are:

1.) §192.453 General.

The corrosion control procedures required by §192.605(b)(2), including those for the design, installation, operation, and maintenance of cathodic protection systems, must be carried out by, or under the direction of a person qualified in pipeline corrosion control methods.

In that there is no one on the staff who is qualified by experience or training to supervise the maintenance of the cathodic protection system

2.) §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.

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

In that fourteen rectifiers have either been inoperative for at least one and a half years, or have depleted ground beds. The rectifiers are at mile posts 3.00, 16.95, 19.0, 25.20, 23, 25.20, 29.60, 38.0, 42.72, 46.50, 48.0, 50.0, 61.50, and 65.90

In that from mile post 45.81 to mile post 51.20 the pipe to soil readings were below the satisfactory level of cathodic protection for a period of two and in some cases three years.

3.) §192.605 Procedural manual for operations, maintenance, and emergencies.

Each operator shall include the following in its operating and maintenance plan:
 (d) Safety-related condition reports. The manual required by paragraph (a) of this section must include instructions enabling personnel who perform operation and maintenance activities to recognize conditions that potentially may be safety-related conditions that are subject to the reporting requirements of §191.23 of this subchapter.

In that the O&M states that the operator is exempt from reporting because they are operating at less than 20% SMYS when they are in fact operating at more than 20% of SMYS.

4.) §192.615 Emergency plans.

(a) Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:

(2) Establishing and maintaining adequate means of communication with appropriate fire, police, and other public officials.

In that the operator has no means for it's field maintenance technicians to communicate with public officials except by driving to a pay phone.

5.) §192.629 Purging of pipelines.

(a) When a pipeline is being purged of air by use of gas, the gas must be released into one end of the line in a moderately rapid and continuous flow. If gas cannot be supplied in sufficient quantity to prevent the formation of a hazardous mixture of gas and air, a slug of inert gas must be released into the line before the gas.

(b) When a pipeline is being purged of gas by use of air, the air must be released into one end of the line in a moderately rapid and continuous flow. If air cannot be supplied in sufficient quantity to prevent the formation of a hazardous mixture of gas and air, a slug of inert gas must be released into the line before the air.

In that the purging technique prescribed in the operator's O&M will create a hazardous mixture

of gas and air and therefor does not comply with code requirements.

6.) §192.705 Transmission lines: Patrolling.

(a) Each operator shall have a patrol program to observe surface conditions on and adjacent to the transmission line right-of-way for indications of leaks, construction activity, and other factors affecting safety and operation.

(b) The frequency of patrols is determined by the size of the line, the operating pressures, the class location, terrain, weather, and other relevant factors, but intervals between patrols may not be longer than prescribed in the following table:

In that the O&M manual has the wrong frequency for patrolling the class 3 areas of the transmission line.

7.) §192.739 Pressure limiting and regulating stations: Inspection and testing.

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—

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

In that the capacity of the present relief device is not known and therefore may not be adequate to protect the system.

In consideration of the foregoing, pursuant to 49 United States Code §60118, the Office of Pipeline Safety proposes to issue to Louisiana-Nevada Transit Co. a compliance order in the form of the proposed compliance order that is attached to and made a part of this Notice of Probable Violation.

We have reviewed the circumstances and supporting documentation involved in this case and have decided not to assess a civil penalty. We advise you, however, that we consider these items as very serious and they need to be corrected with all possible haste.

Also attached, is a description of the available procedures for responding to this Notice. Please note that if you elect to make a response, you must do so within 30 days of receipt of this Notice or waive your rights under 49 C.F.R. §190.209. No response or a response that does not contest the allegation in the Notice authorizes the Associate Administrator, OPS, to find the facts to be as alleged herein and to issue appropriate orders.

The 30-day response period may be extended for good cause shown and submitted within the original 30 days.

Sincerely,

Frederick A. Joyner
Director, Southern Region
Office of Pipeline Safety

Encl

cc: Compliance Registry, OPS Headquarters

Lynn/mw/dps-253/9/98
FILE: cpf28100/Louisiana-Vevada Transit Co.
P:\wpwin\sue\complian\npv\cpf28100
dps-20.1, Regions

P:\sue\complian\npv\cpf28100