

December 9, 2015

BEFORE THE TENNESSEE REGULATORY AUTHORITY

IN RE:

CITY OF RED BOILING SPRINGS
GAS SYSTEM

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Docket No.

AMENDED HAZARDOUS FACILITY ORDER

Comes now the Chief of Gas Pipeline Safety Division of the Tennessee Regulatory Authority (hereinafter "Chief") and for good cause issues a Hazardous Facility Order to the City of Red Boiling Springs Gas System (hereinafter "System"). The Chief makes this determination based upon the following:

1. This Order Amends the Hazardous Facility Order issued on November 30, 2015.
2. Tenn. Comp. R. & Regs. 1220-4-5-.47(9)(a) empowers the Chief to issue a Hazardous Facility Order in the event that it is determined that a facility presents an imminent hazard to life or property.
3. On August 21, 2015, the System was notified of violations of Tenn. Comp. R. & Regs. 1220-4-5.47 requiring a response by September 25, 2015. This notification included a letter and Safety Evaluation Report #15-060.
4. On September 28, 2015, the System was notified by telephone that the response deadline had been exceeded and provided direction to submit the required response by the end of the day.
5. On September 28, 2015, the System submitted the required response to Tenn. Comp. R. & Regs. 1220-4-5-.47 (6) via email, accepting the violations and agreeing to provide a written plan of action.

6. The response and written plan of action were found deficient and additional clarification and information was requested by TRA staff over the next few weeks via email and verbally.
7. On November 12, 2015, the TRA submitted a letter and Safety Evaluation Report #15-116 to the System. This letter and report confirmed that one of the previously issued violations was closed but reiterated that there were still five outstanding violations that were not closed and required the System to arrange for a contractor or other party (with appropriate qualification and knowledge of gas system management) to operate and maintain the System until such time that System employees were adequately qualified and knowledgeable of their system and natural gas management. The system was required to provide the documentation to the TRA by November 20, 2015 or face possible civil penalties and/or issuance of a Hazardous Facility Order.
8. On November 23, 2015, the System contacted the TRA by phone and by email requesting more detail on information required. The TRA provided via email more detail regarding the information and documentation required and directed the System to provide the required information by the end of the day.
9. On November 24, 2015, City Councilman George McCrary contacted the TRA by telephone to determine what information and documentation was required. He indicated that there was to be a City Council meeting that evening to discuss the TRA requirements.
10. On November 25, 2015, the TRA received, via fax, information from the System providing the qualification and drug and alcohol records for the contractor providing 24-7 on-call leak and emergency response services. However, the information and

documentation required for personnel conducting routine day-to-day operation and maintenance tasks for the System was not provided as required.

11. On November 25, 2015, the TRA notified the System, via email, that the information dated November 24, 2015 for the on-call leak and emergency response contractor was received but no information specifying a contractor or other personnel qualified and knowledgeable to conduct operation and maintenance of the System was provided as required. The email indicated that further action from the TRA related to enforcement would be forthcoming on November 30, 2015.
12. On December 3, 2015, the Chief received a written agreement between the City of Red Boiling Springs and the City of Livingston, Tennessee wherein the City of Livingston agreed to oversee, supervise, and provide twenty four (24) hour coverage at the Red Boiling Springs Gas Department starting Friday, December 4, 2015, at 12:01am through December 13, 2015, at 11:59pm. Based upon documentation provided by the City of Livingston, the person providing the supervision and oversight is qualified to perform the required duties to ensure the safety of life and property.

THEREFORE the Red Boiling Springs Gas System is hereby ordered to cease providing natural gas service or any other delivery of natural gas at 8:00am December 14, 2015, until such time as the Chief determines that this system does not present an imminent threat to life or property. Any evidence or documentation that Red Boiling Springs Gas System personnel are qualified to perform all required duties or that an agreement or contract with a third party qualified to provide those services is in place must be presented to the Chief not later than 8:00am on December 14, 2015. The System may have a hearing before the Directors of the Tennessee Regulatory Authority at 502 Deaderick Street, Nashville, Tennessee within 10 days after the suspension of

the natural gas service. You must notify the Chief by 12:00 (noon) on December 14, 2015, if you wish to have a hearing on this matter.


City of Red Boiling Springs

12-8-15
Date



Annette Ponds
Chief, Gas Pipeline Safety Division
Tennessee Regulatory Authority
Telephone (615)770-6859

December 7, 2015
Date