



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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Sent Via Email and FedEx

December 20, 2019

Brent Snow
General Manager
The New Roche Harbor LLC
248 Reuben Memorial Drive
Roche Harbor, WA 98250

RE: 2019 Liquid Petroleum Gas Pipeline System Standard Inspection – The New Roche Harbor Resort- Snug Harbor Resort – (Insp. No. 7859)

Dear Mr. Snow:

Staff from the Washington Utilities and Transportation Commission (staff) conducted a Liquid Petroleum Gas (LPG) pipeline system standard inspection of the New Roche Harbor Resort (NRH)-Snug Harbor Resort pipeline system on Nov 13, 2019. This inspection included a process, procedures and records review and an inspection of the container and service riser locations at each cabin.

Our inspection indicates six (6) probable violations as noted in the enclosed report, which unless corrected, could potentially lead to future violation of state and/or federal pipeline safety rules.

Your response needed

Please review the attached report and respond in writing by January 21, 2020. The response should include how and when you plan to bring the probable violations into full compliance.

What happens after you respond to this letter?

The attached report presents staff's decision on probable violations and does not constitute a finding of violation by the commission at this time.

After you respond in writing to this letter, there are several possible actions the commission, in its discretion, may take with respect to this matter. For example, the commission may:

- Issue an administrative penalty under RCW 81.04.405; or

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- Issue a complaint under RCW 81.88.040, seeking monetary penalties, changes in the company's practices, or other relief authorized by law, and justified by the circumstances. Any pipeline company that violates any pipeline safety provision of any commission order, or any rule in this chapter including those rules adopted by reference, or chapter 81.88 RCW is subject to a civil penalty not to exceed \$218,647 for each violation for each day that the violation persists. The maximum civil penalty for a related series of violations is \$2,186,450; or
- Consider the matter resolved without further commission action.

We have not yet decided whether to pursue a penalty or complaint in this matter. Should the commission decide to assess a penalty or initiate a complaint, your company will have an opportunity to respond and formally present its position.

If you have any questions or if we may be of any assistance, please contact Anthony Dorrough at (360) 481-4035.

Sincerely,



Sean C. Mayo
Pipeline Safety Director

cc: Greg Casey/Property Manager/The New Roche Harbor LLC
Kevin Carlton/The New Roche Harbor LLC
Stephanie Johnson O'Day PLLC

UTILITIES AND TRANSPORTATION COMMISSION
2019 Liquid Petroleum Gas Pipeline Safety Inspection
The New Roche Harbor LLC-Snug Harbor Resort

The following probable violation of Title 49 CFR Part 192, NFPA 58 (2004 edition), were noted as a result of the 2019 inspection of the New Roche Harbor LLC – Snug Harbor Resort. The inspection included a random selection of records, operation and maintenance (O&M), emergency response, inventory, and field inspection of the pipeline service riser locations on the cabins and the container.

PROBABLE VIOLATION

1. **NFPA 58 5.8.5(A) Fittings for Polyethylene and Polyamide Pipe and Tubing**
Joints in polyamide and polyethylene pipe and polyethylene tubing shall be made by heat fusion, by compression type mechanical fittings, or by factory-assembled transition fitting.
(A) Polyethylene pipe shall not be joined by a thread or miter joint.

Finding(s):

NRH failed to provide documentation to support that joints in the pipeline system are not threaded or mitered.

2. **49 CFR §192.615(b) (2) Emergency plans**
(b) Each operator shall:
(2) Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.

Finding(s):

NRH failed to provide documentation to support that operating personnel are adequately trained in emergency procedures or that the training was effective.

3. **49 CFR §192.615(b) (3) Emergency plans**
(b) Each operator shall:
(3) Review employee's activities to determine whether procedures are effectively followed in each emergency.

Finding(s):

NRH failed to provide documentation to support that there is a process to review employee's activities during an emergency.

4. **49 CFR §192.615(b) (3) Emergency plans**
(c) Each operator shall establish and maintain liaison with appropriate fire, police and other public officials to:
(1) Learn their responsibility and resources to respond to gas pipeline emergencies;
(2) Acquaint officials with the operator's ability to respond;
(3) Identify the types of gas pipeline emergencies that the operator would notify

Officials; and,

(4) Plan how they can engage in mutual assistance to minimize hazards to life or property.

Finding(s):

NRH failed to provide documentation to support that they maintain a liaison with fire, police and other public officials.

5. **49 CFR §192.721(b) (2) Distribution systems: Patrolling**

(b) Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage must be patrolled-

(2) Outside business districts at intervals not exceeding 7-1/2 months, but at least twice each calendar year.

Finding(s):

NRH failed to provide documentation to support that they patrol the pipeline system at the intervals required.

6. **49 CFR §192.723(b) (2) Distribution systems: Leakage surveys**

(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 five calendar years at intervals not exceeding 63 months.

Finding(s):

NRH failed to provide documentation to support that they have determined a leakage control program or conducted leakage surveys at the required intervals.