



Idaho Public Utilities Commission

PO Box 83720, Boise, ID 83720-0074

Brad Little, Governor

Paul Kjellander, Commissioner
Kristine Raper, Commissioner
Eric Anderson, Commissioner

June 7, 2019

Report # A201903

Mike Faulkenberry
Avista Corporation
1411 Mission Ave, MSC-6
P.O. Box 3727
Spokane, WA. 99220-3727

Dear Mr. Faulkenberry:

On February 26-28, 2019 representatives of the Idaho Public Utility Commission, Pipeline Safety Division, conducted a compliance inspection of Avista's pipeline safety records for the Idaho natural gas distribution system. During this inspection we reviewed several exposed pipe reports and discovered the blowing gas incident that occurred on 14 March 2018 at 3734 18th St. Lewiston, Idaho. A subsequent (Avista Incident Assessment) took place on 2 April 2018 which identified gaps and errors in the emergency response.

The inspection revealed Avista is out of compliance, resulting in probable violations of the pipeline safety regulations at Title 49, Code of Federal Regulations, Part 192.605 and 192.615 for calendar year 2018. The probable violations will be discussed below.

PROBABLE VIOLATIONS

1. **49 C.F.R. § 192.605 Procedural manual for operations, maintenance, and emergencies.**
 - a) *General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response.*
 - b) *(9) Taking adequate precautions in excavated trenches to protect personnel from the hazards of unsafe accumulations of vapor or gas, and making available when needed at the excavation, emergency rescue equipment, including a breathing apparatus and, a rescue harness and line.*

Avista Utilities 2018 Gas Emergency and Service Handbook
Emergency Procedures 4.0 Emergency Procedures-Blowing or Uncontrolled Escaping Natural Gas

General

Employees responding to natural gas emergencies shall be trained and qualified under current Company standards, and per any applicable State or Federal regulations. Such employees shall adhere to the following procedures in controlling emergency situations:

- Evaluate any emergency scene to assess the extent of any leakage or damage, and to determine what action is necessary to safeguard life first and then property (such as other utilities that can cause an immediate hazard). **Evaluation actions shall include the use of a combustible gas indicator that is capable of indicating percentage gas in air readings.**

2. 49 C.F.R. § 192.615 Emergency Plans

(c) Each operator shall establish and maintain liaison with appropriated fire, police and other public officials: (1) Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency; (2) Acquaint the officials with the operator's ability in responding to a gas pipeline emergency; (3) Identify the types of gas pipeline emergencies of which the operator notifies the officials; and (4) Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.

Finding(s):

Avista failed to follow its procedures (Gas Emergency and Service Handbook (GESH), Sec.4 Emergency Procedures).

The above mentioned items were brought to the attention of your representatives during the onsite inspection. We would request that you review this matter and respond in writing within 45 days regarding the above issue including any planned corrective action.

REQUESTED ACTION

A reply to this letter, as outlined below, is required no later than 45 days from the date of this letter. Please send all documents to our office at P.O. Box 83720-0074, Boise, Idaho 83720-0074. Be advised that all material you submit in response to this enforcement action may be a public record, subject to disclosure under Idaho's Public Records Law. See Idaho Code § 74-101-126.

You have a right to appear before the Pipeline Safety Division in an informal conference before July 22, 2019, at the Commission's offices at 472 W. Washington St, Boise, Idaho 83702. You have the right to present relevant documents to the Commission at that conference. The Commission will make available to you any evidence which indicates that you may have violated the law, and you will have the opportunity to rebut this evidence. See IDAPA 31.01.01.21-26. If you intend to request an informal conference, please contact the Pipeline Safety Division no later than July 8, 2019.

If you wish to dispute the allegations in this notice, but do not want an informal conference, you may send the Pipeline Safety Division a written reply to this notice. This written reply must be filed with the Commission on or before July 22, 2019, and must be signed by a Company Official. The reply must

include a complete statement of all relevant facts including a complete description of the corrective action(s) taken and any and all actions to be taken to prevent future failures in these areas of concern.

If you do not respond to this notice, as specified above, by July 22, 2019, you may be subject to statutory civil penalties and further enforcement, as allowed by law. Idaho Code § 61-712A states that “[a]ny person who violates or fails to comply with, or who procures, aids or abets any violation of title 61, Idaho Code, governing safety of pipeline facilities and the transportation of gas, or of any order, decision, rule or regulation duly issued by the Idaho public utilities commission governing the safety of pipeline facilities and the transportation of gas, shall be subject to a civil penalty of not to exceed two thousand dollars (\$2,000) for each violation for each day that the violation persists. However, the maximum civil penalty shall not exceed two hundred thousand dollars (\$200,000) for any related series of violation.”

If you have any questions concerning this notice, please contact me at (208) 334-0321. Also all written responses should be addressed to me at the above address or you may fax your response to (208) 334-4045. We appreciate your attention to this matter and your effort to promote pipeline safety.

Sincerely,



Darrin M. Ulmer

Pipeline Safety, Program Manager
Idaho Public Utility Commission