

DIRECT TESTIMONY
OF
VALERIE SCHWING
PIPELINE SAFETY ANALYST II
SAFETY AND RELIABILITY DIVISION
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission On Its Own Motion

vs.

Village of Thebes

DOCKET NO. 14-0684

Citation for alleged violations of federal rules incorporated by the Illinois Commerce Commission, IL Administrative Code Part 590.

February 6, 2015

1 WITNESS IDENTIFICATION

2 **Q. What is your name and business address?**

3 A. My name is Valerie Schwing. My business address is 527 E. Capitol Avenue,
4 Springfield, IL.

5 **Q. By whom are you employed and in what capacity?**

6 A. I am employed by the Illinois Commerce Commission (“Commission”) as a Pipeline
7 Safety Analyst II in the Pipeline Safety Program (“PSP”) in the Safety and Reliability
8 Division. In my current position, I perform audits and inspections for the
9 Commission’s PSP, which ensures that natural gas system operators in Illinois are
10 meeting minimum federal safety standards prescribed by 49 Code of Federal
11 Regulations (“C.F.R.”) Parts 191, 192, 193, and 199, and by the Illinois Gas Pipeline
12 Safety Act (“Illinois Act”).¹

13 **Q. Please describe your education and experience?**

14 A. I received a B.A. from the Southern Illinois University at Edwardsville in Civil
15 Engineering in 2012. Prior to my employment with the Commission and currently, I
16 am a reservist in the United States Coast Guard (“USCG”). I am a Petty Officer First
17 Class Marine Science Technician. I am a qualified Pollution Investigator and a
18 Facility Inspector. These qualifications give me authority to approve plans such as
19 Emergency Response, Oil Spill Response, Operation and Maintenance, and

¹ 220 ILCS § 20/1, *et seq.*

20 Security Plans in accordance with the applicable federal codes. In 2011, I was
21 deployed to Venice, Louisiana for 171 days to assist with the B.P Oil Spill Deep
22 Water Horizon. During my deployment I assisted in emergency cleanup operations
23 and site safety plans. My training from the USCG included Incident Command
24 System courses which is a system that government, private-sector, and
25 nongovernmental organizations utilize to work together during domestic incidents.
26 These incidents range from the serious but purely local, to large-scale terrorist
27 attacks or catastrophic natural disasters. Since accepting my position at the
28 Commission, I have received extensive technical training at the Pipeline Hazardous
29 Material Safety Administration Training and Qualification Division ("T&Q") in
30 Oklahoma City, Oklahoma, which is where state and federal pipeline safety
31 inspectors receive technical education relating to the enforcement and interpretation
32 of pipeline safety standards. My training at T&Q has included subjects, such as,
33 Introduction to Part 192; Pipeline Safety Regulation Application and Compliance;
34 Natural Gas Odorization; Joining of Pipeline Materials; Incident Investigation;
35 Pipeline Corrosion Control; and various other technical aspects of natural gas
36 pipeline operations. I have worked as a Pipeline Safety Analyst for the Commission
37 for over one and a half years and have enforced federal regulations for the USCG
38 total of seven years.

39 **PURPOSE OF TESTIMONY**

40 **Q. What is the purpose your testimony in this proceeding?**

41 A. The purpose of my testimony is to present Commission Staff's ("Staff") position in
42 this investigative proceeding. I performed a total of four audits of the emergency
43 valves for the Village of Thebes ("Thebes") and created, or participated in creating,
44 reports documenting each audit, including the Staff Report filed on October 23,
45 2014, which led to the initiating order in this proceeding. See attached Appendix A
46 for reports.

47 **REGULATORY AND ENFORCEMENT PROVISIONS**

48 **Q. What authority or jurisdiction does the ICC have in this matter?**

49 A. I am not an attorney, but it is my understanding that through the enactment of the
50 Natural Gas Pipeline Safety Act ("Federal Act"), enacted as Public Law 90-481,
51 Congress mandated gas pipeline safety regulation by the United States Department
52 of Transportation ("USDOT") in 1968. The Federal Act provided for state pipeline
53 safety regulation in states certified by USDOT. In 1969, the Illinois General
54 Assembly enacted the Illinois Act,² enacted as Public Act 76-1288. Subsection 3(a)
55 of the Illinois Act³ charged the Commission with adopting rules that are at least as
56 inclusive and as stringent as the pipeline safety regulations adopted by the United
57 States Secretary of Transportation, and required the Commission to seek federal
58 certification to regulate pipeline safety within Illinois. Section 9 of the Illinois Act⁴

² *Id.*

³ 220 ILCS § 20/3.

⁴ 220 ILCS § 20/9.

59 required the Commission to prepare and file with the Secretary of Transportation the
60 initial and annual certification and report required by Subsection 5(a) of the Federal
61 Act. The Commission has maintained certification since the 1970s, under rules
62 codified at 83 Ill. Adm. Code § 590.10, et seq. Finally, the federal standards codified
63 under 49 C.F.R. Parts 191, 192, 193, and 199 have been adopted by the
64 Commission pursuant to 83 Ill. Adm. Code § 590, as required to maintain the
65 Commission's authority for enforcement of the Minimum Federal Safety Standards
66 granted to the Commission under an agreement pursuant to Section 5 of the Federal
67 Act⁵ with the U.S. Department of Transportation Office of Pipeline Safety.

68 **COMPLIANCE RELATED ISSUES**

69 **Q. Please describe the compliance related issues that initiated this proceeding.**

70 A. On April 17, 2014, I conducted a field audit of Thebes to determine compliance with
71 49 C.F.R. § 192 Subpart M. I noted that valve numbers 10, 11 and 12 were covered
72 by dirt and mud in the valve box housing the valve, making them inaccessible. I
73 documented the inaccessible valves as Issue number 2014-S001-00034, a violation
74 of 49 C.F.R. Part 192.747 (b). I instructed Thebes' Gas Superintendent, Jeff
75 Petzoldt and documented in my pipeline safety report that those valves needed to be
76 accessible by July 21, 2014, in order for Staff to close Issue number 2014-S001-
77 00034.

⁵ State Pipeline Safety Certifications, 49 U.S.C.A. § 60105 (West 2012).

78 **Q. What are the Federal Standards regarding valve maintenance that Thebes**
79 **must meet?**

80 A. While I am not an attorney, I note that the Federal Act, 49 C.F.R. Part 192.747 (b)
81 states that each operator must take prompt remedial action to correct any valve
82 found inoperable, unless the operator designates an alternative valve.

83 **Q. Does the Federal Code of Regulation define “prompt”?**

84 A. No. Each operator must define prompt remedial action in its Operations and
85 Maintenance (“O & M”) Manual.

86 **Q. Does Thebes define “prompt remedial action” in its O & M Manual?**

87 A. Yes, Thebes’ O & M Manual, Section 9, Part C, states that “If a valve is found to be
88 inoperable, the valve shall be repaired immediately to make it operable”.

89 **Q. Does Thebes define what can make a valve be inoperable?**

90 A. Yes, Thebes’ O & M Manual Section 9, Part C, states:

91 Remove any excess dirt, rust, or foreign materials that may interfere with
92 the operation of the valve. Check the valve for proper alignment to permit
93 the use of a key or wrench. If underground valve, verify that a valve
94 wrench or valve key will align through the valve box through to the valve
95 operating nut – If alignment cannot be made, note for scheduled repair or
96 repair immediately.

97 **Q. Does Thebes define what to do if a valve cannot be made operable?**

98 A. Yes, Thebes’ O & M Manual, Section 9, Part C, states:

99 To designate another valve or valves to substitute for the inoperable valve
100 that will provide a similar level of effectiveness for isolating the line
101 section. If the valve cannot be repaired or substituted with other valves,
102 then the valve shall be replaced.

103 **Q. Did Thebes O & M Manual designate any alternative valves on April 17, 2014?**

104 A. Thebes did not have any alternative valves designated at that time.

105 **Q. What is an emergency valve and what is the purpose?**

106 A. An emergency valve is a valve, the use of which has been deemed necessary for
107 the safe operation of the system that is located on the natural gas pipeline and can
108 be turned with a wrench to stop the flow of natural gas in the pipeline. These valves
109 are necessary to minimize hazards to life and property by shutting down and
110 reducing pressure in various sections of the operator's pipeline system.

111 **Q. Does Thebes define an emergency valve and its purpose in its O & M Manual?**

112 A. Yes, Thebes' O & M Manual Section 2, Part D, states that the emergency valves
113 isolate small areas of the system and to refer to the Key Valve Map. The O & M
114 Manual also states that key valve locations within the distribution system are kept on
115 file at the Superintendent's Office.

116 **Q. What is a valve box?**

117 A. A valve box is a buried enclosure that is installed to avoid transmitting external loads
118 onto the pipeline and allows access to the operating stem or mechanical device. In
119 most cases, the operating stem includes a valve head. Valve heads can vary in size
120 and shape.

121 **Q. Did you conduct a follow-up inspection for Thebes' Issue number 2014-S001-**
122 **00034 of Section 192.747 (b)?**

123 A. Yes, on July 31, 2014, I conducted a compliance follow-up audit to determine
124 compliance with 49 C.F.R. § 192.747 (b). The audit was limited to the examination
125 of emergency valves. I determined that, though the operator could now find all the
126 emergency valves and had cleared the valve boxes of debris, not all of the valves
127 could be adequately accessed by a wrench. The attachment for the wrench head
128 was too large to fit in the valve boxes that were old water valve boxes, recycled to be
129 used in the gas system. I verbally instructed Thebes Gas Superintendent, Jeff
130 Petzoldt and documented in my pipeline safety report, that I would return on August
131 12, 2014, and if all the emergency valve boxes and valve heads could not be
132 accessed by the appropriate wrench head, a Notice of Probable Violation (“NOPV”)
133 would be issued.

134 **Q. Did you conduct a follow-up inspection for Thebes’ Issue number 2014-S001-**
135 **00034 of Section 192.747 (b) on August 12, 2014?**

136 A. Yes. On August 12, 2014, I conducted a Follow-Up Compliance Audit to determine
137 compliance with 49 C.F.R. § 192.747 (b) This audit was limited to inspection of
138 emergency valves to determine if a valve wrench could be inserted into each valve
139 box and fit each valve head correctly. I determined during the audit that, though the
140 operator could now fit a wrench in the old water valve boxes that had been reused
141 for the gas system, the operator did not possess the correct wrench head
142 attachment for valve numbers 13 and 14 to allow operation of the valves. I also
143 determined that valve number 11 had a valve box, but the operator could not find the
144 valve located within the box

145 **Q. Was an NOPV issued to Thebes due to inoperable valves as a result of the**
146 **audit conducted on August 12, 2014?**

147 A. Yes. On August 26, 2014, an NOPV letter was sent to Thebes with a recommended
148 penalty. The letter stated that upon receipt of the NOPV, Thebes may, by
149 September 25, 2014, elect to pay the penalty, or could submit evidence in writing
150 refuting the probable violation referenced in the NOPV. If evidence refuting the
151 probable violation could not be provided, then Thebes needed to submit a written
152 plan outlining actions to be taken to correct the violation, including a schedule and
153 the date when compliance is anticipated, within 30 days from the date of the NOPV.
154 The response needed to include the steps that Thebes had taken, or expected to
155 take, to prevent a recurrence of the situation.

156 **Q. Did Thebes respond to the NOPV letter within the 30 days of the NOPV date?**

157 A. No. Thebes did not respond within 30 days of the NOPV date.

158 **Q. Did you contact Thebes after their response was not received by the due date?**

159 A. Yes. On October 6, 2014, I contacted Jeff Petzoldt, Thebes' Gas Superintendent, via
160 telephone, regarding the lack of response to the NOPV letter dated August 26, 2014.
161 Mr. Petzoldt indicated that the letter had been forwarded to a civil engineering firm,
162 Utility Safety and Design, Incorporated ("USDI"), retained by Thebes and that USDI
163 had been instructed to respond on behalf of Thebes. I informed Mr. Petzoldt that a
164 response and plan of action had not been received and must be submitted.

165 **Q. Did Thebes ever respond to the NOPV letter?**

166 A. Yes. On Dec 3, 2014, I received a letter from Thebes stating that Thebes would
167 immediately consider only using the valve at the Texas Eastern natural gas take
168 point and the outlet valves at the town regulator station. The letter also stated that
169 the number 11 valve would be excavated, located, and have a new valve box
170 installed to ensure access to it in the future. The letter also indicated that wrenches
171 had been acquired to fit valves 13 and 14.

172 **Q. On Dec 3, 2014, or any time thereafter, did Staff receive a copy of a new**
173 **Thebe's O & M Manual stating that only the valve at the Texas Eastern natural**
174 **gas take point and the outlet valves at the town regulator station were the only**
175 **emergency valves?**

176 A. No. Staff did not receive a new O & M Manual at that time stating only those valves
177 were designated emergency valves, and has not received one anytime thereafter.

178 **Q. Based on the fact that you have not received a new Thebes O & M Manual, do**
179 **you conclude that Thebes has not changed its O & M Manual?**

180 A. Yes. It does not appear that Thebes has changed its O & M manual to designate
181 only those valves, the valve at the Texas Eastern natural gas take point and the
182 outlet valves at the town regulator station, as the only emergency valves.

183 **Q. Did you conduct a follow-up inspection for the NOPV?**

184 A. Yes. On January 16, 2015, I conducted a compliance follow-up audit to determine
185 compliance with 49 C.F.R. § 192 .747 (b). I met with Thebes' new Gas
186 Superintendent, Mr. Bobby White. At the time of the audit, Mr. White had been
187 Thebes' Gas Superintendent for three weeks. Mr. White could not locate the valve

188 inspection records. Mr. White attempted to contact Thebes' previous Gas
189 Superintendent, Mr. Jeffery Petzoldt, to determine the location of the records, but the
190 telephone number was disconnected. Without the records, Mr. White and I had to
191 identify the emergency valves using a gas pipeline map developed in 2010 by USDI
192 and information contained in previous pipeline safety inspection reports. Although
193 USDI's 2010 gas pipeline map did not identify the location of the emergency valves,
194 Mr. White and I were able to identify and record the locations of 12 emergency
195 valves. An inspection of the 12 emergency valves determined the top of each valve
196 was visible and accessible with a valve wrench, except for the valve in the alley
197 between 7th and 8th Streets. I could not identify that valve number due to the
198 missing records. Due to the missing records and the valve box between 7th and 8th
199 Streets being too small in diameter to fit the appropriate wrench head for the existing
200 valve head, I determined that all of the emergency valves were not accessible.

201 **Q. Has Thebes been informed of the failure to take prompt remedial action to**
202 **correct deficiencies and service the emergency valves prior to Staff's field**
203 **audit on April 17, 2014?**

204 A. Yes. Staff informed Thebes of the failure to take prompt remedial action to correct
205 deficiencies and service the emergency valves at the last pipeline safety audit of
206 Thebes' records which took place on August 27, 2013. The audit report was shared
207 with Thebes on August 29, 2013, and it indicated this failure as a concern. Thebes
208 could not produce records of emergency valve inspections during the August 27,
209 2013, audit and, after the follow-up inspections described above in April, July and

210 August 2014, Staff issued Thebes an NOPV letter on August 26, 2014. See
211 attached Appendix B.

212 **Q. Did Thebes pay the proposed penalty assessment included in the August 26,**
213 **2014, NOPV letter?**

214 A. No. Thebes has not paid the proposed penalty assessment included in the August
215 26, 2014, NOPV letter, and the Thebes' response letter dated December 3, 2014,
216 did not included any reference to the proposed penalty assessment. See attached
217 Appendix C.

218 **Q. Please summarize your testimony thus far.**

219 Thebes has a history of failing to promptly correct inoperable valves since the record
220 audit performed on August 27, 2013, when records of valve inspections could not be
221 provided. An Issue report was written on April 17, 2014, during a field audit noting
222 that three valves were not accessible. After the initial field audit, three additional
223 follow- up audits were conducted on July 31, 2014, August 12, 2014, and January
224 16, 2015. The audit on January 16, 2015, concluded that Thebes still had an
225 inoperable emergency valve in the alley between 7th and 8th Streets and missing
226 emergency valve records. A review of Thebes' O & M Manual does not reflect any
227 change in the designation of the emergency valves, therefore the NOPV remains
228 open.

229 **Q. What penalties may be assessed against Thebes?**

230 A. While I am not an attorney, my understanding is that the federal statute, 49 U.S.C.
231 § 60122, adopted by Illinois under Section 7 of the Illinois Act,⁶ allows for civil
232 penalties of not more than \$200,000 for each violation, for a maximum of
233 \$2,000,000. Both the Illinois and the federal statute state that each day the
234 violation persists is considered a separate violation.⁷

235 **Q. What do you consider an appropriate penalty considering the gravity of this**
236 **violation?**

237 A. Considering Thebes's continued and long-standing disregard of the statutory
238 protection requirements, and taking into consideration the size of the business, Staff
239 recommends a penalty of \$6,500 be imposed for the violation of 49 C.F.R. §192.747
240 (b). In addition to the civil penalty, due to the continued pattern of noncompliance
241 and apparent disregard of the minimum safety requirements of the C.F.R., the
242 Commission should order Thebes to ensure that all valve boxes in its natural gas
243 system are properly aligned with the mainline valve to allow valve wrench access.
244 The order should also include a requirement to ensure that all valve boxes installed
245 in the natural gas system have an adequate internal diameter to allow the insertion
246 and operation of the appropriate valve wrench. Thebes should also identify and
247 document the appropriate size valve head and required valve wrench, or valve
248 wrench adaptor, for each valve in the natural gas system. Thebes should perform
249 inspections of each valve in the natural gas system to ensure that each valve is

⁶ 220 ILCS § 20/7.

⁷ 49 U.S.C. § 60122(a); 220 ILCS § 20/7(a).

250 operational. Each valve inspection must be documented as required by Thebes's
251 natural gas system O & M Manual. Thebes must designate an alternative operable
252 valve to be used in place of any valve determined to be inoperable, until corrective
253 actions are taken to correct to return the inoperable valve to service.

254 **Q. Does this conclude your testimony?**

255 A. Yes, it does.

INDEX

Appendix A:

Record Audit Report – August 27, 2013

Field Audit Report – April 17, 2014

Pipeline Safety Report – July 31, 2014

Pipeline Safety Report – August 12, 2014

Staff Report – October 23, 2014

Pipeline Safety Report – January 16, 2015

Appendix B:

NOPV Letter dated August 26, 2014

Appendix C:

Thebes Response Letter, Received December 3, 2014

Exhibit 1.1:

Verification Form

APPENDIX A

**Illinois Commerce Commission
Pipeline Safety
Field Trip Report**

Operator: THEBES MUNICIPAL GAS CO	Operator ID#: 19350
Exit Meeting Contact: Jeffery Petzoldt	Total Man Days: 3
Pipeline Safety Representative(s): Aaron McElravy	
Company Representative to Receive Report: Jeffery Petzoldt	Emailed Date:
Company Representative's Email Address: jspetzoldt@yahoo.com	09/24/2013

Inspection Summary

Inspection Type	Location	ICC Analyst	Inspection Unit(s)	Man Day(s)	Inspection Date(s)	Contact(s)
Standard Inspection - Record Audit	Thebes	Aaron McElravy	THEBES MUNICIPAL GAS CO	1	8/27/2013	Jeffery Petzoldt
Standard Inspection Plan Review- O and M	Thebes	Aaron McElravy	THEBES MUNICIPAL GAS CO	2	8/28/2013, 8/29/2013	Jeffery Petzoldt

Statement of Activities

On August 27-29, 2013, Staff conducted a Record Audit and O&M Plan review to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. Staff inspected records for 2011 and 2012, which included regulatory reporting, testing requirements, operations and maintenance activities, damage prevention, emergency plan records, Odorization, leakage surveys and patrols, abandonment requirements, pressure limiting and regulating equipment inspections, emergency valves, joining, welding, corrosion control records, and training requirements. The O&M Plan review conducted on August 28-29, 2013, included a review of the Village of Thebes written procedures to ensure safety during normal operations and maintenance activities and emergency response.

ISSUE(S) FOUND:

NO ISSUES FOUND.

ISSUE(S) CORRECTED:

NO ISSUES CORRECTED.

NOTICE OF AMENDMENT(S) FOUND:

192.13(c) - Thebes Operations and Maintenance Manual does not contain the required test duration for the record of each test performed under 192.505 and 192.507.

192.605(b)(1) - Thebes Operations and Maintenance Manual does not address the posting of warning signs to minimize the danger of accidental ignition of gas in accordance with 192.751(c).

192.605(b)(2) - Thebes Operations and Maintenance Manual does not specify coatings must be suitable for the prevention of atmospheric corrosion.192.479 (b)

192.605(b)(2) - Thebes Operations and Maintenance Manual does not include steps to determine the extent of internal corrosion in accordance with 192.475(b)(2).

NOA(S) CORRECTED:

NO NOAs CORRECTED.

NOTICE OF PROBABLE VIOLATION(S) FOUND:

192.603(b) - Thebes failed to provide records documenting the update and review of the Operations and Maintenance Manual within the required intervals listed under 192.605(a), O&M Section 1, A.

Illinois Commerce Commission
Pipeline Safety
Field Trip Report

192.603(b) - Thebes failed to provide records of maintaining liaison with appropriate fire, police, and other public officials in accordance with 192.615(c) and 192.605(a), O&M Section 2, C.

192.603(b) - Thebes failed to provide records of odorant intensity readings obtained between October 7, 2011 and October 23, 2012, to assure the proper concentration of odorant in accordance with 192.625(f) and 192.605(a) O&M Section 7, B.

192.603(b) - Thebes failed to provide records of distribution patrols conducted between October 2010 and February 2013 in accordance with 192.721(b), O&M Section 11, B.

192.603(b) - Thebes failed to provide records of valve inspections conducted in 2012 in accordance with 192.747(a), O&M Section 9, C.

192.603(b) - Thebes failed to provide records of odorant tank levels and injection rates for calendar year 2012 to ensure odorant was introduced without wide variation in accordance with 192.625(e), O&M Section 7, C.

NOPV(S) CORRECTED:

NO NOPVs CORRECTED.

**Illinois Commerce Commission
Pipeline Safety
Field Trip Report**

Operator: THEBES MUNICIPAL GAS CO	Operator ID#: 19350
Exit Meeting Contact: Jeffery Petzoldt	Total Man Days: 2
Pipeline Safety Representative(s): Valerie Schwing	
Company Representative to Receive Report: Jeffery Petzoldt	Emailed Date:
Company Representative's Email Address: jspetzoldt@yahoo.com	04/24/2014

Inspection Summary

Inspection Type	Location	ICC Analyst	Inspection Unit(s)	Man Day(s)	Inspection Date(s)	Contact(s)
Standard Inspection - Field Audit	Thebes	Valerie Schwing	THEBES MUNICIPAL GAS CO	2	4/16/2014, 4/17/2014	Jeffery Petzoldt

Statement of Activities

On April 16-17, 2013, Staff conducted a Record and Field audit at the Village of Thebes. These audits were conducted to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. Staff noted several issues and one NOPV. Staff also was able to close four NOPVs and one NOA regarding the Public Awareness Plan and the Operations and Maintenance Manual.

INSPECTION FINDINGS

Standard Inspection - Field Audit

Issues(s) Found:

[192.465(a)] - Staff found reads at 105 Bean Ridge (-0.61 V) and Keppner/ RT # 3, (-0.84 V) that were isolated services with inadequate cathodic protection readings. In order for this issue to be closed, the Village of Thebes must get these readings to at least (-0.85 V).

[192.479(a)] - Staff noted that the risers on Fourth St. need to be painted and wrapped. In order for this issue to be closed, the Village of Thebes must paint and wrap the risers on Fourth St.

[192.707(d)(2)] - The regulator station and casing at the railroad crossing at Gail both were missing the operator's area code and or the operator's name. In order for this issue to be closed, the signs need to have the operator's name and the telephone number (including area code) where the operator can be reached at all times.

[192.727(d)][192.727] - On April 17, 2014 Staff found several abandoned risers on Fourth St. in the Village of Thebes where the valves that were closed to prevent the flow of gas to the customer were not provided with a locking device or other means designed to prevent the opening of the valves by persons other than those authorized by the operator. In order for this issue to be closed, the operator must lock or use other means designed to prevent unauthorized use of these shut of valves.

[192.747(b)] - Staff noted that valve numbers 10, 11, and 12 were covered by dirt and/or had water in them making them inaccessible. In order for this issue to be cleared, these valves along with the rest of the emergency valves in the Village of Thebes must be raised and accessible by July 21, 2014.

Notice Of Amendment(s) Found:

**Illinois Commerce Commission
Pipeline Safety
Field Trip Report**

[NO NOAS FOUND]

Notice Of Violation(s) Found:

[192.605(a)][192.625] - On April 16, 2014, Staff noted that the Village of Thebes has not calibrated the gas detection unit since June 12, 2001. The Village of Thebes failed to follow their written procedures for the calibration of odorant testing equipment to assure proper odorant concentration levels (Section 7, D. Instrument Calibration). The procedures state the Odorator shall be sent in for factory recalibration periodically as recommended by the manufacturer.

PAST INSPECTION FINDINGS

Issue(s) Corrected:

[NO ISSUES CORRECTED]

Notice Of Amendment(s) Corrected:

2013-A001-00249 (Code Part [192.616(b)]) - The operator's program clearly defines the specific pipeline assets or systems covered in the program or assess the unique attributes and characteristics of the pipeline and facilities by referring to Section 6 of the operations and maintenance manual.

Notice of Violations(s) Corrected:

2013-V001-00057 (Code Part [192.616(c)]) - The operator was able to provide records on prior PAP mailings for 2013. The operator had a new plan written by USDI and joined Paradigm who sent mailings out in September in 2013.

2013-V001-00058 (Code Part [192.616(i)]) - Thebes provided documentation of the annual audit review for the compliance year of 2013.

2013-V002-00058 (Code Part [192.616(i)]) - Thebes provided documentation describing actions intended to measure the effectiveness of the Public Awareness Program as required by the section of API RP 1162. These actions were listed in the new Public Awareness Plan written by USDI and by the summary of findings sent by Paradigm.

2013-V006-00047 (Code Part [192.603(b)]) - Thebes provided records documenting the update and review of the Operations and Maintenance Manual was done in September of 2013.

**Illinois Commerce Commission
Pipeline Safety
Pipeline Safety Report**

Operator: THEBES MUNICIPAL GAS CO	Operator ID#: 19350
Exit Meeting Contact: Jeffery Petzoldt	Total Man Days: 1
Pipeline Safety Representative(s): Valerie Schwing	
Company Representative to Receive Report: Jeffery Petzoldt	Emailed Date:
Company Representative's Email Address: jspetzoldt@yahoo.com	08/13/2014

Inspection Summary

Inspection Type	Location	ICC Analyst	Inspection Unit(s)	Man Day(s)	Inspection Date(s)	Contact(s)
Compliance Follow-Up	Thebes	Valerie Schwing	THEBES MUNICIPAL GAS CO	1	7/31/2014	Jeffery Petzoldt

Statement of Activities

On July 31, 2014, Staff conducted a Follow-Up Compliance Audit for the Village of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. During this audit Staff only examined emergency valves. It was determined that though the operator could find all the emergency valves and had cleared them of debris, not all of the valves could be adequately accessed by a wrench. The attachment for the wrench head was too large to fit in the valve's boxes that were old water valve boxes recycled to be used for the gas system. Staff discussed with the operator that Staff would be coming back on August 12, 2014, and if all the emergency valve boxes and valve heads could not be accessed by the appropriate valve head, then a NOPV would be written.

INSPECTION FINDINGS

Compliance Follow-Up

Issues(s) Found:

[NO ISSUES FOUND]

Notice Of Amendment(s) Found:

[NO NOAS FOUND]

Notice Of Violation(s) Found:

[NO NOPVS FOUND]

PAST INSPECTION FINDINGS

Issue(s) Corrected:

[NO ISSUES CORRECTED]

Notice Of Amendment(s) Corrected:

[NO NOAS CORRECTED]

**Illinois Commerce Commission
Pipeline Safety
Pipeline Safety Report**

Notice of Violations(s) Corrected:

[NO NOPVS CORRECTED]

**Illinois Commerce Commission
Pipeline Safety
Pipeline Safety Report**

Operator: THEBES MUNICIPAL GAS CO	Operator ID#: 19350
Exit Meeting Contact: Jeffery Petzoldt	Total Man Days: 1
Pipeline Safety Representative(s): Valerie Schwing	
Company Representative to Receive Report: Jeffery Petzoldt	Emailed Date:
Company Representative's Email Address: jspetzoldt@yahoo.com	08/26/2014

Inspection Summary

Inspection Type	Location	ICC Analyst	Inspection Unit(s)	Man Day(s)	Inspection Date(s)	Contact(s)
Compliance Follow-Up	Thebes	Valerie Schwing	THEBES MUNICIPAL GAS CO	1	8/12/2014	Jeffery Petzoldt

Statement of Activities

On August 12, 2014, Staff conducted a Follow-Up Compliance Audit for the Village of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. During this audit Staff only examined emergency valves to determine if a wrench could be place inside each valve box and fit each valve head correctly. It was determined during the audit though the operator could now fit a wrench in the old water valve boxes that had been reused for the gas system, the operator did not possess the correct wrench head attachment for valve numbers 13 and 14. It was also determined that valve number 11 had a valve box but the operator could not find the valve located in the box.

INSPECTION FINDINGS

Compliance Follow-Up

Issues(s) Found:

[NO ISSUES FOUND]

Notice Of Amendment(s) Found:

[NO NOAS FOUND]

Notice Of Violation(s) Found:

[192.747] - On August 28, 2013, Staff conducted a Record Audit for the Village of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. Thebes failed to provide records of valve inspections conducted in 2012 in accordance with 192.747(a), O&M Section 9, C. A NOPV was written for not following the operations and maintenance manual by retaining the valve records. On April 14, 2014, Staff conducted a Field Audit for the Village of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. Staff noted that valve numbers 10, 11, and 12 were covered by dirt and/or had water in them making them inaccessible. In order for this issue to be cleared these valves along with the rest of the emergency valves in the Village of Thebes must be raised and accessible by July 21, 2014. On July 31, 2014, Staff conducted a Follow-Up Compliance Audit for the Village of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. During this audit Staff only examined emergency valves. It was determined that though the operator could find all the emergency valves and had cleared them of debris, not all of the valves could be adequately accessed by a wrench. The attachment for the wrench head was too large to fit in the valves boxes that were old water valve boxes recycled to be used for the gas system. Staff discussed with the operator that Staff would be coming back on August 12, 2014, and if all the emergency valve boxes and valve heads could not be

Illinois Commerce Commission
Pipeline Safety
Pipeline Safety Report

accessed by the appropriate wrench head, then a NOPV would be written. On August 12, 2014, Staff conducted a Follow-Up Compliance Audit for the Village of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590. During this audit Staff only examined emergency valves to determine if a wrench could be place inside each valve box and fit each valve head correctly. It was determined during the audit though the operator could now fit a wrench in the old water valve boxes that had been reused for the gas system, the operator did not possess the correct wrench head attachment for valve numbers 13 and 14. It was also determined that valve number 11 had a valve box, but the operator could not find the valve located in the box. With the above history Staff has determined that the Village of Thebes did not take prompt remedial action to correct any valve found inoperable or designate an alternative valve.

PAST INSPECTION FINDINGS

Issue(s) Corrected:

[NO ISSUES CORRECTED]

Notice Of Amendment(s) Corrected:

[NO NOAS CORRECTED]

Notice of Violations(s) Corrected:

[NO NOPVS CORRECTED]

Staff Report
Thebes Municipal Gas Company
Thebes, Illinois
October 23, 2014

Subject:

Thebes Municipal Gas Company Compliance Violation

Introduction:

As authorized by Section 3 of the Illinois Gas Pipeline Safety Act (“the Act”) [220 ILCS 20/3], the Illinois Commerce Commission (“Commission”) adopted, in 83 Ill. Adm. Code Part 590, applicable federal safety standards in 49 Code of Federal Regulations (“CFR”) Sections 191, 192, 193, and 199 as minimum standards for the transportation of gas and for gas pipeline facilities.

On August 28, 2013, April 14, 2014, July 31, 2014, and August 12, 2014, the Commission’s Pipeline Safety Program (“PSP”) Staff (“Staff”) conducted compliance inspections of the Thebes Municipal Gas Company (“Thebes”) natural gas pipeline maintenance records and/or natural gas pipeline facilities. In connection with these compliance inspections, Staff review identified, as detailed below, probable violations of 49 CFR Section 192.747.

Compliance Issues:

August 28, 2013 Record Audit

On August 28, 2013, PSP Staff conducted a Record Audit for Thebes to determine compliance with applicable Illinois Administrative Codes (Ill. Adm. Code) and the CFR adopted via Ill. Adm. Code Part 590. Thebes failed to provide records of valve

inspections conducted in 2012 in accordance with Section 192.747(a), as required by Thebes Operation & Maintenance Manual (“O&M”) Section 9, C. Notice of Probable Violation (“NOPV”) was issued on September 18, 2013, for failure to follow the O&M due to failure to demonstrate compliance with the requirements.

April 14, 2014 Field Audit

On April 14, 2014, Staff conducted a Field Audit of Thebes to determine compliance with applicable IL Adm. Codes and the CFR adopted via Ill. Adm. Part 590. Staff noted that valves number 10, 11, and 12 were covered by dirt and/or had water in the valve boxes, making the valves inaccessible. The Pipeline Safety Field Trip Report provided to Thebes on April 24, 2014, stated that the above noted valves, along with the remainder of the emergency valves in the Thebes system, must be raised and accessible by July 21, 2014, in order to clear the violation.

July 31, 2014 Compliance Follow-up Audit

On July 31, 2014, Staff conducted a Compliance Follow-up Audit of Thebes to determine compliance with applicable Ill. Adm. Codes and the Code of Federal Regulations adopted via Ill. Adm. Code Part 590. During the audit Staff limited the inspection to examination of emergency valves. It was determined that, though the operator could find all the emergency valves and had cleared valve boxes of debris, not all of the valves could be adequately accessed by a valve wrench. The attachment for the wrench head was too large to fit in the valve boxes. It was established that the valve boxes used to gain access to the gas system valves were old water valve boxes recycled for use in the gas system. Due to safety concerns, Staff verbally notified the operator that compliance had not been achieved since the valves continued to be inaccessible by the appropriate wrench. Staff informed the operator that a follow-up inspection would be conducted on August 12, 2014.

August 12, 2014 Compliance Follow-up Inspection

On August 12, 2014, Staff conducted a Compliance Follow-up Audit of Thebes to determine compliance with applicable Ill. Adm. Codes and the CFR adopted via Ill. Adm. Part 590. During the audit Staff limited the inspection to examination of emergency valves to determine if a wrench could be placed inside each valve box and fit each valve head correctly. It was established during the audit the operator could now fit a wrench in the old water valve boxes that had been reused for the gas system, but the operator did not possess the correct wrench head attachment for valves number 13 and 14. It was also determined that valve number 11 had a valve box, but the operator could not find the valve located in the box. It appeared the valve box was misaligned with the valve.

Staff Compliance Action

On August 26, 2014, the Pipeline Safety Program Manager issued and deposited in the U.S. Mail, a Notice of Probable Violation of the Gas Pipeline Safety Act NOPV # 2014-V001-00053. The letter was addressed to The Honorable John Kennedy, Mayor of Thebes. The letter provided a description of the alleged violations and a detailed listing of actions required with respect to each proposed violation.

The letter included a recommended civil penalty of \$6,650.00 and included the options for Thebes to agree to the recommended penalty, propose an alternative penalty, or reject the proposed penalty. The letter stated that Thebes may pay the penalty by September 25, 2014, and provide a plan and schedule to achieve compliance within 30 days of the date of the letter.

On October 6, 2014, Staff contacted Jeff Petzoldt via telephone, regarding the lack of response to the NOPV letter dated August 26, 2014. Mr. Petzoldt indicated that the letter had been forwarded to a civil engineering firm and that the engineering firm had been instructed to respond on behalf of Thebes. Staff informed Mr. Petzoldt that a response and plan of action had not been received and must be submitted. As of October 16, 2014, a response has been provided by neither Thebes nor the civil engineering firm.

Conclusions

Thebes repeatedly failed to take the necessary actions to bring all valves into compliance with the CFR Section 192.747 requirements. Thebes also failed to respond to the NOPV letter dated August 26, 2014 and the telephonic request for response to the August 26, 2014 letter. Thebes has neither provided documentation demonstrating compliance, nor has it provided a plan to achieve compliance and prevent recurrence of a similar violation. Thebes has not agreed to the recommended penalty, proposed an alternative penalty, or formally rejected the recommended penalty.

Ensuring adequate access to natural gas mainline valves and demonstrating the ability to operate the valves is essential to the safe operation of the pipeline system. Delays associated with emergency shutdown of pipeline facilities pose a threat to the pipeline system and an unnecessary risk to the community.

Recommendations

Staff recommends that a Citation Order be issued to initiate a proceeding to determine whether the Thebes Municipal Gas System has failed to comply with 49 CFR Section 192.747 and whether civil penalties should be assessed as allowed by Section 7 of the Illinois Gas Pipeline Safety Act [220 ILCS 20/7].



Prepared By:

Darin R. Burk

Pipeline Safety Program Manager

Safety and Reliability Division



Approved By:

Harry Stoller, Director

Safety and Reliability Division

Illinois Commerce Commission

Pipeline Safety

Pipeline Safety Report

Inspection #: 2015-P-00011

Operator: THEBES MUNICIPAL GAS CO	Operator ID#: 19350
Exit Meeting Contact: Bobby White	Total Man Days: 1
Pipeline Safety Representative(s): Valerie Schwing	
Company Representative to Receive Report: Bobby White	<u>Emailed Date:</u> 01/22/2015
Company Representative's Email Address: bwhite051475@gmail.com	

Inspection Summary

Inspection Type	Location	ICC Analyst	Inspection Unit(s)	Man Day(s)	Inspection Date(s)	Contact(s)
Compliance Follow-Up	Thebes	Valerie Schwing	THEBES MUNICIPAL GAS CO	1	1/16/2015	Bobby White

Statement of Activities

On January 16, 2014, Staff conducted a Compliance Follow-Up Audit for the Village of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via IL Adm. Part 590.

The audit focused on the progress the Village of Thebes has completed in regard to NOPV #2014-V001-00053. Due to time limitations, Staff was unable to address the remaining NOPVs.

Staff met with the new Gas Superintendent, Bobby White. At the time of the audit, Mr. White had been the Village of Thebes' Gas Superintendent for three weeks. Staff determined that Mr. White has only completed Operator Qualification modules for Abnormal Operating Conditions and Characteristics and Hazards of Natural Gas.

Valve inspection records were not located by Mr. White or Staff. Mr. White called the Village of Thebes' previous Gas Superintendent, Jeffery Petzoldt, to determine the location of the records, but the number was disconnected. Without the records, Staff and Mr. White had to identify the emergency valves using a gas pipeline map developed by USDI in 2010 and previous Illinois Commerce Commission audit reports. Although, the USDI 2010 gas pipeline map did not identify the location of the emergency valves, Mr. White and Staff were able to identify and record the location of 12 emergency valves. An inspection of the 12 emergency valves determined the top of each valve was visible and accessible with a valve wrench, except for the valve in the alley between 7th and 8th Streets. The diameter of this valve box is narrower than the valve wrench. Staff discussed with Mr. White how to modify the valve wrench head in order to fit inside the valve box. Previously, Staff observed a valve wrench head that would allow access in the smaller valve boxes, but Staff and Mr. White were unable to locate this valve wrench head. Due to the missing records and the valve box between 7th and 8th Streets being too small to fit the appropriate wrench head, it was determined that this NOPV cannot be closed.

Exit Statement

Staff discussed with Mr. Bobby White that the only way at this time, due to the inoperable emergency valve between 7th and 8th Streets, to shut the town down, the emergency valves at the border station must be used. This in turn will shut off approximately 133 services. Staff also discussed with Mr. White the agreement the Village of Thebes has with Cairo Public Utility Company ("Cairo PUC") stating that Cairo PUC will assist with any natural gas issues requiring qualified natural gas operators. Staff also discussed the issue of not having another qualified individual working with Mr. White. Staff and Mr. White agreed that the valve in the alley between 7th and 8th Streets will be accessible with a wrench head by February 6, 2015.

INSPECTION FINDINGS

Compliance Follow-Up

Illinois Commerce Commission
Pipeline Safety
Pipeline Safety Report

Inspection #: 2015-P-00011

Issues(s) Found:

[NO ISSUES FOUND]

Notice Of Amendment(s) Found:

[NO NOAS FOUND]

Notice Of Violation(s) Found:

[NO NOPVS FOUND]

PAST INSPECTION FINDINGS

Issue(s) Corrected:

[NO ISSUES CORRECTED]

Notice Of Amendment(s) Corrected:

[NO NOAS CORRECTED]

Notice of Violations(s) Corrected:

[NO NOPVS CORRECTED]

APPENDIX B



ILLINOIS COMMERCE COMMISSION

Issued and Deposited in U.S. Mail on August 26, 2014

The Honorable John Kennedy
Mayor of Thebes
413 S. 5th Street
P.O. Box 159
Thebes, Illinois 62990

**Notice of Probable Violation of Gas Pipeline Safety Act
NOPV # 2014-V001-00053**

Dear Mayor Kennedy:

The Illinois Commerce Commission Pipeline Safety Program is charged by law with enforcing the Illinois Gas Pipeline Safety Act (220 ILCS 20/1, *et seq.*) and associated federal and state safety regulations. The Commerce Commission itself is authorized to impose monetary penalties on gas pipeline operators which fail to comply with the Act and regulations. (220 ILCS 20/7). The Pipeline Safety Program is authorized to issue Notices of Probable Violation ("NOPVs") in such cases. Based upon the results of a Compliance Follow-Up audit of the Village of Thebes ("Thebes") on August 12, 2014 (Inspection # 2014-P-00364), conducted by a Commission Gas Pipeline Safety Analyst, the Gas Pipeline Safety Program has determined that a NOPV should issue against Thebes, as more fully set forth below.

Description of violations(s) alleged

49 CFR §192.747 titled: "Valve maintenance: Distribution systems." states in paragraph (b), "Each operator must take prompt remedial action to correct any valve found inoperable, unless the operator designates an alternative valve."

Description of the circumstances that support the determination of each proposed violation

On August 28, 2013, Pipeline Safety Staff conducted a Record Audit for the Village of Thebes to determine compliance with applicable Illinois Administrative (Ill. Adm. Code) Codes and the Code of Federal Regulations adopted via Ill. Adm. Code Part 590. Thebes failed to provide records of valve inspections conducted in 2012 in accordance with Section 192.747(a), O&M Section 9, C. A NOPV was issued on September 18, 2013, for failure to follow the operations and maintenance manual due to failure to retain the valve inspection records.

On April 14, 2014, Staff conducted a Field Audit of Thebes to determine compliance with applicable IL Adm. Codes and the Code of Federal Regulations adopted via Ill. Adm. Part 590. Staff noted that valves number 10, 11, and 12 were covered by dirt and/or had water in the valve boxes, making the valves inaccessible. The Pipeline Safety Field Trip Report provided to Thebes on April 24, 2014, stated that the above noted valves, along with the remainder of the emergency valves in the Thebes system, must be raised and accessible by July 21, 2014, in order to clear this violation.

On July 31, 2014, Staff conducted a Compliance Follow-up Audit of Thebes to determine compliance with applicable Ill. Adm. Codes and the Code of Federal Regulations adopted via Ill. Adm. Code Part 590. During the audit Staff limited the inspection to examination of emergency valves. It was determined that, though the operator could find all the emergency valves and had cleared valve boxes of debris, not all of the valves could be adequately accessed by a valve wrench. The attachment for the wrench head was too large to fit in the valve boxes. It was established that the valve boxes used to gain access to the gas system valves were old water valve boxes recycled for use in the gas system. Due to safety concerns, Staff verbally notified the operator that compliance had not been achieved since the valves continued to be inaccessible by the appropriate wrench. Staff informed the operator that a follow-up inspection would be conducted on August 12, 2014.

On August 12, 2014, Staff conducted a Compliance Follow-up of Thebes to determine compliance with applicable Ill. Adm. Codes and the Code of Federal Regulations adopted via Ill. Adm. Part 590. During the audit Staff limited the inspection to examination of emergency valves to determine if a wrench could be placed inside each valve box and fit each valve head correctly. It was established during the audit the operator could now fit a wrench in the old water valve boxes that had been reused for the gas system, but the operator did not possess the correct wrench head attachment for valves number 13 and 14. It was also determined that valve number 11 had a valve box, but the operator could not find the valve located in the box.

Based on the inspection history noted above, Staff has determined that Thebes did not take prompt remedial action to correct any valve found inoperable or designate an alternative valve.

Description of the corrective action required with respect to each proposed violation

Thebes must:

- Ensure that all valve boxes in the natural gas system are properly aligned with the mainline valve to allow valve wrench access;
- Ensure that all valve boxes installed in the natural gas system have an adequate internal diameter to allow the insertion of, and operation of the appropriate valve wrench;
- Identify and document the appropriate size valve head and required valve wrench, or valve wrench adaptor for each valve in the natural gas system.

- Inspect each valve in the natural gas system to ensure each valve is operational;
- Document each valve inspection as required by the Thebe natural gas system operation and maintenance manual;
- Designate an alternative operable valve to be used in place of any valve determined to be inoperable, until corrective actions are taken to correct to return the inoperable valve to service.

Amount of penalty recommended

I am recommending **Thebes pay civil penalty of \$6,650.00**. Thebes has the option to agree to the proposed penalty, propose an alternative penalty, or reject the recommended penalty. Thebes' decision regarding the proposed penalty must be communicated in the response letter noted below.

Applicable recommended deadline for payment of each proposed penalty and for completion of each proposed corrective action

Thebes must, if it elects to pay the recommended penalty, pay such payment and submit a written plan of corrective action to render all valves operable, or to designate alternative valves, within 30 days of the date of issuance of this NOPV. This recommended deadline may be extended by mutual agreement of the parties for the purpose of facilitating settlement or compromise.

Description of the procedures by which any recommended penalty or proposed corrective action may be challenged at, or approved by, the Commission

Upon receipt of the NOPV, the Village of Thebes may by September 25, 2014, elect to pay the penalty in the manner described above, or may submit to this office in writing, evidence refuting the probable violation referenced in the NOPV. If evidence refuting the probable violation cannot be provided, the Village of Thebes must submit a written plan outlining actions to be taken to correct the violation, including a schedule and the date when compliance is anticipated, within 30 days from the date of this NOPV. The response should include the steps that Thebes has taken, or expects to take to prevent a recurrence of this situation.

The response will determine the next course of action. If Thebes agrees to the proposed penalty, a report shall be submitted to the Commission to obtain Commission approval of the penalty as required by Section 7 of the Illinois Gas Pipeline Safety Act (220 ILCS 20/7).

If Thebes proposes an alternative penalty, written correspondence will be provided to Thebes either: accepting the alternative penalty, proposing an alternative penalty, or informing Thebes that an agreement cannot be reached. If the alternative penalty is accepted, a report shall be submitted to the Commission to determine the adequacy of the penalty and to obtain a Commission ruling as allowed under Section 7 of the Illinois Gas Pipeline Safety Act (220 ILCS 20/7).

If an agreement regarding the proposed penalty cannot be reached, a report shall be submitted to the Commission recommending a citation proceeding be initiated, resulting in show cause hearings and possible penalty assessment determined by a Commission ruling as allowed under Section 7 of the Illinois Gas Pipeline Safety Act (220 ILCS 20/7).

Once the violations identified herein have been addressed, documentation confirming the corrective action must be forwarded to this office. Staff will review the documentation provided to determine compliance. Any correspondence must include the Inspection Report Number as well as the corresponding NOPV Number.

Failure to respond to this letter by the date specified above and take corrective actions will result in a report being submitted to the Commission recommending a citation proceeding be initiated, resulting in show cause hearings and possible penalty assessment determined by a Commission ruling as allowed under Section 7 of the Illinois Gas Pipeline Safety Act (220 ILCS 20/7).

Please be advised that pursuant to Ill. Adm. Code Part 596, all information regarding this inspection in possession of the Commission, including communications regarding this inspection will be made available to the public and posted on the Commission's website. Confidential and/or personal information including, but not limited to social security numbers, driver's license numbers, credit card numbers, debit card numbers, and medical records, etc. should be included in neither inspection documents nor correspondence with the Commission. Any person, as set forth in Section 596.20, who believes that any inspection information is confidential or proprietary shall request that the Commission enter an order to protect the confidential or proprietary information pursuant to 83 Ill. Adm. Code 200.430.

If you have any questions concerning this matter, please contact Valerie Schwing at (217) 414-9608, or I may be contacted at (217) 785-1165.

Sincerely,

Darin R. Burk
Manager - Pipeline Safety



August 26, 2014

DRB/mn

APPENDIX C

RECEIVED

DEC 03 2014

Illinois Commerce Commission
GAS PIPELINE SAFETY

November 21, 2014

Mr. Darin Burk
Program Manager
Illinois Commerce Commission
Pipeline Safety
527 E. Capitol Drive
Springfield, Illinois 62534

Dear Mr. Burk,

In response to the letter on August 26th, 2014 concerning the Notice of Probable Violation, we are providing the following response.

NOPV #2014-V001-00053 – Valve Maintenance: Distribution systems. States in paragraph (b) “Each operator must take prompt remedial action to correct any valve found inoperable, unless the operator designates an alternative valve”

- The Village of Thebes will immediately consider the only emergency valves in the system to be the valve at the Texas Eastern take point and the two outlet valves at the regulator station.
- Valve number 11 will be excavated and located as soon as possible. A new valve box will be installed to ensure access to the valve in the future.
- Valve wrenches to fit valves 13 and 14 have been acquired by the Village of Thebes.

If you have any questions please contact our office.

Sincerely,


John Kennedy, Mayor
Village of Thebes, IL

EXHIBIT 1.1

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

VERIFICATION

I, Valerie Schwing, Pipeline Safety Analyst II, in the Safety and Reliability Division of the Illinois Commerce Commission, being first duly sworn upon oath, state that I am familiar with the facts and matters set forth in the Direct Testimony attached hereto, and that the same are true and correct to the best of my knowledge, information and belief.



Valerie Schwing

Subscribed and sworn to before me
This 5th day of February, 2015.



NOTARY PUBLIC

