COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BARREN COUNTY GAS COMPANY, RANDY KNIGHT AND BARRY ROGERS, INDIVIDUALLY

CASE NO. 96-050

ALLEGED VIOLATION OF KRS CHAPTER 278

ORDER

The Commission's Gas Pipeline Safety Branch conducted an investigation of two incidents involving Barren County Gas Company ("Barren County Gas") and leaks which occurred in its natural gas distribution system in Barren County, Kentucky. A copy of the report is attached as an Appendix to this Order. Barren County Gas is classified by the Commission as a local distribution system and is subject to the Commission's jurisdiction under KRS 278.040 and subject to all safety requirements pertaining to natural gas utilities under KRS Chapter 278 and 807 KAR 5:022. Barry Rogers is the president of Barren County Gas.

Commission investigators first interviewed Jadie and Rex Parsons of Mammoth Petroleum, Inc., who stated they received a phone call on October 8, 1995 from the Barren County 911 Dispatch Center advising them of a natural gas leak at a creek crossing near Glover Road in Barren County. The operator was told to contact Randy Knight, manager of Barren County Gas, as Jadie and Rex Parsons were no longer affiliated with Barren County Gas. Attempts by the 911 dispatcher to contact Randy Knight were unsuccessful. The Chief of the Temple Hill Volunteer Fire Department, Sammy Perkins, contacted the property owner and a well feeding the Barren County Gas system was closed.

Mammoth Petroleum, at the request of Mark O'Brien, President of Natural Gas of Kentucky, Inc. and Bluegrass Gas Sales, Inc., subsequently repaired the leak on November 13, 1995.

The Captain of the East Barren Volunteer Fire Department, Tony Jackson, stated that on at least one occasion his department was unable to make contact with Barren County Gas when a property owner severed a gas service line with a lawnmower. It is unknown at this time how this leak was eventually repaired and by whom.

Both Chief Perkins and Captain Jackson stated that they have never been contacted by Barren County Gas or its agents to establish and maintain liaison with the appropriate fire, police, and other officials to allow a proper response to gas pipeline emergencies as required by 807 KAR 5:022, Section 13(9)(a) and (c).

From the facts alleged, the Commission finds that a <u>prima</u> <u>facie</u> showing has been made that Barren County Gas, Randy Knight, and Barry Rogers have violated all the above-cited regulations in failing to respond to emergency situations which have the potential to cause injuries to persons and property, and to coordinate responses with emergency officials. KRS 278.992 provides that any person who violates any Commission regulation governing the safety of pipeline facilities shall be subject to a civil penalty not to exceed \$10,000 for each violation for each day the violation persisted, not to exceed \$500,000 for any related series of violations.

-2-

IT IS THEREFORE ORDERED that:

Barren County Gas, Inc., Barry Rogers, as its president 1. and in his individual capacity, and Randy Knight, in his individual capacity, shall appear before the Commission on May 14, 1996 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, to show cause why civil fines of up to \$500,000 should not be assessed for the pipeline safety violations noted in this Order.

2. Barren County Gas, Inc., Barry Rogers, and Randy Knight shall file within 7 days of the date of this Order, a written response to the inspection report contained in the Appendix.

Done at Frankfort, Kentucky, this 14th day of March, 1996.

PUBLIC SERVICE COMMISSION

ATTEST:

Executive Director

APPENDIX

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 96-050 DATED MARCH 14, 1996.



COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940

January 5, 1996

Mr. Barry Rogers, President
Barren County Gas Company
P. O. Box 8341
Shawnee Mission, Kansas 66208-0341

Dear Mr. Rogers:

Attached is a copy of an inspection report on the Barren County Gas Company which was initiated as the result of a complaint from a local volunteer fire department.

Please respond to this report by February 5, 1996 with any information you may have as to why Barren County Gas Company should not be required to appear before the Commission in this matter.

If you require further information, please contact David B. Kinman at (502) 564-3940.

Sincerely,

E. Scott Smith, Manager Gas Safety Branch

ESS:DBK:dcp 9533500, 9533600, 9533700

COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION

COMPLAINT INVESTIGATION BARREN COUNTY GAS COMPANY JANUARY 5, 1996

BRIEF

A complaint investigation of Barren County Gas Company ("Barren County Gas") was initiated when Jadie Parsons, a caller, reported on December 6, 1995, problems in contacting Barren County Gas regarding a natural gas leak on its system.

This investigation was conducted on December 19-20, 1995 by David B. Kinman, pipeline safety investigator for the Kentucky Public Service Commission.

Natural gas operators are jurisdictional to the PSC under KRS 278.040, KRS 278.495, and through a 5(a) Agreement with the United States Department of Transportation, Office of Pipeline Safety, for the enforcement of the Natural Gas Pipeline Safety Act of 1968.

INSPECTION

Messrs. Jadie and Rex Parsons of Mammoth Petroleum, Inc. ("Mammoth Petroleum") stated that they received a telephone call on October 8, 1995 from the Barren County 911 Dispatch Center advising them of a natural gas leak at the creek crossing on Glover Road in Barren County. Mr. Jadie Parsons, who at one time, helped maintain the Barren County Gas system for its owner, Barry Rogers, advised the 911 dispatcher that they were no longer affiliated with Barren County Gas and advised the dispatcher to notify Mr. Randy Knight, Manager of Barren County Gas. The 911 dispatcher attempted to Report - Barren County Gas Company January 5, 1996 Page 2

notify Barren County Gas of the leak by calling the telephone numbers they have listed for this operator: (913) 727-2433, (502) 864-5885, and (502) 864-2600. This occurred on October 8, 1995.

According to statements from Mr. Sammy Perkins, Chief of the Temple Hill Volunteer Fire Department, who responded to the leak, the landowner was notified and a well feeding into the Barren County Gas system was turned off.

Mr. Jadie Parsons stated that when Mammoth Petroleum repaired the same leak at the same site on November 13, 1995, at the request of Mr. Mark O'Brien, President of Natural Gas of Kentucky and Bluegrass Gas Sales, Inc., that the leak was still active and blowing gas into the atmosphere. An unrelated leak in the same area on May 27, 1995 also resulted in a lack of response due to an inability to contact this operator according to Chief Perkins.

Mr. Tony Jackson, Captain of the East Barren Volunteer Fire Department, was also interviewed during this investigation. He stated that on May 20, 1994, when a property owner severed a gas service line with a lawn mower, his department was unable to make contact with Barren County Gas. How this leak was eventually repaired is unknown.

Both, Chief Perkins and Captain Jackson, stated that they have never been contacted by Mr. Rogers nor Mr. Knight, operators of Barren County Gas, as required by 807 KAR 5:022, Section 13(9)c. Report - Barren County Gas Company January 5, 1996 Page 3

FINDINGS

1. Barren County Gas has failed to comply with 807 KAR 5:022, Section 13(9)(a), which requires each natural gas operator to establish written procedures to minimize hazards resulting from a gas pipeline emergency. This requires prompt and effective response to emergency situations and making safe any actual or potential hazard to life or property.

2. Barren County Gas has failed to comply with 807 KAR 5:022, Section 13(9)(c), which requires each natural gas operator to establish and maintain liaison with appropriate fire, police and other public officials.

RECOMMENDATIONS

Given these circumstances and the lack of response by Barren County Gas to leak calls which have the potential to cause fires and explosions, it is recommended that the Commission consider action against the utility in accordance with KRS 278.992.

Respectfully submitted,

MAN David B. Kinman Gas Utility Investigator

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DBK:dcp/9533500-9533700

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12/08/95 Opages

To: Dave Kinman 302 564-1582 From: Rex Parsons. 502 565 4949

> Here is the Mammoth Invoice to Barren County Gas.

Any questions, please. all

To: Barren County Gas

Date 12/8/95 From:

Mammoth Petroleum, Inc.

| Rate per hour Total | \$20.00 \$120.00 | to: 30.00 180.00 | 40.00 240.00 | Total Due> \$540.00 |
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Repair Broken 1" blow-off on 3" main line on Glover Rd. in Barren County, KY Repairs done to Barren County Gas system 11/13/95

GASINSP20R PAGE 1 PUBLIC SERVICE COMMISSION 03/05/96 GAS INSPECTION REPORT INSPECTIONS CONCLUDED BETWEEN 12/01/95 AND 12/31/95 UTILITY ID: 3650 COMPANY NAME: BARREN COUNTY GAS COMPANY INSPECTION NBR:95 335 00 UNIT:00/ GAS OPERATION TYPE: GAS DISTRIBUTION TYPE OF GAS: NATURAL LINE SEG/VALVE SECT: MILE POST: INSP. TYPE:F COMPLAINT COMPRESSOR STATION/NBR: NBR. OF VIOLATIONS: NAME : TYPE OF PIPE IN SYSTEM: BEGIN DATE:12/ 6/95 END DATE:12/ 7/95 D.O.T. DAYS: 2 INSP. NAME:NANTZ RESP. DUE: NOTICES: (1) (2) (3) (4) RESULT OF INCIDENT REPORT? Y INCIDENT REPORT NUMBER: REMARKS:Failure to respond to gas leak call on 10/8/95 ENTRY DATE: 12/27/95 INSPECTION NBR:95 336 00 UNIT:00/ GAS OPERATION TYPE: GAS DISTRIBUTION TYPE OF GAS: NATURAL MILE POST: INSP. TYPE:F COMPLAINT LINE SEG/VALVE SECT: NAME : COMPRESSOR STATION/NBR: NBR. OF VIOLATIONS: TYPE OF PIPE IN SYSTEM: BEGIN DATE:12/ 6/95 END DATE:12/ 7/95 D.O.T. DAYS: 2 INSP. NAME:KINMAN NOTICES: (1) (2) RESP. DUE: (3) (4) RESULT OF INCIDENT REPORT? Y INCIDENT REPORT NUMBER: REMARKS: failure to respond to gas leak call on 10/8/95 ENTRY DATE: 12/27/95 INSPECTION NBR:95 337 00 UNIT:00/ GAS OPERATION TYPE: GAS DISTRIBUTION TYPE OF GAS: NAT INF SEC/VALVE SECT: MILE POST: INSP. TYPE:F COMPLAINT NPP OF VIOLAT TYPE OF GAS: NATURAL M NAME: COMPRESSOR STATION/NBR: NBR. OF VIOLATIONS: 2 TYPE OF PIPE IN SYSTEM: BEGIN DATE:12/19/95 END DATE:12/20/95 D.O.T. DAYS: 2 INSP. NAME:KINMAN

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NOTICES: (1)

RESULT OF INCIDENT REPORT? Y INCIDENT REPORT NUMBER:

REMARKS: failure to respond to gas leak call on 10/8/95. Rec of show cause. ENTRY DATE: 12/27/95

RESP. DUE:

GASVIO20R

PUBLIC SERVICE COMMISSION GAS VIOLATION REPORT

INSPECTIONS CONCLUDED BETWEEN 12/01/95 AND 12/31/95 UTILITY ID: 3650 COMPANY NAME: BARREN COUNTY GAS COMPANY

INSP. NBR:95 337 00 V/N:001 UNIT:00/
GAS OPERATION TYPE: GAS DISTRIBUTIONTYPE OF GAS: NATURALLINE SEG/VALVE SECT:MILE POST:INSP. TYPE:F COMPLAINTCOMPRESSOR STATION NBR:NAME:NBR. OF VIOLATIONS: 2 FINDING PER REGULATION: 807 KAR 5:022, Section 13(9)a VIO. CODE: Barren County Gas has failed to comply with this regulation PENALTY RECOMMENDED which requires each natural gas operator to establish \$.00 written procedures to minimize hazards resulting from a gas pipeline emergency. This requires prompt and effective PENALTY APPROVED response to emergency situations and making safe any actual \$.00 or potential hazard to life or property. DUE DATE: RECOMMENDATIONS PER FINDING: Formal hearing be held in this matter with action against PENALTY RECEIVED the utility in accordance with KRS 278.992. \$.00 REC DATE: VIO. CORR. DATE ENTRY DATE:12/27/95 INSP. NBR:95 337 00 V/N:002 UNIT:00/ GAS OPERATION TYPE: GAS DISTRIBUTION TYPE OF GAS: NATURAL LINE SEG/VALVE SECT: MILE POST: INSP. TYPE:F COMPLAINT COMPRESSOR STATION NBR: NAME: NBR. OF VIOLATIONS: 2 FINDING PER REGULATION: 807 KAR 5:022, Section 9(c) VIO. CODE: . Operator has failed to comply with this regulation which PENALTY RECOMMENDED requires each natural gas operator to establish and maintain \$ liaison with appropriate fire, police and other public .00 officials. PENALTY APPROVED \$.00 DUE DATE: **RECOMMENDATIONS PER FINDING:** Formal hearing to be held in this matter that the Commission PENALTY RECEIVED consider action against the utility in accordance with KRS .00 \$ 278.992. REC DATE:

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ENTRY DATE: 12/27/95

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PAGE

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FEB 2 9 1996 DIVISION OF UTILITY ENGINEERING & SERVICES

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