

2300 COMMISSION AUTHORITY

- 2300.1 Pursuant to D.C. Official Code § 34-301 (2010 Repl.), the Commission shall maintain general supervision of all gas corporations having authority, under any general or special law or under any charter or franchise, to lay down, erect, or maintain wires, pipes, conduits, ducts or other fixtures in, over, or under the streets, highways, and public places in the District of Columbia for the purpose of furnishing or distributing gas for light, heat or power.
- 2300.2 The Commission shall maintain general supervision of all gas manufacturing and processing plants operating in the District of Columbia.

AUTHORITY: Unless otherwise noted, the authority for this chapter is Paragraph 21 of § 8 of An Act Making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 977); as amended by § 2 of the Public Utilities Amendment Act of 1989, D.C. Law 8-47, D.C. Code § 43-501 (1990 Repl. Vol.).

SOURCE: Final Rulemaking published at 33 DCR 6625 (October 24, 1986); as amended by Final Rulemaking published at 38 DCR 2381 (April 26, 1991); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2301 FEDERAL CODE PROVISIONS APPLICABLE

2301.1 The federal government's gas safety regulations for transportation of natural and other gas by pipeline, 49 CFR § 190 (Pipeline Safety Program Procedures), 49 CFR § 191 (Annual Reports and Incident Reports), 49 CFR § 192 (Minimum Federal Safety Standards), and 49 CFR § 199 (Drug Testing) shall be the natural gas pipeline safety standards for intrastate natural gas transmission and distribution facilities subject to the jurisdiction of the Commission, except to the extent that the regulations in this chapter are more stringent.

SOURCE: Final Rulemaking published at 33 DCR 6625 (October 24, 1986); as amended by Final Rulemaking published at 38 DCR 2381 (April 26, 1991); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2302 ENFORCEMENT

- 2302.1 Whenever the Commission finds a particular facility to be hazardous to life or property, it shall require the person, firm, or corporation operating the facility to take all measures necessary to remove the hazards.
- 2302.2 The Office of Engineering of the Commission shall have responsibility for the enforcement of the provisions of this chapter.
- 2302.3 The Office of Engineering shall investigate and report to the Commission, in writing, instances in which it appears that this chapter has not been complied with, and shall make recommendations for achieving prompt compliance.
- 2302.4 The plant, property, facilities, and records of gas corporations under the Commission's jurisdiction shall be made readily accessible to the Commission, its staff, or its authorized representatives in the administration and enforcement of this chapter, or in the investigation of violations or alleged violations of any of its provisions.

SOURCE: Final Rulemaking published at 33 DCR 6625 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2303 **[RESERVED]**

2304 PUBLIC AWARENESS

- 2304.1 A gas corporation shall provide notice to each customer at least twice annually, informing the customer of the hazards of leaking gas and instructing the customer in the procedures to be followed in reporting gas leaks. A sample odor indicator shall be included in each biennial notice.
- 2304.2 A gas corporation shall provide notice twice annually, through newspaper or other means of mass communication, to the general public of the hazards of leaking gas and instructing the general public in the procedures to be followed in reporting gas leaks.
- 2304.3 Notices shall include information regarding the possible entry of gas by various means, including leakage along routes where gas service is not provided.
- 2304.4 A gas corporation shall implement targeted distribution of print materials annually to residents located along transmission pipeline rights of way and places of public assembly. Materials shall include:
- (a) Information regarding the purpose and reliability of the pipeline;
 - (b) Hazards and prevention measures undertaken;
 - (c) Damage prevention;
 - (d) One-call requirements;
 - (e) Leak recognition and response;
 - (f) Pipeline location information;
 - (g) How to get additional information; and
 - (h) Availability of list of pipeline operators through the National Pipeline Mapping System (NPMS).

SOURCE: Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2305 SAFETY

2305.1 Gas leak detection surveys, including all service lines up to the exterior building wall, regardless of meter placement, shall be made as follows:

- (a) Business Districts. A gas corporation shall conduct an annual survey in business districts, involving tests of the atmosphere in gas, electric, telephone, sewer, and water system manholes, at cracks in pavements and sidewalks, and at other locations providing an opportunity for finding gas leaks;
- (b) Within ninety (90) days of the effective date of these rules, the gas corporation shall provide the Commission with a map of the District of Columbia showing Business Districts and shall update the map whenever changes are made;
- (c) Places of Public Assembly. A gas corporation shall conduct an annual survey of service lines to places of public assembly using Hydrogen Flame Ionization (HFI) or Combustible Gas Indicator (CGI) or other comparable methods.;
- (d) Within ninety (90) days of the effective date of these rules, the gas corporation shall provide the Commission with a list of Places of Public Assembly in the District of Columbia and shall update the list whenever changes are made;
- (e) Each gas corporation or small gas operator shall conduct a survey of its entire distribution system not less than once every three (3) years;
- (f) Leakage tests by HFI or by CGI and bar hole or other comparable approved method shall be conducted within the immediate area of each new, repaired or replaced gas line after backfilling and after a reasonable period of gas pressurizing when the line is being placed into service;
- (g) Whenever a steel pipe or tubing is used in the attachment of a service line to a cast iron main, it shall be protected against external corrosion using an anode and test station, except in the case of a malleable fitting when use of an anode only is sufficient;
- (h) A pipeline no longer meeting cathodic protection criteria shall be remediated promptly. Prompt, as used in this section, is defined as resolving the loss of cathodic protection within the next monitoring cycle. Records showing when the pipeline was discovered to have lost cathodic protection and when the loss was remedied, along with annual test records, must be kept for as long as the pipeline remains in service; and
- (i) Records of Surveys
 - (1) Each gas corporation or small gas operator shall maintain a record of each leak survey showing by location and date:
 - (A) Leaks detected; and

(B) Severity of each leak; and

(2) These records shall be kept as long as the segment of pipeline involved remains in service.

2305.2 Pipeline Location

- (a) Burial. Pipelines shall be buried a minimum of twenty four inches (24 in.) or eighteen inches (18 in.) in solid rock, where the term solid rock indicates the necessity of blasting or the use of pneumatic equipment.
- (b) Exceptions. Burial depths less than that specified but not less than twelve inches (12 in.) will be allowed if underground obstructions preclude these depths, and if special line protection is provided and accepted by the Office of Engineering, after submission of documentation justifying the exception;
- (c) As-built drawings shall be made after installation, but before the pipelines are covered;
- (d) Identification.
 - (1) Tracer wire shall be installed with all plastic pipes; and
 - (2) When the open trenching method of pipeline construction is used, suitable identification tape shall be installed at a minimum of twelve inches (12 in.) above the top of the pipe and at least six inches (6 in.) below the final grade after completion of installation.
- (e) Each gas corporation or small gas operator shall maintain all relevant documentation of plastic pipe joining qualifications, all Operator Qualification documentation, up-to-date manuals, and copies of relevant procedures. Access to this documentation shall be available at each job site, either in hard copy or electronically;
- (f) Each gas corporation or small gas operator shall provide adequate supervision for its construction crews;
- (g) Each gas corporation or small gas operator shall submit a report of damage to the gas pipeline system, including appropriate codes indicating the cause of the damage. This report shall be filed every other month, no later than the tenth (10th) of the month; and
- (h) Each gas corporation shall notify the Office of Engineering in writing at least ten (10) days before the estimated start date of any construction project scheduled for completion in five (5) or more working days, or before the estimated start date of work related to an Integrity Management Program.

SOURCE: Final Rulemaking published at 60 DCR 7 (January 4, 2013).

**2306 INCIDENT REPORTS AND SAFETY-RELATED
CONDITION REPORTS**

- 2306.1 Each gas corporation or small gas operator shall report simultaneously to the Commission's Office of Engineering each incident that must be reported to the U.S. Department of Transportation, Office of Pipeline Safety.
- 2306.2 Each gas corporation or small gas operator shall report in writing within thirty (30) days to the Commission's Office of Engineering the following incidents:
- (a) An event that involves release of gas from a pipeline, or release of liquefied natural gas (LNG) or gas from an LNG facility and one (1) of the following:
 - (1) A death or a personal injury necessitating hospitalization; or
 - (2) Estimated property damage, including the cost of gas lost to the gas corporation or small gas operator, or others, or both, of five thousand dollars (\$5,000) or more;
 - (b) An event that results in an emergency shutdown of an LNG facility; or
 - (c) An event that is significant in the judgment of the operator, even though the circumstances of paragraph (a) or (b) were not met.
- 2306.3 At the earliest practical time following discovery of incidents described in § 2306.2, each gas corporation or small gas operator shall notify the Office of Engineering and provide the following:
- (a) Name of the operator, person reporting, and their telephone number(s);
 - (b) Location of the incident;
 - (c) Time of the incident;
 - (d) Nature of the facilities and injuries, if any; and
 - (e) All other significant facts that are relevant to the incident.
- 2306.4 A copy of each report filed with a federal agency regarding safety and service failures by a gas corporation or small gas operator under the Commission's jurisdiction shall be provided simultaneously to the Director of the Commission's Office of Engineering.
- 2306.5 The Office of Engineering shall maintain a log of telephone reports of incidents involving natural gas safety.
- 2306.6 Each gas corporation or small gas operator shall inform the Office of Engineering of any natural gas incident within one (1) hour after the gas corporation's or small gas operator dispatch personnel have been informed about the incident.

2306.7 A copy of each safety-related condition report filed with a Federal Agency by a gas corporation or small gas operator shall simultaneously be provided to the Commission's Office of Engineering.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6626 (October 24, 1986); as amended by Final Rulemaking published at 35 DCR 7938 (November 4, 1988); as amended by Final Rulemaking published at 38 DCR 2381 (April 26, 1991); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2307

OPERATION AND MAINTENANCE PLANS

2707.1

Each gas corporation or small gas operator subject to the Commission's jurisdiction shall have on file with the Commission the following information:

- (a) Plans covering operation and maintenance procedures in accordance with federal regulations; and
- (b) Modifications of such plans when issued by the gas corporation or small gas operator. Modifications of such plans shall be filed with the Commission within ten (10) business days of the modification date on the plan.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6627 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2308 **EMERGENCY PLANS**

2308.1 Each gas corporation or small gas operator subject to the Commission's jurisdiction shall do the following:

- (a) Establish an emergency plan to be implemented in the event of facility failures or other emergencies;
- (b) Acquaint appropriate maintenance and operating employees with the operation of the applicable portions of the plan;
- (c) Establish a liaison with appropriate public officials with respect to this plan; and
- (d) File with the Office of Engineering the name and telephone number of the employee(s) and official(s) of the gas corporation or small gas operator who may be called in an emergency. It shall be the responsibility of each gas corporation or small gas operator to keep this information current.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6627 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2309 **[RESERVED]**

- 2310 INVESTIGATIONS, INSPECTIONS, SPECIFIC INFORMATION REQUESTS, AND WARNING LETTERS**
- 2310.1 The Commission, its staff, or agents, shall periodically investigate and ascertain the quality and quantity of natural gas supplied to consumers in the District of Columbia.
- 2310.2 The Commission, its staff, or agents shall periodically investigate the methods employed by gas corporations or small gas operators under its jurisdiction in manufacturing, distributing, supplying, and transmitting gas for light, heat or power.
- 2310.3 Upon presentation of appropriate credentials, the Commission's staff, or duly appointed agents, shall be authorized to enter upon, inspect and examine at reasonable times and in a reasonable manner the records and property of a gas corporation or small gas operator, or its agents or representatives, to the extent such records and property are relevant in determining compliance with the provisions of this chapter.
- 2310.4 The Office of Engineering may conduct periodic inspections of records and property in the possession, custody or control of the gas corporation or small gas operator to determine compliance with the federal Natural Gas Pipeline Safety Act, 49 U.S.C. §§ 1671, *et seq.* or this chapter. Inspections shall be conducted pursuant to one (1) of the following:
- (a) Routine scheduling;
 - (b) A complaint received from a member of the public;
 - (c) Information obtained from a previous inspection;
 - (d) Pipeline accident or incident; or
 - (e) Whenever the Commission deems it appropriate to do so.
- 2310.5 An inspection shall include a thorough review of the operator's records concerning inspection, operation, maintenance, and emergency procedures.
- 2310.6 Field inspection shall include operational checks of corrosion control provisions, overpressure and regulating equipment, odorization, repaired leaks, emergency valves, and any other components of the facility.
- 2310.7 The Commission's Office of Engineering shall create and maintain the records of such inspections for a period of five (5) years.
- 2310.8 The Office of Engineering may send a gas corporation or small gas operator a specific information request. If so:
- (a) A gas corporation or small gas operator shall respond within fifteen (15) business days after receipt of a specific information request relating to a possible complaint, probable violation of gas safety regulation or gas incident report;

- (b) Except as provided in paragraph (a), a gas corporation or small gas operator shall respond within thirty (30) calendar days after receipt of a specific information request.

2310.9 Upon determining that a probable violation of 49 U.S.C. §§ 60101, *et seq.*, or of this chapter or any regulation or order issued thereunder has occurred, the Director of the Office of Engineering, may issue a Warning Letter notifying the gas corporation or small gas operator of the probable violation and advising the gas corporation or small gas operator to correct the violation or be subject to appropriate enforcement action.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6628 (October 24, 1986); as amended by Final Rulemaking published 60 DCR 7 (January 4, 2013).

2311 NOTICE OF PROBABLE VIOLATIONS

- 2311.1 When an inspection of an operator's records and facilities indicates that the operator apparently is not in compliance with a pipeline safety regulation, the investigator shall inform the operator of the probable violation. Whenever the gas corporation or small gas operator has been informed of a probable violation, it shall complete the "Outside Agency Inspection" Form, Section APP 2100-1 or a comparable report providing similar data. A copy of Form APP 2100-1 or that comparable report shall be submitted to the Office of Engineering no later than five (5) business days after the date of the inspection.
- 2311.2 The Director of the Office of Engineering, may issue a Notice of Probable Violation (NOPV) upon finding good cause to believe a violation of the federal Natural Gas Pipeline Safety Act, 49 U.S.C. §§ 1671, *et seq.*, or title 34 of the D.C. Official Code (2011 Supp.), has occurred.
- 2311.3 A NOPV shall include:
- (a) A statement of the statute, regulation, or rule allegedly violated by a gas corporation or small gas operator;
 - (b) A description of the evidence indicating a possible violation;
 - (c) Notice of response options available to the gas corporation or small gas operator;
 - (d) If appropriate, the amount of the proposed civil penalty and the maximum civil penalty applicable under law; and
 - (e) If appropriate, a statement of the remedial action being sought in a compliance order.
- 2311.4 The NOPV may include a proposed compliance order.
- 2311.5 Each gas corporation and small gas operator shall file with the Director of the Office of Engineering, the name, address, and telephone number of the person who will accept service of the report of a probable violation.
- 2311.6 The report of a probable violation shall cite specifically the gas pipeline safety regulation(s) in apparent violation.
- 2311.7 Service of the report of probable violation shall constitute formal notice of a probable violation.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6628 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2312 OPPORTUNITY FOR OPERATOR TO RESPOND

- 2312.1 A gas corporation or small gas operator that is the subject of a formal notice of probable violation shall respond to the Director, Office of Engineering, in writing within thirty (30) days of receipt of the notice.
- 2312.2 A gas corporation or small gas operator shall respond to the NOPV as follows:
- (a) If the NOPV contains a proposed compliance order, a gas corporation or small gas operator may:
 - (1) Agree to the proposed compliance order;
 - (2) Request the execution of a consent order; or
 - (3) Object to the proposed compliance order and submit written explanations, information, or other materials in answer to the allegations in the notice; and
 - (b) If the NOPV contains a proposed civil penalty, a gas corporation or small gas operator may:
 - (1) Pay the penalty; or
 - (2) Submit a written explanation, information, or other material in answer to the allegations in the notice and to mitigate the proposed civil penalty.
- 2312.3 If a gas corporation or small gas operator objects to the proposed compliance order or civil penalty and submits a written explanation, information or other material in response to the NOPV, the Director of the Office of Engineering, shall review the submissions and determine, in writing, whether there exists good cause to believe a violation has occurred, whether to negotiate further, modify, or withdraw the NOPV, or whether to refer the matter to the Commission for resolution. The Director of the Office of Engineering shall complete this review within sixty (60) calendar days of the receipt of the response and shall serve this determination on the gas corporation or small gas operator.
- 2312.4 If a gas corporation or small gas operator objects to the determination of the Director of the Office of Engineering, the gas corporation or small gas operator may request a hearing by the Commission within thirty (30) calendar days of the Director's determination. A request for a hearing must be accompanied by a statement of the issues that the gas corporation or small gas operator intends to raise at the hearing. The issues may relate to the allegations in the NOPV, the proposed compliance order, or the proposed civil penalty. Failure to specify an issue may result in waiver of the right to raise that issue at the hearing.
- 2312.5 The Director of the Office of Engineering, may execute a consent order jointly with a gas corporation or small gas operator. An executed consent order shall contain:
- (a) An admission by a gas corporation or small gas operator of all jurisdictional facts;

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- (b) An express waiver of further procedural steps and of all right to seek judicial review or otherwise challenge or contest the validity of the order;
 - (c) An acknowledgement that the notice of probable violation may be used to construe the terms of the consent order; and
 - (d) A statement of the actions required of the gas corporation or small gas operator and the time by which the actions shall be accomplished.
- 2312.6 Following an investigation and a determination by the Director of the Office of Engineering, that there exists good cause to believe that a gas corporation or a small gas operator violated minimum pipeline safety requirements, the Director of the Office of Engineering, may assess or negotiate a civil penalty pursuant to D.C. Official Code § 34-706 (2010 Repl. & 2011 Supp.).
- 2312.7 In proposing a civil penalty, the Director of the Office of Engineering, shall consider the criteria stated in D.C. Official Code § 34-706.
- 2312.8 A gas corporation or small gas operator shall pay a civil penalty that has been proposed or compromised by submitting to the Commission a check in the correct amount, payable to the U.S. Treasury to the credit of the District of Columbia General Fund.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6629 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2313 COMMISSION ACTION

2313.1 Upon referral of the matter to the Commission for formal resolution, the Commission shall take any of the following actions:

- (a) Seek an injunction or mandamus in D.C. Superior Court in cases in which immediate action is necessary;
- (b) Issue a show-cause order or schedule a hearing requiring the operator to demonstrate why the operator should not be subject to the penalties set forth in Title 34 of the D.C. Official Code (2011 Supp.); or
- (c) Pursuant to a hearing, order an operator to take corrective action.

2313.2 Failure to obey a Commission order can result in penalties prescribed in Title 34 of the D.C. Official Code (2011 Supp.).

SOURCE: Final Rulemaking published at 33 DCR 6625, 6630 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2314 RECORDS

- 2314.1 Each gas corporation or small gas operator shall organize, prepare, and maintain all necessary records and reports to insure and to demonstrate compliance with this chapter. All records and reports shall be available for inspection at all times by the Commission, its staff, or its authorized employees in the normal discharge of their duties.
- 2314.2 Each gas corporation or small gas operator shall maintain specifications for material and equipment, installation, testing, and fabricating.
- 2314.3 Each gas corporation or small gas operator shall maintain plans covering operating and maintenance procedures, including the maximum allowable operating pressures to which all lines are intended to be subjected.
- 2314.4 The gas corporation or small gas operator shall record and retain records indicating the location of all pipelines which it owns so that the records are as accurate as reasonably practicable, based on the gas corporation or small gas operator's information as of two (2) months from the date of installation or change. The installation date of a new or replaced utility is considered the pressure test date of the utility after installation.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6630 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2315 GAS PROCUREMENT REPORT

- 2315.1 On December 1st, biennially, the Washington Gas Light Company (WGL or Company), shall file a Gas Procurement Report (GPR) setting forth the Company's gas procurement strategies and practices.
- 2315.2 The GPR shall contain the following information:
- (a) Actual annual and monthly gas supply, billing determinants and costs, including weighted average cost of gas, as allocated to major classes of service by jurisdiction;
 - (b) Actual margins for delivery to Interruptible Sales and special contract customers;
 - (c) An outline of the efforts made to obtain and maintain a reliable gas supply at reasonable costs; and
 - (d) An outline and discussion of the decision-making basis and planning procedures utilized by WGL in its gas procurement activities.
- 2315.3 The GPR shall consist of information that the Commission has directed be included, as well as other considerations agreed upon by the members of the Gas Procurement Working Group (GPWG). The GPWG, which shall consist of representatives from the Staff of the Commission (Staff), the Office of the People's Counsel (OPC) and WGL, shall meet periodically to discuss and refine the GPR. However, WGL, not the GPWG, shall formulate the GPR.
- 2315.4 The GPWG shall review and discuss gas procurement planning activities and strategies. The GPWG shall transfer technical knowledge to the Staff which will ultimately assist in the Commission's review and evaluation of the Company's planning activities and strategies.
- 2315.5 OPC and the public may file comments not later than ninety (90) days from the date of the GPR's submission to the Commission.
- 2315.6 WGL should submit reply comments, if any, not later than thirty (30) days from the submission of comments of OPC or the public.
- 2315.7 The Commission shall review the GPR, OPC's comments, along with any public comments, and any reply comments and thereafter make public its evaluation of the GPR.

SOURCE: Final Rulemaking published at 41 DCR 202 (January 14, 1994); as amended by Final Rulemaking published at 47 DCR 9346 (November 24, 2000); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013); as amended by Final Rulemaking published at 64 DCR 11071 (October 27, 2017).

2316-2319 [RESERVED]

2320 SMALL GAS OPERATORS

- 2320.1 Small gas operators subject to the jurisdiction of the Commission shall comply with the requirements, rules, and regulations of this chapter.
- 2320.2 In the event of an emergency or safety hazard, the Commission shall take either of the following actions:
- (a) Order service to the small gas operator interrupted; or
 - (b) Order the hazard remedied at the operator's expense.

SOURCE: Final Rulemaking published at 33 DCR 6625, 6631 (October 24, 1986); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2321 – 2350

[RESERVED]

2351 GENERAL GAS METERING PROVISIONS

- 2351.1 A representative of the Commission shall check the condition of meters in the meter shop of the gas corporation from time to time by testing random samples of meters ready for installation.
- 2351.2 When any meter is inactive, whether installed in service or not, for a period of two (2) years or longer, it shall be tested, and adjusted if necessary, before being placed in service again.
- 2351.3 Meters shall measure cubic feet of gas and bills rendered for gas service, shall contain the readings of the meter at the beginning and ending dates of the billing period and shall state clearly that the bill is based upon actual meter readings by the gas corporation, a customer reading, or an estimate of usage.
- 2351.4 Care shall be exercised in the use and handling of test equipment to assure that the accuracy is not impaired.
- 2351.5 Each natural gas corporation which corrects meter readings to compensate for pressure shall have dead weight testers, test quality precision type bourdon tube spring gauges, mercury manometers, or field type dead weight pressure gauges as necessary for the proper testing of the pressure correcting devices.
- 2351.6 Each gas corporation shall maintain a proper record of the factor(s) used in compensating for pressure and temperature and the basis for computing such factor(s).
- 2351.7 Upon request, the gas corporation shall provide a record of the factor(s) and the basis for computing the factor(s) to the Commission's Office of Engineering.
- 2351.8 If these factor(s) are revised, the gas corporation shall immediately inform the Office of Engineering of these changes, in writing, and shall provide the basis for these changes.
- 2351.9 Each gas corporation which corrects meter readings to compensate for temperature shall have accurate meters and other equipment as necessary for the proper testing of the temperature correcting devices.
- 2351.10 Meters to be tested shall be stored in a manner that the temperature of the meters is substantially the same as the temperature of the prover.

SOURCE: Final Rulemaking published at 35 DCR 7938 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2352 METERING TESTS

- 2352.1 Only authorized representatives of a gas corporation shall remove and set meters. Each gas corporation shall keep a record of the dates that each meter is set in and removed from service.
- 2352.2 The test of any meter or associated devices, or both, shall consist of a comparison of its accuracy with the accuracy of the standards prescribed by the National Bureau of Standards or other methods specified in this chapter.
- 2352.3 Testing equipment shall be of sufficient capacity and ranges to test meters or associated devices, or both, under the conditions specified in § 2360.
- 2352.4 Bell provers may be used to test diaphragm, rotary, and turbine type meters. A prover that is used to test rotary and turbine type meters shall be properly automated and have a satisfactory readout. The test shall consist of passing a specific volume of air through the prover and the meter. The accuracy or proof is either read or calculated from the prover scale or the readout.
- 2352.5 Approved working standards other than bell provers may be used to test diaphragm, rotary, and turbine type meters.
- 2352.6 The meter to be tested shall be connected to the approved working standard so that the same volume of air, either under pressure or vacuum, passes through both.
- 2352.7 The uncorrected accuracy shall be calculated or read directly from the readout on the working standard. Corrections shall be made for pressure and temperature differentials between the meter under test and the working standard to determine the corrected accuracy.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7939 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2353 METER TESTING FACILITIES

- 2353.1 Each gas corporation subject to the Commission's jurisdiction shall maintain or designate a meter shop within the Washington, D.C. metropolitan area for the purpose of inspecting, testing, and repairing meters. The gas corporation shall be responsible for the operation of a meter shop.
- 2353.2 The shop shall be open for inspection by authorized representatives of the Commission at all reasonable times, and the facilities and equipment, as well as the methods of making the measurements and test employed, shall be subject to the Commission's approval.
- 2353.3 The area within the meter shop used for the testing of meters shall be designed so that the meters and meter testing equipment are protected from draft and excessive changes of temperature.
- 2353.4 The meter shop shall be air-conditioned, if necessary, in order to achieve satisfactory temperature control.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7940 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2354 BELL PROVERS

- 2354.1 Each gas corporation testing meters with bell provers shall do the following:
- (a) Own and maintain, or have access to, one (1) or more approved bell type meter provers of appropriate size, and all other equipment necessary to test meters, which shall be installed in the meter room;
 - (b) Provide the means to maintain the temperature of the liquid in the bell provers at substantially the same level as the air temperature in the prover room. The maximum difference in temperature shall not be more than two degrees Fahrenheit (2° F);
 - (c) Maintain each bell prover in good condition and correct adjustment shall be accurate within plus or minus three tenths of one percent ($\pm 0.3\%$) at each point used in testing meters; and
 - (d) Calibrate each bell prover at least once every three (3) years. If moved or disassembled, the accuracy of a bell prover shall be determined by using one (1) or more of the methods as follows:
 - (1) By comparison to a one cubic foot (1 ft.³) cubic foot standard calibrated by the National Bureau of Standards;
 - (2) By strapping with a calibrated tape whose accuracy is traceable to the National Bureau of Standards; or
 - (3) By comparison to an approved transfer standard for a bell in excess of five cubic feet (5 ft.³).
- 2354.2 Each gas corporation testing meters by standards other than bell provers shall do the following:
- (a) Test meters which are too large for testing on a five cubic foot (5 ft.³) bell prover by other approved methods and by use of approved working standards;
 - (b) Maintain the approved working standards in good condition and correct adjustment, with a high degree of repeatability, and capable of determining the actual proof of the meter under test to within plus or minus five tenths of one percent ($\pm 0.5\%$) at rates of flow between fifteen percent (15%) and one hundred percent (100%) of rated capacity of the meter under test; and
 - (c) Test the approved working standards for accuracy by comparison with an acceptable standard at least once every three (3) years.
- 2354.3 Each standard shall be accompanied at all times by a certificate or calibration card, duly signed and dated, on which are recorded the corrections required to compensate for errors found at the customary test points at the time of the previous test.

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SOURCE: Final Rulemaking published at 35 DCR 7938, 7940 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2355 TEST OF TURBINE METERS

- 2355.1 Turbine meters for which the manufacturer has established minimum spin times, may be spin tested to determine their in-service condition.
- 2355.2 Turbine meters shall be given a spin test at least once every twelve (12) months unless covered under an approved in-service performance testing program.
- 2355.3 Any meter found to have a spin time less than the manufacturer's recommended minimum and which cannot be brought up to the minimum by cleaning and lubrication shall be changed and replaced with an accurate meter.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7942 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2356 PRE-INSTALLATION TESTS OF ROTARY METERS

- 2356.1 Rotary meters on which an original test record of the differential pressures is established, as soon as practicable after installation, may subsequently be tested by comparing the new differential pressures with the original test record. This subsequent test may be in place of normal testing with a bell prover or other approved working standard.
- 2356.2 In establishing the original test record, the pressure differential shall be recorded at two (2) or more load levels, with the minimum being no less than twenty percent (20%) of the rated capacity at the operating pressure of the meter.
- 2356.3 The meters shall be given a differential pressure test at least once every twenty-four (24) months unless covered under an approved in-service performance testing program.
- 2356.4 When the test differential pressure differs from the original test record by more than fifty percent (50%), the meter shall not be used for measurement for revenue billing purposes until, by cleaning or repairing, the differential pressure is not more than fifty percent (50%) in excess of the original test record.
- 2356.5 If the differential pressure cannot be brought within the above limits by cleaning or repairing, the meter shall be removed from service and replaced with an accurate meter.
- 2356.6 The differential pressure test shall not be used as a periodic test on rotary meters having a rated capacity of less than eight hundred (800) cubic foot per hour (cfh), or on rotary meters on which the results of a differential pressure test would not be conclusive, such as meters connected to the following:
- (a) Loads which are less than twenty percent (20%) for the rated capacity of the meters; or
 - (b) Rapidly fluctuating loads.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7942 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

**2357 PRE-INSTALLATION TESTS OF PRESSURE
CORRECTING DEVICES**

- 2357.1 While the pressure element is actuated, the mechanism may be driven either manually or by a motor. A dead weight tester or regulated air or gas pressure may be used to actuate the pressure element. If regulated air or gas pressure is used, a pressure gauge having an accuracy of plus or minus one fourth of one percent ($\pm 0.25\%$) of full scale shall be used to indicate the pressure on the element.
- 2357.2 Each gas corporation shall apply a specific pressure to the pressure element and the uncorrected counter or calibrating mechanism shall be advanced a predetermined number of counts. The number of counts by which the corrected counter or calibrating mechanism has been advanced shall be recorded. The accuracy shall be calculated by comparing the number of counts that the corrected counter or calibrating mechanism has been advanced with the actual number of counts required for the pressure at which the test was made.
- 2357.3 Electronic pressure correcting devices shall be calibrated following the manufacturer's recommended procedures.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7943 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2358 PRE-INSTALLATION TESTS OF TEMPERATURE CORRECTING DEVICES

- 2358.1 Each gas corporation shall test temperature correcting devices by driving the mechanism while the temperature sensor is immersed in a temperature bath containing a precision thermometer that has an accuracy of plus or minus one half of one degree Fahrenheit ($\pm 0.5^{\circ}$ F).
- 2358.2 Each gas corporation shall apply specific, reasonably constant temperatures to the temperature sensor. The temperatures used may be the operating (flowing gas) temperature, ambient temperature, or an ice bath at thirty-two degrees Fahrenheit (32° F). The temperature sensor shall be tested at not less than two (2) points, preferably with temperatures at least twenty degrees Fahrenheit (20° F) apart.
- 2358.3 At each temperature test point, the counter or calibrating mechanism shall be advanced a predetermined number of counts. The number of counts by which the corrected counter or calibrating mechanism has been advanced shall be recorded. The accuracy shall be calculated by comparing the number of counts that the corrected counter or calibrating mechanism has been advanced with the actual number of counts required for the temperature at which the test was made.
- 2358.4 Electronic temperature correcting devices shall be calibrated following the manufacturer's recommended procedures.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7943 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2359 PRE-INSTALLATION TESTS OF TIMING DEVICES

2359.1 The test of a timing device shall consist of precisely synchronizing the timing device and the working standard at the start of the test time interval. At the end of the test time interval, the working standard shall be stopped and the reading recorded. The accuracy shall be calculated by comparing the actual time elapsed with the test time interval.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7944 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2360 PRE-INSTALLATION ACCURACIES

- 2360.1 All tolerances shall be interpreted as maximum permissible variation from the condition of zero (0) error. In making adjustments, no advantage of the prescribed tolerance limits shall be taken to set meters fast.
- 2360.2 In the reading and recording of data the following standards shall apply:
- (a) In any test or calibration, the devices or instruments used in the test or calibration shall be read to the maximum degree of readability;
 - (b) The degree of accuracy achieved in the calculations involved in determining the accuracy of a meter, prover, device, or instrument in any test or calibration shall be consistent with the purpose for which the resultant accuracy is to be used; and
 - (c) The final accuracy or proof shall be recorded to the nearest one half percent (0.5%).
- 2360.3 The overall accuracy or proof of a meter and an associated device, which affects the meter readings for billing purposes, shall not be more than one half percent (0.5%) fast or more than one and a half percent (1.5%) slow.
- 2360.4 Diaphragm meters shall not be placed or left in service unless found upon testing to comply with the following:
- (a) The meter shall not be more than one half percent (0.5%) fast nor more than one and a half percent (1.5%) slow at check flow or at full rated flow;
 - (b) The proof at full rated flow shall not differ from the proof at check flow by more than one percent (1%); and
 - (c) When air is used for testing meters, the rate of flow shall be adjusted to compensate for the difference in the specific gravity of air and the specific gravity of gas.
- 2360.5 Rotary tube meters shall be tested at not less than fifteen percent (15%) of full rated flow. A gas corporation shall not install a rotary meter which is more than one half percent (0.5%) fast or more than one and a half percent (1.5%) slow at the points of test.
- 2360.6 Turbine type meters shall be tested at not less fifteen percent (15%) of full rated flow. The meters shall not be more than one half percent (0.5%) fast or more than one and half percent (1.5%) slow at the points of test.
- 2360.7 Pressure correcting devices shall not be more than one half percent (0.5%) fast or more than one and a half percent (1.5%) slow in the pressure range for which the instrument is intended to be used.
- 2360.8 Temperature correcting devices shall not be more than one half percent (0.5%) fast or more than one and a half percent (1.5%) slow at the points at which they are tested.

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- 2360.9 Timing devices shall not have an error of more than one fourth of one percent (0.25%).
- 2360.10 Before a meter may be installed for revenue billing purposes the gas corporation shall inspect and test the meter, and adjust it if necessary, so that its proof is within the tolerances specified in this section.
- 2360.11 New meters in Group I, as specified in § 2370.4, may be sample tested for proof in accordance with a gas corporation's sample plan of testing, acceptable to the Commission.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7944 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2361 **[RESERVED]**

2362 LEAK TESTS

- 2362.1 The meter shall not leak when subjected to pressure and shall be checked for leaks in the following manner:
- (a) Immersion;
 - (b) Soap test; or
 - (c) A pressure drop test of a type acceptable to the Commission's Office of Engineering.
- 2362.2 Tinned steel case meters shall be subjected to an internal pressure of at least two pounds (2 lbs.) per square inch gauge (psig) when testing for leaks.
- 2362.3 Iron or aluminum case meters shall be tested at a pressure at least fifty percent (50%) above operating pressure. The meters may be sample tested in accordance with the plan described in § 2360.11. If one (1) or more meters in the sample is found to leak, additional testing shall be done as described in § 2360.11.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7946 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

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[RESERVED]

2367 REQUEST TESTS

- 2367.1 Upon a customer's request and at no charge, the gas corporation shall make a test of the accuracy of the meter serving the customer; provided that the meter has not been tested within twelve (12) months prior to such request.
- 2367.2 The gas corporation shall also test the accuracy of the following:
- (a) The pressure device;
 - (b) The temperature correcting device, if any;
 - (c) The index; and
 - (d) Any other device or instrument used in measuring gas consumption.
- 2367.3 The customer, or his or her representative, may be present when the meter is tested but shall not interfere with the testing.
- 2367.4 A report of the results of the test shall be made to the customer within a reasonable time after the completion of the test, and a record of the report, together with a complete record of the test, shall be kept on file at the office of the gas corporation for at least three (3) years.
- 2367.5 If a consumer complaint hearing is held at the Commission pertaining to meter accuracy, all relevant documentation shall be made part of the official record.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7946 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2368 REFeree TESTS

- 2368.1 Upon a customer's written application to the Commission, a test shall be made of the customer's meter as soon as practicable that shall be witnessed by a representative of the Commission.
- 2368.2 A one dollar (\$1) fee shall be paid at the same time of the application by check or money order made payable to the gas corporation.
- 2368.3 On receipt of the request from a customer, the Commission shall notify the gas corporation, and the gas corporation shall not knowingly remove or adjust the meter until instructed by the Commission.
- 2368.4 The customer, or his or her representative, may be present when the meter is tested but shall not interfere with the testing.
- 2368.5 Included in the referee test of the meter shall be a test for the accuracy of the following:
- (a) The pressure device;
 - (b) The temperature correcting device, if any;
 - (c) The index; and
 - (d) Any other device or instrument used in measuring gas consumption.
- 2368.6 A written report of the results of the test shall be sent to the customer.
- 2368.7 If a consumer complaint hearing is held at the Commission pertaining to the meter accuracy, all relevant documentation shall be made a part of the official record.
- 2368.8 If the meter is found to over-register or under-register consumption by more than two percent (2%), the gas corporation shall credit the customer for the one dollar (\$1) testing fee.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7947 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2369 AS FOUND TESTING

2369.1 Meters or associated metering devices, or both, shall be tested in place or after they are removed from service. These tests shall be made before the meters or associated metering devices, or both, are adjusted, repaired, or retired.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7948 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2370 PERIODIC AND PERFORMANCE TESTING

- 2370.1 Each gas corporation shall periodically test its meters, associated devices, and instruments to assure their accuracy unless otherwise authorized or required by the Commission.
- 2370.2 Each gas corporation may elect to test all meters in each group in accordance with the Periodic and Performance Testing Program, as set forth in this section, or in accordance with § 2371, the In-Service Performance Testing Program, or in accordance with any other meter testing program approved by the Commission's Office of Engineering.
- 2370.3 Each gas corporation shall notify the Commission's Office of Engineering within twelve (12) months of the effective date of this section, which method it will follow for each group, and the election shall then be effective for at least five (5) years.
- 2370.4 Meters shall be grouped as follows:
- (a) Group I - Up to and including four hundred fifty (450) cfh rated capacity;
 - (b) Group II - Over four hundred fifty (450) cfh capacity and up to and including one thousand eight hundred (1,800) cfh rated capacity; and
 - (c) Group III - Over one thousand eight hundred (1,800) cfh rated capacity.
- 2370.5 The meter test schedule for the respective groups shall be as follows:
- (a) Group I meters shall be tested at least once in fourteen (14) years;
 - (b) Group II meters shall be tested at least once in ten (10) years; and
 - (c) Group III - meters shall be tested at least once in five (5) years.
- 2370.6 Pressure compensating devices and pressure recording devices shall be tested at least once every twenty-four (24) months.
- 2370.7 Temperature compensating devices and temperature recording devices shall be tested at least once every twenty-four (24) months.
- 2370.8 Regulators associated with meters shall have the same interval between tests as its associated meter.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7948 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2371 IN-SERVICE PERFORMANCE TESTING

2371.1 The Commission's in-service performance testing program is designed to adjust automatically the number of meters required to be tested by a gas corporation based solely on the performance of the gas corporation's meters, as determined by § 2371.3.

2371.2 For the purpose of the in-service performance testing program, meters within Groups I, II, and III, as described in § 2370.4, shall be further subdivided into homogeneous subgroups. A typical sub-group shall include all meters of the same manufacturer and type. The requirements of this chapter shall be applied separately to each sub-group.

2371.3 The In-Service Performance Test required each year shall be computed from the following formulas:

- (a) Group I Meters (less than four hundred fifty (450) cfh capacity):

$$r = .02 + .3d$$

where r = ratio of meters to be tested; d = ratio of meters tested in previous year and found to have a check proof less than ninety-eight percent (98%) or more than one hundred two percent (102%) as reported to the nearest half percent (1/2%);

- (b) Group II (four hundred fifty (450) cfh through one thousand eight hundred (1,800) cfh

$$r = .03 + .5d;$$

(r and d defined as above); and

- (c) Group III (more than one thousand eight hundred (1,800) cfh):

$$r = .05 + .85d$$

(r and d defined as above).

2371.4 Test results accumulated on meters tested in one (1) calendar year shall be reported to the Commission by April 1st of the following year. The required percentage as calculated in § 2371.3 shall be used to determine the number of meters to be tested during the succeeding calendar year. The report to the Commission shall include for each subgroup the following:

- (a) The number of meters tested as part of the in-service testing program during the last year;
- (b) The number of meters that failed;
- (c) The ratio of meters to be tested in the current year by applying the appropriate formula;
- (d) The number of meters in-service over one (1) year as of January 1 of the current year; and

- (e) The number of meters to be tested in the current year.
- 2371.5 The meters required to be tested as a result of the application of the proper formula in § 2371.3 shall include those meters removed for cause. The additional meters which shall be tested to meet the required percentage as calculated in § 2371.3 shall be those meters in service longest without being tested including:
- (a) Meters removed from fire;
 - (b) Meters removed from damage or hung;
 - (c) Meters removed for failure to register;
 - (d) Meters in-service less than one (1) year; or
 - (e) Meters damaged in transit and cannot be tested.
- 2371.6 The tests of the meters listed in § 2371.5 shall not be used in determining the following year's ratio and may not be counted as fulfilling the current year's requirement.
- 2371.7 The gas corporation may review the meter performance of each subgroup annually. Based on this review, the gas corporation may take the following actions:
- (a) If two (2) subgroups in the same capacity class show similar test results for two (2) consecutive years, they may be considered as a single subgroup for reporting purposes; or
 - (b) If a subgroup can be shown to have one (1) or more parts that have dissimilar test results from the remainder of the subgroup, each part may be reported and treated as a separate subgroup.
- 2371.8 Analysis of meter tests shall consist of the following:
- (a) The Commission shall review the annual reports of meter test results and shall consult with each gas corporation concerning the percent of meters to be tested in each subgroup during the succeeding calendar year; and
 - (b) Each gas corporation shall analyze its meter test results for the purpose of identifying the meter types which have poor accuracy characteristics.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7949 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2372 – 2373

[RESERVED]

2374 CHARACTERISTICS OF GAS SUPPLIED TO CONSUMERS

2374.1 The determination of the characteristics of gas supplied to consumers may be made at any of the Commission's testing stations, or at any testing station designated by the Commission, at any hour by the use of standard gas testing devices or instruments.

2374.2 Each gas corporation shall apply the following standards:

- (a) The daily heating value for any day shall be the average heating value of all gas distributed on that day;
- (b) The monthly average heating value for any calendar month shall be the average of all the daily heating values of that calendar month weighted in proportion to the daily sendout. Provided, that this value shall be based on not less than twenty (20) daily heating values during that calendar month; and
- (c) Delivered natural gas is defined as a natural gas with a heating value of not less than nine hundred sixty-seven British thermal unit per cubic foot (967 BTU ft.³) and a specific gravity as determined by the gas corporation at the commencement of deliveries or arithmetically averaging the hourly specific gravity record obtained from a recording gravitometer or other method.

2374.3 All gas transmitted or distributed by any gas corporation in the District of Columbia shall have a distinctive odor to serve as a warning to the consumer in the event of the escape of any unburned gas.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7951 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2375 SUPPLEMENTAL GAS PROVIDED BY STANDBY PLANT

- 2375.1 Mixtures of natural gas and the supplemental gas as provided by the standby plant shall be of heating value and burning characteristics as near as practicable to that of the currently used natural gas.
- 2375.2 On each day that supplemental gas is delivered to mains for the use of customers, the daily average heating value of gas distributed shall be the weighted value for the supplemental gas and the natural gas sent out on such day.
- 2375.3 The supplemental gas shall be mixed with the maximum natural gas available and practicable before being delivered to the distribution system.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7952 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2376 **IMPURITIES OF GAS**

- 2376.1 The gas supplied by any gas corporation shall not show the presence of any hydrogen sulphide at levels greater than twenty-five hundredths (0.25) grains per one hundred (100) standard cubic feet (SCF) of gas and shall not contain more than twenty (20) grains of total sulphur in one hundred (100) SCF of gas as measured at the custody transfer point of a gas corporation and its supply source.
- 2376.2 The test for hydrogen sulphide, or such test as may be approved by the Commission, shall be made by the methylene blue test as defined in American Society for Testing Materials (ASTM) #D2725. This method covers the determination of hydrogen sulphide in natural gas for not more than one (1.0) grain of hydrogen sulphide per one hundred (100) SCF (Standard x Cubic Feet), or twenty-three milligrams per meter cube (23 mg/m³).

SOURCE: Final Rulemaking published at 35 DCR 7938, 7952 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2377 PRESSURE OF GAS SUPPLIED TO CONSUMERS

2377.1 The gas supplied by corporation low pressure (LP) district regulator station shall be maintained at a pressure of not less than six inches (6 in.) or more than ten inches (10 in.) of water pressure. Certain customers, however, require higher pressures which may be mutually agreed upon by the customer and the gas corporation.

2377.2 The daily variation in the low pressure network system, during any day at any gauge station, shall not exceed two and a half inches (2.5 in.) of water pressure.

2377.3 There shall be supplied, installed, and maintained by each gas corporation pressure gauges which shall furnish an accurate record of the pressure maintained throughout the District of Columbia. The records shall include the following:

- (a) The type, number, and locations of pressure gauges shall be approved by the Commission;
- (b) The gauges shall be subject to inspection and test by the Commission at any time;
- (c) The original record of each and every gauge shall be available for inspection by the Commission and shall be preserved for at least one (1) year;
- (d) The maximum and minimum pressures measured at each gauge during all gauge periods, and the number and magnitude of daily variations in excess of the daily variation provided for in § 2377.2, shall be reported to the Commission monthly, on or before the tenth (10th) day of each month; and
- (e) Additional gauges shall be installed whenever and wherever ordered by the Commission.

2377.4 In cases where it is necessary to install a pressure regulator or governor on the consumer's premises ahead of the consumer's meter, the regulator shall be installed in accordance with the Gas Fitting Regulations for the District of Columbia.

2377.5 The gas corporation shall inspect the regulator and vent pipes when installed, and thereafter at intervals not greater than the time of the periodic test for the meter it supplies, to determine that they are in safe operating condition. If found faulty in any respect, the fault shall be corrected immediately.

SOURCE: Final Rulemaking published at 35 DCR 7938, 7952 (November 4, 1988); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).

2378 – 2396

[RESERVED]

2397 PENALTIES

2397.1 The Commission may upon request, or on its own initiative after notice to the parties of its intention do so, waive any provision of this chapter for good cause.

2397.2 The penalties in this chapter are for violations of any regulation governing the safety of gas pipeline facilities and the transportation of gas. Each violation shall be subject to a civil penalty not to exceed one hundred thousand dollars (\$100,000) or a greater maximum penalty established by federal laws and regulation at the time of the violation for each violation for each day that the violation persists. The maximum civil penalty shall not exceed one million dollars (\$1,000,000) or a greater maximum penalty established by federal laws and regulations at the time of the violation for any related series of violations.

2397.3 Any person who refuses to provide natural gas safety records upon the proper request of the Commission shall be subject to the penalties set forth in D.C. Official Code § 34-705 (2010 Repl.).

2397.4 The following are the base amounts to be charged for violations of the Commission’s rules on pipeline safety:

Violation	15 DCMR	Amount
Failure to make property and records accessible to the Commission	§ 2302.4	\$5,000
Failure to provide public information	§ 2304	\$20,000
Failure to implement safety requirement	§ 2305	\$20,000
Failure to file incident reports or provide timely and accurate notice of pipeline incident	§ 2306	\$5,000
Failure to file operation and maintenance plans and modifications thereof	§ 2307	\$5,000
Failure to file emergency contact information	§ 2308	\$2,000
Failure to establish and implement an emergency plan	§ 2308	\$20,000
Failure to provide contact information	§ 2308.1	\$2,000
Failure to keep records and make available for inspection	§ 2314.1	\$10,000
Failure to maintain specifications for material and equipment, installations, testing and fabricating	§ 2314.2	\$10,000
Failure to maintain plans covering operating and maintenance procedures	§ 2314.3	\$20,000
Failure to file gas procurement report	§ 2315	\$5,000
Failure of small gas operator to comply with Commission requirements, rules and regulations	§ 2320	\$5,000
Failure to operate, maintain and test meters	§§ 2351-2371	\$5,000
Failure to supply gas meeting standard characteristics	§§ 2374-2377	\$5,000

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2397.5 The following are the base amounts to be charged for intrastate violations of the United States Department of Transportation rules on pipeline safety:

Violation	49 C.F.R.	Amount
Failure to give timely and accurate notice of pipeline incident	§§ 191.5 - 191.7	\$5,000
Failure to provide incident or annual reports	§§ 191.9 - 191.11	\$5,000
Failure to provide transmission incident or annual reports	§§ 191.15 - 191.17	\$5,000
Failure to report safety-related conditions on a timely basis	§ 191.23	\$5,000
Operation of pipeline without meeting requirements of 49 C.F.R. § 192.13	§ 192.13	\$20,000
Operation of pipeline without meeting requirements of 49 C.F.R. § 192.14	§ 192.14	\$10,000
Failure to provide customer notification	§ 192.16	\$10,000
Failure to meet minimum requirements for selection and qualification of pipeline and pipeline components	§§ 192.53 - 192.59	\$10,000
Failure to properly mark pipe and pipeline components	§ 192.63	\$10,000
Failure to properly design pipe and installation of improperly designed pipe	§§ 192.105 - 192.125	\$10,000
Failure to properly design pipeline components and installation of improperly designed pipeline components	§§ 192.141 - 192.203	\$10,000
Failure to properly weld materials in pipelines	§§ 192.221 - 192.245	\$20,000
Failure to properly join materials in pipelines, other than by welding	§§ 192.271 - 192.287	\$20,000
Failure to properly construct transmission lines and mains	§§ 192.303 - 192.328	\$20,000
Failure to properly install customer meters, service regulators, service lines, service line valves and service line connections to mains	§§ 192.351 - 192.383	\$20,000
Failure to properly protect metallic pipelines from corrosion	§§ 192.451 - 192.491	\$20,000
Operation of pipelines without proper testing and remediation	§§ 192.503 - 192.517	\$20,000
Failure to meet minimum requirements for the operation of pipeline facilities	§§ 192.603 - 192.631	\$20,000
Failure to meet minimum requirements for maintenance of pipeline facilities	§§ 192.701 - 192.755	\$20,000
Failure to meet minimum requirements for operator qualification	§§ 192.801 - 192.809	\$20,000
Failure to meet minimum requirements for integrity management	§§ 192.901 - 192.1015	\$20,000
Failure to maintain and follow a written anti-drug plan consistent with the federal rules	§ 199.101	\$20,000
Employing a person who fails or refuses a drug test	§ 199.103	\$50,000
Failing to conduct tests for the presence of a prohibited drug	§ 199.105	\$10,000
Failure to use certified drug testing laboratories	§ 199.107	\$10,000

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Failure to provide for medical review officers and procedures	§§ 199.109 - 199.111	\$5,000
Failure to provide an Employee Assistance Program	§ 199.113	\$5,000
Failure of a contractor to allow compliance monitoring	§ 199.115	\$5,000
Failure to keep proper records	§ 199.117	\$5,000
Failure to establish and enforce alcohol misuse programs and plans	§§ 199.202 - 199.225	\$20,000
Failure to keep proper records or to report on alcohol misuse programs and testing and failure to provide access to facilities and records	§§ 199.227 - 199.231	\$20,000
Failure to remove a covered employee from a covered function	§§ 199.233 - 199.237	\$30,000
Failure to promulgate a policy on the misuse of alcohol	§ 199.239	\$5,000
Failure to ensure supervisor training and to provide referral, evaluation and treatment	§§ 199.241 - 199.243	\$5,000

2397.7 The Commission shall consider the following factors in determining the amount of any civil penalty:

Adjustment Criteria	Effect
Appropriateness of the penalty to the size of the business of the person charged	100% Increase or 50% Decrease
Gravity of the violation (including environmental considerations)	200% Increase
Good faith of the person charged in attempting to achieve compliance	25% Decrease

2397.8 The Commission may consider the following downward adjustment criteria in determining the amount of any civil penalty:

Downward Adjustment Criteria	Effect
Minor Violation	50% Decrease
Voluntary Disclosure	50% Decrease
History of Overall Compliance	50% Decrease
Inability to Pay	25% Decrease

2397.9 The Commission may consider the following upward adjustment criteria in determining the amount of any civil penalty:

Upward Adjustment Criteria	Effect
Misrepresentation or Lack of Candor	100% Increase
Ability to Pay/Relative Disincentive	100% Increase
Intentional Violation	300% Increase
Substantial Threat to Public Safety	500% Increase
Prior Violation of Commission Requirements	100% Increase
Economic Benefit	100% Increase
Repeated or Continuous Violation	200% Increase
Inadequate Supervision	300% Increase

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SOURCE: Final Rulemaking published at 33 DCR 6625, 6631 (October 24, 1986); as amended by Final Rulemaking published at 49 DCR 8223 (August 23, 2002); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013); Final Rulemaking published at 67 DCR 011091 (September 18, 2020).

2398 **WAIVER**

2398.1 The Commission may upon request, or on its own initiative after notice to the parties of its intention do so, waive any provision of this chapter for good cause.

SOURCE: Final Rulemaking published at 68 DCR 5253 (May 14, 2021).

2399 DEFINITIONS

2399.1 The terms used in this chapter shall have the meaning ascribed to the definitions appearing in 49 C.F.R. §§ 190.3, 191.3, 192.3, and 199.3 except as otherwise defined in this chapter

2399.2 When used in this chapter, the following terms and phrases shall have the meaning ascribed:

ASTM – formerly the American Society for Testing and Materials, now ASTM International.

British thermal unit (BTU) - the quantity of heat necessary to raise one pound (1 lb.) of water one degree Fahrenheit (1° F).

Business Districts - the principal business areas in an urban community, including where:

- (a) The public regularly congregates in buildings used for business, health, educational or religious activities;
- (b) The majority of buildings on either side of the street are used for business, health, or religious activities;
- (c) The gas facilities are under continuous paving that extends from the centerline of the thoroughfare to the building wall or from the main to the building wall; and
- (d) Any other location or site that in the gas corporation's judgment should be designated as a business district.

Cfh - cubic feet per hour.

Conversion Factor - the conversion factor is the factor which converts the British Thermal Units in one hundred cubic feet (100 ft.³) of gas into therms.

Gas Corporation - every corporation, association, joint-stock corporation or association, partnership, or person manufacturing, making, distributing, or selling gas for light, heat or power, or for any public use in the District of Columbia, their lessees, trustees, or receivers, appointed by any court, who own, operate, control, or manage any gas plant except where the gas is made or produced and distributed by the maker on or through private property solely for its own use or the use of its tenants and not for sale to or for the use of others.

Gas Plant - buildings, easements, real estate, mains, pipes, conduits, service pipes, services, pipe galleries, meters, boilers, water-gas sets, retorts, fixtures, condensers, scrubbers, purifiers, holders, materials, apparatus, personal property, and franchises, and property of every kind used in the conduct of the business operated, owned, controlled, used or to be used for or in connection with or to facilitate the manufacture, distribution, sale, or furnishing of gas (natural or manufactured) for light, heat, or power.

Heating Value - the "total heating value," as this term is used in the gas industry and as it is defined in the Bureau of Standards Circular No. 405 - STANDARDS FOR GAS SERVICE.

Integrity Management Program – an overall approach by the operator to ensure the integrity of its gas distribution system.

Intrastate - within the District of Columbia.

Master Meter System - a pipeline system for distributing gas within, but not limited to, a definable area, such as a housing project, apartment complex, or mobile home park, where the operator purchases metered gas from an outside source for resale through a gas pipeline distribution system. The gas distribution pipeline system supplies the ultimate consumer who either purchases the gas directly through a meter or by other means, such as by rents.

Places of Public Assembly - a building or portions of a building used for gathering together of one hundred (100) or more persons, the capacity being designated by the Fire Department, for common purposes of deliberation, worship, or services, such as, but not limited to, churches, schools, hospitals, halls, theaters, and municipal facilities.

PSIG - pounds per square inch gauge.

Proof of Meter - the ratio expressed in percent of the volume of gas passed through the meter to the volume registered by the meter under standard testing conditions.

Referee Test - a test conducted by a gas corporation or small gas operator and witnessed by a representative of the Commission upon a customer's written application and for a fee.

Request Test - a test conducted by a gas corporation or small gas operator upon a customer's request and at no charge, provided the meter has not been tested within twelve (12) months prior to such a request.

Small Gas Operator - one who operates a master meter system with fewer than one thousand five hundred (1,500) services and who has two (2) additional characteristics:

- (a) Distributes gas by using underground or exterior piping serving multiple buildings in the District of Columbia; and
- (b) Resells gas (metered or unmetered) to ultimate gas consumers for use in consumers' appliances.

Volume of Gas - the volumes of gas specified in this chapter for testing purposes shall be understood to be at a temperature of sixty degrees Fahrenheit (60° F) and under a pressure of fourteen and seventy-four hundreds (14.74) pounds per square inch absolute (PSIA).

SOURCE: Final Rulemaking published at 33 DCR 6625, 6631 (October 24, 1986); as amended by Final Rulemaking published at 35 DCR 7938, 7953 (November 4, 1988); as

District of Columbia Municipal Regulations:
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amended by Final Rulemaking published at 38 DCR 2381, 2382 (April 26, 1991); as amended by Final Rulemaking published at 60 DCR 7 (January 4, 2013).