



**Public Utilities Commission**  
STATE OF CALIFORNIA

Citation Date: August 24, 2020  
Citation #: G-20-08-001  
Operator ID#: CPUCID 4953

**CITATION**  
**ISSUED PURSUANT TO DECISION 16-09-055**

Gas Corporation (Operator) To Which Citation is issued: Glenview Mobile Lodge

**OFFICER OF THE RESPONDENT:**

David Mandagie, Owner  
10062 Dunbar Lane  
El Cajon, CA 92021

**CITATION:**

Operator is cited a financial penalty amount of \$50,000.00 for violating General Order (GO) 112-F which incorporates by reference Title 49 Code of Federal Regulations (CFR) Part 192. The California Public Utilities Commission's (CPUC's) Safety and Enforcement Division (SED) found ten (10) violations as a result of SED's inspection on February 15, 2018 at Glenview Mobile Lodge, 13445 Highway 8 Business, El Cajon CA 92021.

**VIOLATIONS:**

General Order 112-F, Section 104.1 states:

“It is the intent of the California Public Utilities Commission to automatically incorporate all revisions to the Federal Pipeline Safety Regulations, 49 Code of Federal Regulations (CFR) Parts 191, 192, 193, and 199 with the effective date being the date of the final order as published in the Federal Register.”

**1. GO 112-F, Reference Title 49 CFR, Part 192, §192.605 Procedural manual for operations, maintenance, and emergencies, §192.605(a) states:**

*“General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least one each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.”*

During SED records review of Glenview Mobile Lodge, David Mandagie, park owner/manager stated that he did not have a manual of written procedures for conducting operations and maintenance (O&M) activities and for emergency response. Therefore, SED finds Glenview Mobile Lodge in violation GO 112-F, Reference Title 49 CFR, Part 192, Section 192.605(a) for not having a manual of written procedures for O&M and emergency response.



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2. **GO 112-F, Reference Title 49 CFR, Part 192, §192.605 Procedural manual for operations, maintenance, and emergencies, §192.605(b)(3) states:**

*“Make construction records, maps, and operating history available to appropriate operating personnel.”*

During SED records review of Glenview Mobile Lodge, David Mandagie, park owner/manager stated that he did not have a gas map and operating history of the gas distribution system. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, Section 192.605(b)(3) for not having the gas map and operating history of the gas distribution system.

3. **GO 112-F, Reference Title 49 CFR, Part 192, §192.616 Public Awareness, §192.616(j), states:**

*“Unless the operator transports gas as a primary activity, the operator of a master meter or petroleum gas system is not required to develop a public awareness program as prescribed in paragraphs (a) through (g) of this section. Instead the operator must develop and implement a written procedure to provide its customers public awareness messages twice annually. If the master meter or petroleum gas system is located on property the operator does not control, the operator must provide similar messages twice annually to persons controlling the property. The public awareness message must include:*

- (1) A description of the purpose and reliability of the pipeline;*
- (2) An overview of the hazards of the pipeline and prevention measures used;*
- (3) Information about damage prevention;*
- (4) How to recognize and respond to a leak; and*
- (5) How to get additional information.”*

During SED records review of Glenview Mobile Lodge, David Mandagie stated that he did not have a written procedure that addresses public awareness messages. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, Section 192.616(j) for not having a written procedure that addresses public awareness messages.

4. **GO 112-F, Reference Title 49 CFR, Part 192, §192.723 Distribution system: Leakage surveys, §192.723(b)(2) states in part:**

*“A leakage survey with leak detector equipment must be conducted outside business districts as frequently as necessary, but at least once every 5 calendar years at intervals not exceeding 63 months.*

Glenview Mobile Lodge conducted its last gas leakage survey on August 4, 1998. The operator should be performing gas leakage surveys as frequently as necessary, but at least once every 5 calendar years. During SED records review of Glenview Mobile Lodge, David Mandagie stated that he did not perform a gas leakage survey. He did provide any records of any leak surveys conducted within the past 5 years. Therefore, SED finds Glenview Mobile Lodge in violation of



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GO 112-F, Reference Title 49 CFR, Part 192, Section 192.723(b)(2) for not conducting gas leakage survey as frequently as necessary, but at least once every 5 calendar years.

5. **GO 112-F, Reference Title 49 CFR, Part 192, §192.747 Valve maintenance: Distribution systems, §192.747(a) states:**

*“Each valve, the use of which may be necessary for the safe operation of a distribution system, must be checked and serviced at intervals not exceeding 15 months, but at least once each calendar year.”*

During SED records review of Glenview Mobile Lodge, David Mandagie stated that he did not check and service the valve(s) that are necessary for the safe operation of the distribution system. Mr. Mandagie did not present any records indicating that valve maintenance had been performed annually. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, Section 192.747(a) for not checking and servicing the valve(s) associated with the safe operation of the distribution system.

6. **GO 112-F, Reference Title 49 CFR, Part 192, §192.805 Qualification Program states in part:**

*“Each operator shall have and follow a written qualification program.”*

During SED records review of Glenview Mobile Lodge, David Mandagie stated that he did not have a written qualification program. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, Section 192.805 for not having a written qualification program.

7. **GO 112-F, Reference Title 49 CFR, Part 192, §192.1015 What must a master meter or small LPG operator do to implement this subpart? §192.1015(a) states:**

*“General. No later than August 2, 2011 the operator of a master meter system or a small LPG operator must develop and implement an IM Program that includes a written IM Plan as specified in paragraph (b) of this section. The IM program for these pipelines should reflect the relative simplicity of these types of pipelines.”*

During SED records review of Glenview Mobile Lodge, David Mandagie stated that he did not have a written Integrity Management (IM) plan. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, Section 192.1015(a) for not having an IM plan.

8. **GO 112-F, Reference Title 49 CFR, Part 192, §192.357 Customer meters and regulators: Installation, §192.357(a) states in part:**

*“Each meter and each regulator must be installed so as to minimize anticipated stresses upon the connecting pipe and meter.”*



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During SED field inspection of Glenview Mobile Lodge, SED observed an above ground gas pipeline at Unit # 4 that did not have support to protect the exposed pipe joints from the external force caused by the weight of the pipe and the gas meter. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, §192.357(a) for failure to demonstrate that the meter and regulator was installed so as to minimize anticipated stresses upon the connecting pipe and meter.

**9. GO 112-F, Reference Title 49 CFR, Part 192, §192.479 Atmospheric corrosion control; General, §192.479(a) states in part:**

*“Each operator must clean and coat each pipeline or portion of pipeline that is exposed to the atmosphere...”*

During SED field inspection of Glenview Mobile Lodge, SED observed above ground gas pipelines at Units # 4, 7, 22, and 33 were exposed to atmospheric corrosion with corrosion pitting that require cleaning and coating. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, §192.479(a) for not cleaning and painting above ground pipelines exposed to atmospheric corrosion.

**10. GO 112-F, Reference Title 49 CFR, Part 192, §192.353 Customer meters and regulators: Location, §192.353(a) states:**

*“Each meter and service regulator, whether inside or outside of a building, must be installed in a readily accessible location and be protected from corrosion and other damage, including, if installed outside a building, vehicular damage that may be anticipated. However, the upstream regulator in a series may be buried.”*

During SED field inspection of Glenview Mobile Lodge, SED observed a gas meter and service regulator at Units # 22 exposed to anticipated vehicular damage. Therefore, SED finds Glenview Mobile Lodge in violation of GO 112-F, Reference Title 49 CFR, Part 192, §192.353(a) for not protecting the gas meter and service regulator from anticipated vehicular damage.

**PENALTY:**

SED recommends Glenview Mobile Lodge incur a fine of \$5,000 per violation resulting in a total fine of \$50,000.

**Total Penalty Amount**

As a result of the violation determined by SED and identified in this report, the total amount of this citation is \$50,000.



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### **STATEMENT OF FACTS AND ENCLOSURES:**

On February 15, 2018 CPUC performed an inspection of the park and found ten violations. CPUC provided a copy of the inspection report to the park operator on the same day of the inspection. The park owner was required to provide, within 30 days, a compliance plan for correcting the safety violations, including, if appropriate, a timetable for completing necessary repairs or improvements to the distribution system in accordance with Public Utilities Code 4355. The operator failed to do so.

On May 4, 2018, CPUC re-sent the inspection report results from the February 15, 2018 inspection via Certified Mail, and requested the operator complete and return the provided remedial action plan form within 30 days. The operator failed to do so.

On December 16, 2019, CPUC re-sent the inspection report results from the February 15, 2018 inspection via Certified Mail, and requested the operator complete and return the provided remedial action plan form within 30 days. The operator failed to do so.

The following enclosures were used to establish the findings of fact:

- 1- *Enclosure 1 - Mobilehome Park Gas Inspection Report dated 02/15/18*
- 2- *Enclosure 2 – Certified letter dated May 4, 2018 with tracking confirmation of delivery*
- 3- *Enclosure 3 – Certified letter dated December 16, 2019 with tracking confirmation of delivery*



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**SED CITATION ANALYSIS**

<b>Element</b>	<b>Staff Finding</b>
Number of violation(s) and duration of violation(s)	<i>Ten (10) violations of Title 49 CFR Part 192. These violations were discovered on February 15, 2018 and have not been resolved.</i>
Severity or gravity of the offense	<i>There is an ongoing safety problem which the owner (operator) of the mobile home park continues to ignore. This violation resulted in a fine amount of \$50,000</i>
Conduct of the utility	<i>The owner (operator) is being uncooperative and unresponsive</i>
Financial resources of the utility	<i>The mobile home park has 50 spaces and each space was rented for approximately \$500. Revenue was in the amount of approximately \$300,000 annually</i>
The totality of the circumstances	<i>The safety problems continue to exist and the failure of the owner (operator) puts the mobile home park community at risk</i>
The role of precedent	<i>N/A</i>
<b>Resultant Citation Taking All Of These Factors Into Account</b>	<b>\$50,000.00</b>



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### **RESPONSE:**

Respondent is hereby called upon to provide a response to this Citation by: **5:00 PM on September 24, 2020**. By way of such response, Respondent, **within 30 calendar days**, must either pay the amount of the penalty set forth in this citation<sup>1</sup>, or appeal<sup>2</sup> the citation. In addition, Respondent must do one of the following:

- (1) For violations constituting immediate safety hazards: Respondent must immediately correct the immediate safety hazards.
- (2) For violations that do not constitute immediate safety hazards: Violations that do not constitute immediate safety hazards must be corrected within 30 days after the citation is served. If said violations that do not constitute immediate safety hazards cannot be corrected within 30 days, then the Respondent must submit a detailed Compliance Plan to the Director of SED within 30 days after the citation issues, unless the utility and the Director of SED, before the expiration of the 30 day period, agree in writing to another date, reflecting the soonest that the Respondent can correct the violations. The Compliance Plan must provide a detailed description of when the violation will be corrected, the methodology to be utilized, and a statement supported by an declaration from Respondent's Chief Executive Officer or appropriate designee (CEO Declaration) stating that in the Respondent's best judgment, the time that will be taken to correct the violation will not affect the safety or integrity of the operating system or endanger public safety.

Note: Respondent will forfeit the right to appeal the citation by failing to do one of these two options outlined in the Response above within 30 days. Payment of a citation or filing a Notice of Appeal does not excuse Respondent from curing the violation. The amount of the penalty may continue to accrue until a Notice of Appeal is filed. Penalties are stayed during the appeal process. A late payment will be subject to a penalty of 10% per year, compounded daily and to be assessed beginning the calendar day following the payment-due date. The Commission may take additional action to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

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1 For fines paid pursuant to Pub. Util. Code § 2107 and D.16-09-055 Respondent shall submit a check payable to California Public Utilities Commission using the attached Citation Payment Form. Upon payment, the fine will be deposited in the State Treasury to the credit of the General Fund and this citation will become final.

2 Respondent may Appeal this citation by completing and submitting a Notice of Appeal Form. Please see the attached document, "Directions For Submitting An Appeal To A Citation Issued Pursuant To Decision 16-09-055" for information on the appeals process and the attached "Notice of Appeal Of Citation Form."



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### **NOTIFICATION TO PUBLIC AGENCIES:**

As soon as is reasonable and necessary, and no later than 30 calendar days after service of the citation is effected, Respondent must provide a notification to the Chief Administrative Officer or similar local agency authority in the city and county where the violation occurred. Within 10 days of providing such notification, Respondent must serve an affidavit to the Director of SED, at the mail or e-mail address noted below, attesting that the local authorities have been notified; the date(s) for when notification was provided; and the name(s) and contact information for each local authority so notified.

The CPUC expects the Operator to take actions, as soon as feasible, to correct, mitigate, or otherwise make safe all violations noted on the Citation regardless of the Operator's intentions to accept or appeal the violation(s) noted in the Citation.

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***Lee Palmer***  
Director – Safety and Enforcement Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
[Leslie.Palmer@cpuc.ca.gov](mailto:Leslie.Palmer@cpuc.ca.gov)





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**CITATION PAYMENT FORM**

I (we) \_\_\_\_\_ hereby agree to comply with this citation dated \_\_\_\_\_, and have corrected/mitigated the violation(s) noted in the citation on \_\_\_\_\_ and no later than \_\_\_\_\_, all work to make permanent corrections to any mitigated, or otherwise remaining concerns related to the violation(s) will be completed as noted in the Compliance Plan we have submitted to the Director of SED and, herewith, pay a fine in the amount of \$ \_\_\_\_\_ as included in the citation.

Signature of Gas Corporation's Treasurer, Chief  
Financial Officer, or President/Chief Executive Officer, or  
delegated Officer thereof

\_\_\_\_\_  
(Signature) (Date)

\_\_\_\_\_  
(Printed Name and Title)

Payment must be with a check made payable to the **California Public Utilities Commission** and sent to the below address. Please include the citation number on the memorandum line of the check to ensure your payment is properly applied.

**California Public Utilities Commission**  
**Attn: Fiscal Office**  
**505 Van Ness Avenue**  
**San Francisco, CA 94102-3298**

NOTE: A copy of the completed Citation Payment Form must be sent to the Director of the Safety and Enforcement Division, via email or regular mail, to the address provided on the Citation.



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### DIRECTIONS FOR SUBMITTING AN APPEAL TO A CITATION ISSUED PURSUANT TO DECISION 16-09-055

Within 30 calendar days of the Respondent being served with a **CITATION ISSUED PURSUANT TO DECISION 16-09-055**, Respondent may appeal the citation. Beyond 30 calendar days of being served with the citation, Respondent is in default and, as a result, is considered as having forfeited rights to appeal the citation. The Respondent must still correct the violation(s) as instructed in the Response section of this citation.

To appeal the citation, Respondent/Appellant must file a Notice of Appeal (including a completed title page complying with Rule 1.6 of the Commission's Rules of Practice and Procedure, and attached Notice of Appeal Form) along with copies of any materials the Appellant wants to provide in support of its appeal with the Commission's Docket Office **and** must serve the Notice of Appeal, at a minimum, on

- 1) The Chief Administrative Law Judge (with an electronic copy to: [ALJ\\_Div\\_Appeals\\_Coordinator@cpuc.ca.gov](mailto:ALJ_Div_Appeals_Coordinator@cpuc.ca.gov)),
- 2) The Director of Safety and Enforcement Division
- 3) The Executive Director
- 4) General Counsel
- 5) The Director of the Public Advocates Office

At the address listed below within 30 calendar days of the date on which the Appellant is served the Citation. The Appellant must file a proof of service to this effect at the same time the Appellant files the Notice of Appeal. The Notice of Appeal must at a minimum state: (a) the date of the citation that is appealed; and (b) the rationale for the appeal with specificity on all grounds for the appeal of the citation.

**California Public Utilities Commission**  
**505 Van Ness Ave**  
**San Francisco, CA 94102**  
**Attn: <Insert Title>**

**NOTE:** Submission of a *Notice of Appeal Form* in no way diminishes Appellant's responsibility for correcting the violation described in the citation, or otherwise ensuring the safety of facilities or conditions that underlie the violations noted in the Citation.

Ex Parte Communications, as defined by Rule 8.1(c) of the Commission's Rules of Practice and Procedure, are prohibited from the date the citation is issued through the date a final order is issued on the citation appeal.

After receipt of the Appellant's *Notice of Appeal Form*, Appellant has a right to a hearing to be convened before an Administrative Law Judge. At least ten business days before the date of the



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hearing, the Appellant will be notified and provided with the location, date, and time for the hearing. At the hearing,

- (a) Appellant may be represented by an attorney or other representative, but any such representation shall be at the sole expense of the Appellant;
- (b) Appellant may request a transcript of the hearing, but must pay for the cost of the transcript in accordance with the Commission's usual procedures;
- (c) Appellant is entitled to the services of an interpreter at the Commission's expense upon written request to the Chief Administrative Law Judge not less than five business days prior to the date of the hearing;
- (d) Appellant is entitled to a copy of or electronic reference to Resolution ALJ-377, Modifies and Makes Permanent the Citation Appellate Rules and General Order 156 Appellate Rules (Citation Appellate Rules); and
- (e) Appellant may bring documents to offer in evidence (Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies) and/or call witnesses to testify on Appellant's behalf. At the Commission's discretion, the hearing in regard to the Appellant's appeal can be held in a CPUC hearing room at either of the following locations:

**San Francisco:**

505 Van Ness Avenue  
San Francisco, CA 94102

**Los Angeles:**

320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013

The hearing(s) held in regard to the Appellant's appeal will be adjudicated in conformance with all applicable Public Utilities Code requirements.



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**Notice of Appeal Form**  
**Appeal from Citation Issued by Safety and Enforcement Division**  
**Pursuant to Decision 16-09-055**

**Appellant:**

Mr. David Mandagie  
10062 Dunbar Lane  
El Cajon, CA 92021

Citation Date: August 24, 2020  
Citation #: D.16-09-055 G.20-08-001  
Operator ID#: \_\_\_\_\_  
Appeal Date: \_\_\_\_\_

“Appeal of \_\_\_\_\_ from \_\_\_\_\_ issued by Safety and  
[Operator Name] [Citation Number]  
Enforcement Division”

Statements supporting Appellant’s Appeal of Citation (You may use additional pages if needed and/or attach copies of supporting materials along with this form).



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**Enclosures to Accompany Utility Appeal**

*Utility to add Enclosures as appropriate*