



June 28, 2024

Allen Berreth
Vice President of Transmission & Distribution Operations
PacifiCorp
1700 NE Multomah, Suite 2000
Portland, Or 97232

NOTICE OF VIOLATION

Mr. Berreth:

Pursuant to Public Utilities Code section 326 and Government Code section 15475.1, the Office of Energy Infrastructure Safety (Energy Safety) has conducted an inspection of work completed by PacifiCorp in accordance with its 2024 Wildfire Mitigation Plan (WMP) and determined the existence of a violation. Energy Safety therefore issues PacifiCorp a Notice of Violation (NOV), identifying noncompliance with an approved WMP or any law, regulation, or guideline within the authority of the Office.¹

On June 4, 2024, Energy Safety conducted an inspection of PacifiCorp’s WMP initiatives in the vicinity of the city of Dunsmuir, California. The inspection report is enclosed herewith. Energy Safety found the following violation:

Violation 1. Energy Safety observed that in implementing WMP initiative 8.2.3.1.1 - Wood and Slash Management, PacifiCorp failed to adhere to its protocol as vegetation debris was found near pole ID 131040 at coordinates 41.2313964061729, -122.282205299914. Energy Safety considers this violation for adherence to protocol to be in the “Minor” risk category.

Response Options

In accordance with Energy Safety Guidelines,² within 30 days from the issuance of this NOV, PacifiCorp must provide a response advising Energy Safety of corrective actions taken or planned to remedy the above identified violation(s) and prevent recurrence. Alternatively, PacifiCorp must advise Energy Safety that it will

¹ Cal. Code Regs., tit. 14, section 29302(b)(2)

² Energy Safety Compliance Guidelines, pp 6-7

not correct the violation, including the reasoning or justification for inaction and all supporting documentation.³

This response shall be filed in the Energy Safety e-Filing system under the 2024 NOV Docket⁴ and the associated file name(s) must begin with the NOV identification number provided above.

Pursuant to Government Code section 15475.4, if PacifiCorp intends to request a hearing “to take public comment or present additional information,” it must also do so within the 30-day timeframe. If a petition for hearing is not received by the deadline, then the determination and conditions set forth in this NOV become final.

Prior to its response or request for hearing, PacifiCorp may also request an informal conference with Energy Safety’s Environmental Science Division for the purpose of disputing any issues raised in this NOV no later than five (5) business days before the response deadline.⁵ Requests for informal conference with Energy Safety must be e-mailed to environmentalscience@energysafety.ca.gov, with a copy to Elizabeth.McAlpine@energysafety.ca.gov.

Pursuant to Public Utilities Code section 8389(g), Energy Safety may refer this matter to the California Public Utilities Commission for its consideration of potential enforcement action, as it deems appropriate.

Sincerely,



Sheryl Bilbrey
Program Manager | Environmental Science Division
Office of Energy Infrastructure Safety
Sheryl.Bilbrey@energysafety.ca.gov

Cc:

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³ Energy Safety Compliance Guidelines, pp. 6-7

⁴ <https://efiling.energysafety.ca.gov/EFiling/DocketInformation.aspx?docketnumber=2024%20NOV>

⁵ Energy Safety Compliance Guidelines, p. 6

INSPECTION REPORT

Overview

Inspection Categories

The Office of Energy Infrastructure Safety (Energy Safety) conducts inspections to verify the work performed by an electrical corporation as reported in an approved Wildfire Mitigation Plan (WMP) or subsequent filing, and to assess general conditions of electrical infrastructure that may adversely impact an electrical corporation's wildfire risk.

A Notice of Violation (NOV) is issued for any instances of noncompliance discovered during an inspection related to an electrical corporation's execution of its WMP initiatives.

Correction Timelines

Violations must be corrected in a timely manner. Energy Safety may prescribe a timeframe for resolution of a violation. If Energy Safety assigns a risk category to a violation, an electrical corporation must correct the violation as required per the timelines provided in Table 1.⁶

Table 1. Risk Category and Correction Timelines

Risk Category	Violation and defect correction timeline
Severe	<ul style="list-style-type: none">• Immediate resolution
Moderate	<ul style="list-style-type: none">• 2 months (in High Fire Threat District (HFTD) Tier 3)• 6 months (in HFTD Tier 2)• 6 months (if relevant to worker safety; not in HFTD Tier 3)
Minor	<ul style="list-style-type: none">• 12 months or resolution scheduled in WMP update

⁶ Energy Safety Compliance Guidelines, p. 5



Inspection Summary

Table 2 provides a summary of the selection of the WMP inspection location and initiative. Table 3 provides a summary of the violation(s) found during the inspection. Details regarding the inspection that identified the violation(s) are provided in the Inspections Details Section below.

Table 2: Inspection Location and Initiative Summary

Electrical Corporation:	PacifiCorp
Report Number:	PC_GCA_20240604_1017
Inspector:	Gary Candelas
WMP Year Inspected:	2024
Data Request Referenced:	DR-229, April 1 to May 8, 2024 vegetation management data
Inspection Selection:	Energy Safety inspected the locations based on PacifiCorp's response to DR-229
Relevant WMP Initiative(s):	8.2.3.1.1 - Wood and Slash Management
Date of inspection:	June 4, 2024
City and/or County of Inspection:	City of Dunsmuir, Siskiyou County
Inspection Purpose:	Assess the accuracy of PacifiCorp's QDR data, completeness of its work, compliance with WMP requirements, and compliance with its protocols.

Table 3: WMP Inspection Violation(s)

Violation #	Structure ID	Lat/Long	HFTD	Initiative Number	Violation Type	Severity	Violation Description
Violation 1	131040	41.2313964061729, -122.282205299914	Tier 3	8.2.3.1.1 - Wood and Slash Management	Adherence to Protocol	Minor	Vegetation debris was left in the tree canopy.

Inspection Details

Violation 1:

Relevant Requirement:

PacifiCorp's WMP states the following regarding initiative number 8.2.3.1.1 – Wood and Slash Management, "Pacific Power manages slash in developed areas by chipping or removing (recycles where practicable) it where accessible, unless the property owner indicates otherwise. In rural, off-road areas Pacific Power uses a lop and scatter and chipping (where accessible) practice to reduce the volume of available fuel within the right-of-way and adheres with land managing agency requirements."⁷

Finding:

PacifiCorp's WMP initiative Detailed Inspections and Management Practices for Vegetation Clearances Around Distribution Electrical Lines and Equipment (8.2.2.1) work⁸ was identified as complete at GPS coordinates 41.2313964061729, -122.282205299914 (near 4614 Simpson Avenue in Dunsmuir). In the grow-in zone, 0.1 span east from pole ID 131040, the inspector observed that vegetation debris was left in the tree canopy. The inspection location was in a developed area, a location that PacifiCorp's WMP states that all slash from tree trimming activities will be chipped or removed. Per PacifiCorp's response to DR-229 which PacifiCorp provided to Energy Safety, PacifiCorp completed tree trimming at this location between April 1 and May 8, 2024.⁹ The inspector's observation is documented in the Violation 1 photographs attached to this report. Photo numbers Item1IA1Img1, Item1IA1Img2, Item1IA1Img3, Item1IA1Img4 depict a Douglas fir branch left on site in a Douglas fir tree canopy.

Energy Safety concludes that Violation 1 is "Minor" because vegetation debris was a single branch.

⁷ PacifiCorp, "2023 Revised Wildfire Mitigation Plan," October 11, 2023. p. 199 [Online]. Available: <https://efiling.energysafety.ca.gov/eFiling/Getfile.aspx?fileid=56336&shareable=true>

⁸ This NOV is for initiative 8.2.3.1.1, Wood and Slash Management, which applies to all vegetation management activities in PacifiCorp's WMP, including initiative 8.2.2.1.

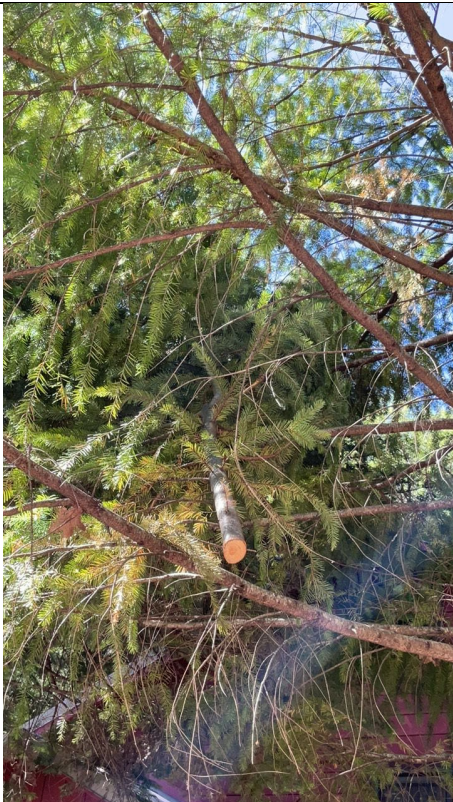
⁹ PacifiCorp response to DR-229 Excel file: OEIS_DR_229_Work_Complete_Report_Distribution.xlsx.

Exhibits

Exhibit A: Photo Log

Structure ID: 131040

Violation 1



Item1IA1mg1: Vegetation debris left in canopy.



Item1IA1mg2: Douglas fir trimmed with branch left in canopy (lower left corner of image).



Item1IA1mg3: Douglas fir near pole ID 131040