



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 South Gessner, Suite 1110  
Houston, TX 77074

**NOTICE OF PROBABLE VIOLATION  
and  
PROPOSED COMPLIANCE ORDER**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

March 14, 2008

Mr. Michel E. Nelson  
Sr. Vice President, Natural Gas Pipeline Operations  
ONEOK Partners LP  
100 West Fifth Street  
Tulsa, Oklahoma 74121-4298

**CPF 4-2008-1003**

Dear Mr. Nelson:

During the weeks of September 10-14, September 24-26, and December 6, 2007, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your integrity management program for the ONEOK Partners LP (ONEOK), OK TEX and Norteno Pipelines, in Tulsa, Oklahoma and El Paso, Texas.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation(s) are:

**1. §192.619 What is the maximum allowable operating pressure for steel or plastic pipelines?**

**(a) Except as provided in paragraph (c) of this section, no person may operate a segment of steel or plastic pipeline at a pressure that exceeds the lowest of the following:**

**(1) The design pressure of the weakest element in the segment, determined in accordance with Subparts C and D of this part. However, for steel pipe in pipelines being converted under §192.14 or uprated under subpart K of this part, if any variable necessary to determine the design pressure under the design formula (§192.105) is unknown, one of the following pressures is to be used as design pressure:**

**(i) Eighty percent of the first test pressure that produces yield under section N5 of Appendix N of ASME B31.8 (incorporated by reference, see § 192.7), reduced by the appropriate factor in paragraph (a)(2)(ii) of this section; or**

**(ii) If the pipe is 12¾ inches (324 mm) or less in outside diameter and is not tested to yield under this paragraph, 200 p.s.i. (1379 kPa) gage.**

**(2) The pressure obtained by dividing the pressure to which the segment was tested after construction as follows:**

**(i) For plastic pipe in all locations, the test pressure is divided by a factor of 1.5.**

**(ii) For steel pipe operated at 100 p.s.i. (689 kPa) gage or more, the test pressure is divided by a factor determined in accordance with the following table:**

**Class location      Factors(1), segment;  
Installed before (Nov. 12, 1970); Installed after (Nov. 11, 1970); Covered  
under §192.14**

**1   1.1    1.1    1.25**

**2   1.25   1.25   1.25**

**3   1.4    1.5    1.5**

**4   1.4    1.5    1.5**

**(1) For offshore segments installed, uprated or converted after July 31, 1977, that are not located on an offshore platform, the factor is 1.25. For segments installed, uprated or converted after July 31, 1977, that are located on an offshore platform or on a platform in inland navigable waters, including a pipe riser, the factor is 1.5**

**(3) The highest actual operating pressure to which the segment was subjected during the 5 years preceding the applicable date in the second column. This pressure restriction applies unless the segment was tested according to the requirements in paragraph (a)(2) of this section after the applicable date in the third column or the segment was uprated according to the requirements in subpart K of this part:**

**Pipeline segment      Pressure date      Test date**

**--Onshore gathering line that first became subject to this part (other than § 192.612) after April 13, 2006.**

**--Onshore transmission line that was a gathering line not subject to this part before March 15, 2006. March 15, 2006, or date line becomes subject to this part, whichever is later. 5 years preceding applicable date in second column.**

Offshore gathering lines. July 1, 1976. July 1, 1971.  
All other pipelines. July 1, 1970. July 1, 1965.

(4) The pressure determined by the operator to be the maximum safe pressure after considering the history of the segment, particularly known corrosion and the actual operating pressure.

(b) No person may operate a segment to which paragraph (a)(4) of this section is applicable, unless overpressure protective devices are installed on the segment in a manner that will prevent the maximum allowable operating pressure from being exceeded, in accordance with §192.195.

(c) The requirements on pressure restrictions in this section do not apply in the following instance. An operator may operate a segment of pipeline found to be in satisfactory condition, considering its operating and maintenance history, at the highest actual operating pressure to which the segment was subjected during the 5 years preceding the applicable date in the second column of the table in paragraph (a)(3) of this section. An operator must still comply with § 192.611.

ONEOK was unable to provide documentation during the inspection for compliance with §192.619 concerning maximum allowable operating pressure for the Norteno Pipelines – Norteno #1, Norteno #4 and Norteno #5.

#### Proposed Compliance Order

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration proposes to issue a Compliance Order to ONEOK Partners LP. Please refer to the Proposed Compliance Order that is enclosed and made a part of this Notice.

#### Response to this Notice

Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

In your correspondence on this matter, please refer to **CPF 4-2008-1003** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "R. M. Seeley". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

R. M. Seeley  
Director, Southwest Region  
Pipeline and Hazardous Materials Safety Administration

Enclosures: *Proposed Compliance Order*  
*Response Options for Pipeline Operators in Compliance Proceedings*

## PROPOSED COMPLIANCE ORDER

Pursuant to 49 United States Code § 60118, the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to issue to ONEOK a Compliance Order incorporating the following remedial requirements to ensure the compliance of ONEOK's Norteno Pipeline with the pipeline safety regulations:

1. In regard to Item Number 1 of the Notice pertaining the portion of the Norteno #1 pipeline that crosses from the El Paso area into the Rio Grande River to Mexico, ONEOK must establish the maximum allowable operating pressure of the Norteno #1 pipeline, including the 0.2 mile going into the Rio Grande River, based upon §192.619 guidelines.
2. ONEOK must provide maximum allowable operating pressure documentation for the Norteno Pipelines, Norteno #1, Norteno #4 and Norteno #5 that meet the requirements of §192.619.
3. ONEOK must address the issues detailed in Item 1 above within 90 days after receipt of a Final Order and submit to R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration.
4. ONEOK shall maintain documentation of the safety improvement costs associated with fulfilling this Compliance Order and submit the total to R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration. Costs shall be reported in two categories: 1) total cost associated with preparation/revision of plans, procedures, studies and analyses, and 2) total cost associated with replacements, additions and other changes to pipeline infrastructure.