



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

8701 South Gessner, Suite 1110
Houston, TX 77074

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 3, 2007

Mike Nelson
Sr. Vice President
OkTex Pipeline Company, LLC
100 West 5th Street
Tulsa, OK 74103-4298

CPF No. 4-2007-1016M

Dear Mr. Nelson:

On August 20-24, 2007, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code inspected your procedures for operations and maintenance in Tulsa, OK.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within OkTex Pipeline Company, LLC 's procedures and are described below:

1. **§192.609 Change in class location: Required study. Whenever an increase in population density indicates a change in class location for a segment of an existing steel pipeline operating at a hoop stress that is more than 40 percent of SMYS, or indicates that the hoop stress corresponding to the established maximum allowable operating pressure for a segment of existing pipeline is not commensurate with the present class location, the operator shall immediately make a study to determine;**
 - (a) The present class location for the segment involved.
 - (b) The design, construction, and testing procedures followed in the original construction, and a comparison of these procedures with those required for the present class location by the applicable provisions of this part.

- (c) The physical condition of the segment to the extent it can be ascertained from available records;
- (d) The operating and maintenance history of the segment;
- (e) The maximum actual operating pressure and the corresponding operating hoop stress, taking pressure gradient into account, for the segment of pipeline involved; and,
- (f) The actual area affected by the population density increase, and physical barriers or other factors which may limit further expansion of the more densely populated area.

OkTex Pipeline Company, LLC needs to clarify the term "periodically reviews" for each of the stated criteria used in class location confirmation.

2. **§192.614 Damage prevention program. (c) the damage prevention program required by paragraph (a) of this section must, at a minimum: (3) provide a means of receiving and recording notification of planned excavation activities.**

OkTex Pipeline Company, LLC needs to amend their procedure to correctly address the process they currently use for receiving and recording notification of planned excavation activities.

3. **§192.617 Investigation of failures. Each operator shall establish procedures for analyzing accidents and failures, including the selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of a recurrence.**

OkTex Pipeline Company, LLC needs to amend their investigation of failures procedure to address collection and preservation of failed specimens; additionally, OkTex Pipeline Company, LLC needs to address tracking the "chain of custody" for gathered specimens.

4. **§192.709 Transmission lines: record keeping. (a) the date, location, and description of each repair made to pipe (including pipe-to-pipe connections) must be retained for as long as the pipe remains in service. (b) the date, location, and description of each repair made to parts of the pipeline system other than pipe must be retained for at least 5 years. However, repairs generated by patrols, surveys, inspections, or tests required by subparts subpart l and m of this part must be retained in accordance with paragraph (c) of this section..**

OkTex Pipeline Company, LLC need to amend their recordkeeping procedure to address record retention time for repairs made to pipe and for each repair made to parts of the pipeline system other than pipe.

5. **§192.745 Valve maintenance: Transmission lines. (a) each transmission line valve that might be required during any emergency must be inspected and partially operated at intervals not exceeding 15 months, but at least once each calendar year.**

OkTex Pipeline Company, LLC needs to define what "partially operate valve" means for the different type of valves in its system.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. 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.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 30 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

In correspondence concerning this matter, please refer to **CPF No. 4-2007-1016M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



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

Enclosure: *Response Options for Pipeline Operators in Compliance*