



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**

February 24, 2011

Mr. Michel E. Nelson  
President  
OKTEX Pipeline Company, L.L.C.  
100 West Fifth Street  
Tulsa, OK 74103-4298

**CPF 4-2011-1004M**

Dear Mr. Nelson:

On October 18-22, 2010, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected OKTEX Pipeline Company (OKTEX) procedures for El Paso system located in El Paso, TX.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within OKTEX plans or procedures, as described below:

**1. §192.13 What general requirements apply to pipelines regulated under this part?**

**(c) Each operator shall maintain, modify as appropriate, and follow the plans, procedures, and programs that it is required to establish under this part.**

The OKTEX procedure, OKSops3.160.102, Pressure Limiting and Relief Devices, Section 6.3 states "Use forms OKSops3.160.102A Regulator Inspection and Testing and OKSops3.160.102B Relief Valve Inspection and Testing" for documenting inspections.

At the time of the standard inspection, OKTEX provided Regulator & Relief Valve Inspection documentation, an Excel spread sheet form, which is different than OKSops3.160.102A and OKSops3.160.102B. OKTEX procedure must be modified as appropriate to incorporate the current form being used.

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 4-2011-1004M** 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  
Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*