

**NOVEMBER 27, 2013**

Mr. Terry K. Spencer  
President  
ONEOK NGL Pipeline, LP  
100 West 5th Street  
Tulsa, OK 74103

**Re: CPF No. 3-2009-5007**

Dear Mr. Spencer:

Enclosed please find the Final Order issued in the above-referenced case. It makes a finding of violation and finds that ONEOK NGL Pipeline, LP, has completed the actions specified in the Notice to comply with the pipeline safety regulations. Therefore, this case is now closed. Service of the Final Order by certified mail is deemed effective upon the date of mailing, or as otherwise provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Jeffrey D. Wiese  
Associate Administrator  
for Pipeline Safety

Enclosure

cc: Ms. Linda Daugherty, Director, Central Region, OPS  
Mr. Wes Christensen, Senior Vice President, Operations

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**U.S. DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

	)	
<b>In the Matter of</b>	)	
	)	
<b>ONEOK NGL Pipeline, LP,</b>	)	<b>CPF No. 3-2009-5007</b>
	)	
<b>Respondent.</b>	)	
	)	

**FINAL ORDER**

On the dates of April 16-20, 2007, April 23-27, 2007, April 30-May 3, 2007, May 14-18, 2007, June 4-8, 2007, July 10-13, 2007, July 23-26, 2007, and December 17-19, 2007, pursuant to 49 U.S.C. § 60117, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), conducted an on-site pipeline safety inspection of the facilities and records of ONEOK NGL Pipeline, LP (ONEOK or Respondent), relating to its Line 5 pipeline construction project near Hutchinson, Kansas, and Argonia, Kansas. ONEOK owns and operates over 2400 miles of natural gas liquid pipelines that transport natural gas from production areas throughout Oklahoma, Kansas and Texas.<sup>1</sup>

As a result of the inspection, the Director, Central Region, OPS (Director), issued to Respondent, by letter dated June 29, 2009, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that ONEOK had violated 49 C.F.R. § 195.561 and ordering Respondent to take certain measures to correct the alleged violation.

ONEOK responded to the Notice by letter dated July 31, 2009 (Response). The company did not contest the allegation of violation but provided information concerning the corrective actions it had taken and planned to take. Respondent did not request a hearing and therefore has waived its right to one.

**FINDING OF VIOLATION**

In its Response, ONEOK did not contest the allegation in the Notice that it violated 49 C.F.R. Part 195, as follows:

---

<sup>1</sup> ONEOK Partners, LP, *available at* <http://www.oneokpartners.com/Customers/NaturalGasLiquids/Pipelines/NGLPipeline.aspx> (last accessed on September 30, 2013).

**Item 1:** The Notice alleged that Respondent violated 49 C.F.R. § 195.561(b), which states:

**§ 195.561 When must I inspect pipe coating used for external corrosion control?**

- (a) You must inspect all external pipe coating required by §195.557 just prior to lowering the pipe into the ditch or submerging the pipe.
- (b) You must repair any coating damage discovered.

The Notice alleged that Respondent violated 49 C.F.R. § 195.561(b) by failing to properly repair external coating damage discovered on a section of its pipeline prior to lowering the pipe into a ditch. Specifically, the Notice alleged that ONEOK personnel improperly applied 3M coating repair patch sticks to external coating damage found on a 27.19-mile-long portion of its Line 5 pipeline. During the inspection, PHMSA's inspector witnessed ONEOK personnel repairing coating by applying heat directly to the 3M patch stick, rather than the parent-coating surface, which was contrary to 3M's written application instructions.

Respondent did not contest this allegation of violation. Accordingly, based upon a review of all of the evidence, I find that Respondent violated 49 C.F.R. § 195.561(b) by failing to properly repair external coating damage discovered on a section of its Line 5 pipeline prior to lowering the pipe into a ditch.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

**COMPLIANCE ORDER**

The Notice proposed a compliance order with respect to Item 1 in the Notice for a violation of 49 C.F.R. § 195.561(b). Under 49 U.S.C. § 60118(a), each person who engages in the transportation of hazardous liquids or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. The Director indicates that Respondent has taken the following actions to respond to the proposed compliance order:

1. With respect to the violation of § 195.561(b) (**Item 1**), Respondent assessed the affected section of its pipeline using an inline inspection tool in 2010 and 2012. Respondent also performed a close interval cathodic protection survey and a corrosion growth analysis on the affected pipeline. Respondent has submitted documentation of the results of these actions and the Director has determined that any threat of significant external corrosion appears to have been mitigated at this time.

Accordingly, I find that compliance has been achieved with respect to this violation. Therefore, the compliance terms proposed in the Notice are not included in this Order.

The terms and conditions of this Final Order [CPF No. 3-2009-5007] are effective upon service in accordance with 49 C.F.R. § 190.5.

---

Jeffrey D. Wiese  
Associate Administrator  
for Pipeline Safety

---

Date Issued