



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 South Gessner, Suite 1110  
Houston, TX 77074

## WARNING LETTER

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 9, 2012

Mr. Barry Cigich  
VP Operations & Engineering  
Tres Palacios Gas Storage, LLC  
2 Brush Creek Blvd.  
Kansas City, MO 64112

**CPF 4-2012-1017W**

Dear Mr. Cigich:

On July 10 and 11, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected the effectiveness of Tres Palacios Gas Storage, LLC's (Tres Palacios) Public Awareness Program (PAP) at your facility in Markham, TX.

As a result of the inspection, it appears that Tres Palacios has committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

**1. §192.616 Public Awareness**

**(a) Except for an operator of a master meter or petroleum gas system covered under paragraph (j) of this section, each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162.**

During the inspection, Tres Palacios was unable to provide the plan associated with records for the operating years of 2010 and 2011. Tres Palacios was unable to locate a copy of the previous plan, yet records demonstrated compliance. Tres Palacios must make the plan available to all parties with administrative duties to prevent this from occurring again.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the items identified in this letter. Failure to do so will result in Tres Palacios being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 4-2012-1017W**. 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).

Sincerely,



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