

## **WARNING LETTER**

### **CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

February 29, 2012

Troy Valenzula  
Vice President, Environmental Health & Safety  
Plains Pipeline, L.P.  
333 Clay Street, Suite 1600  
Houston, Texas 77002

**CPF 4-2012-5004W**

Dear Mr. Valenzula:

On December 13, 2011, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code reviewed Plain Pipeline, L.P.'s (Plains) DOT Form 7000-1 for an accident that occurred in Waskom, Texas on April 3, 2011.

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

- 1. §195.54 Accident reports.**
  - (a) Each operator that experiences an accident that is required to be reported under 195.50 shall as soon as practicable, but not later than 30 days after discovery of the accident, prepare and file an accident report on DOT Form 7000-1, or a facsimile.**

Plains failed to submit the required DOT Form 7000-1 within 30 days after an incident that occurred on April 3, 2011 in Waskom, Texas. The operator filed the report on October 21, 2011, five months past the required submission. Plains recognized that the report was not filed within

the 30 day time frame as required, due to an administrative oversight, and this note is included in the narrative comments of the report form.

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 any additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item(s) identified in this letter. Failure to do so will result in Plains Pipeline, L.P. 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 4-2012-5004W**. 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