



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

Mr. Jeffrey Shulse
President & CEO
Black Elk Energy, LLC
11451 Katy Freeway
Houston, Texas 77079

NOV 03 2016

Re: CPF No. 4-2014-5015M

Dear Mr. Shulse:

On June 26, 2014, the Pipeline and Hazardous Materials Safety Administration (PHMSA), issued to Black Elk Energy, LLC, (Black Elk), a Notice of Amendment in the above referenced case. This Notice of Amendment found that Black Elk was violating Federal pipeline safety regulations by operating a pipeline without adequate procedures. Based upon our review of Black Elk's actions, it has been determined that Black Elk has not fulfilled the terms of this Notice of Amendment and is still operating a pipeline in violation of Federal pipeline safety regulations.

Based on documentation reviewed by the Director, PHMSA, Southwest Region, it has been determined that Black Elk has filed for bankruptcy and is being processed in bankruptcy proceedings.

PHMSA recognizes these bankruptcy proceedings impede Black Elk from fulfilling any uncompleted terms of the above referenced Notice of Amendment. Therefore, while Black Elk is being processed in bankruptcy proceedings, PHMSA will retain the record of any unfulfilled terms of the above referenced Notice of Amendment but will suspend its efforts to ensure Black Elk's compliance with these unfulfilled terms.

Sincerely,

Alan K. Mayberry
Acting Associate Administrator
for Pipeline Safety

Enclosure:

- cc. Mr. Rodrick M. Seeley, Director, Southwest Region, OPS
Ms. Karen Vanacour, Environmental, Health, & Safety Supervisor, Black Elk Energy, LLC
Ms. Elizabeth A. Green, Esq., Baker & Hostetler, LLP, SunTrust Center, 2300, 200 South Orange Avenue, Orlando, FL, 32801-3432
Ms. Pamela Gale Johnson, Esq., Baker & Hostetler, LLP, 811 Main Street, Suite 1100, Houston, TX 77002-6111
Mr. Jimmy D. Parrish, Esq., Baker & Hostetler, LLP, SunTrust Center, 2300, 200 South Orange Avenue, Orlando, FL, 32801-3432
Mr. Jorian L. Rose, Esq., Baker & Hostetler, LLP, 45 Rockefeller Plaza, New York, NY 10111-0100
Mr. Joseph M. Esmont, Esq., Baker & Hostetler, LLP, 127 Public Square, Suite 2000, Cleveland, OH 44114

CERTIFIED MAIL – RETURN RECEIPT REQUESTED