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By Email Only

April 13, 2022

Mr. Gregory A. Ochs
Director, Central Region
Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration
901 Locust Street, Suite 462
Kansas City, MO 64106

**Re: Texas Gas Transmission, LLC, CPF No. 3-2022-019-NOPV
Written Response to Notice of Probable Violation, Proposed Civil Penalty and
Proposed Compliance Order, Request for Hearing and Request for Settlement
Meeting**

Dear Mr. Ochs,

Pursuant to 49 C.F.R. § 190.208(a) & (b) and § 190.211, Texas Gas Transmission, LLC (Texas Gas) respectfully submits a Written Response to Notice of Probable Violation, Proposed Civil Penalty and Proposed Compliance Order (Notice) issued on January 21, 2022. On February 2, 2022, PHMSA approved an extension until April 21, 2022 to respond to the Notice. Therefore, this response is timely.

Texas Gas also submits a Request for Hearing, Preliminary Statement of Issues and Request for Settlement Meeting. Texas Gas requests a hearing on Item 5, Item 6, Item 8, Item 11, and Item 13. Texas Gas also requests a settlement meeting to permit the parties to discuss resolution of the allegations in the Notice. Texas Gas requests that the presiding official delay scheduling a hearing to allow the parties sufficient time to convene a meeting to resolve issues.

Texas Gas requests that it continue to be provided with all documents or communications from OPS pertaining to the case or the case file, which includes "all agency records pertinent to the matters of fact and law asserted,"¹ including, but not limited to inspector notes or other materials the region intends to rely on to support the NOPV, and Region Director's "written evaluation of response material submitted by the respondent and recommendation for final action, if one is prepared." 49 C.F.R. § 190.209(b)(7). Please consider this a standing request. Texas Gas reserves the right to amend or supplement its Response or the preliminary list of issues in the event that PHMSA provides any additional materials for our review.

¹ 49 U.S.C. § 60117(b)(1)(C).

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Texas Gas looks forward to working with you and your staff to resolve the issues raised in the Notice.

Thank you for your attention on this matter. Should you have any questions, please feel free to contact me at tony.rizk@bwpipelines.com or Ms. Tina Baker at tina.baker@bwpipelines.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tony G. Rizk", with a stylized flourish at the end.

Tony G. Rizk, P. E.
Vice President, Technical Services

Attachments

CC: Joseph Hainline, Esq., Sr. Attorney Advisor, Office of Chief Counsel, PHMSA (via email
Joseph.Hainline@DOT.gov)