

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY**

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Texas Gas Transmission, LLC,	)	CPF No. 3-2024-062-NOPV
	)	
Respondent.	)	
	)	

**Request for Hearing, Preliminary Statement of Issues
and Request for Informal Meeting of
Texas Gas Transmission, LLC**

Pursuant to § 190.208 and § 190.211, Texas Gas Transmission, LLC (Texas Gas) submits a Request for Hearing and Preliminary Statement of Issues regarding the Notice of Probable Violation, Proposed Civil Penalty, and Proposed Compliance Order (Notice) issued on November 21, 2024. The Notice contains one alleged violation and proposes to assess a civil penalty of \$50,200 and impose a compliance order.

Texas Gas is committed to public safety and operating its pipeline facilities in accordance with PHMSA's regulations but contests the alleged violation and proposed civil penalty as unsupported by evidence. In a concurrently filed written response, Texas Gas requests that the alleged violation, proposed civil penalty, and proposed compliance order be withdrawn.

As permitted under 49 U.S.C. § 60117(b)(1),¹ Texas Gas requests that PHMSA convene an informal meeting so that the parties can discuss the alleged violation, proposed civil penalty and proposed compliance order. Texas Gas also requests that the presiding official delay scheduling a hearing to allow the parties sufficient time to meet to resolve the allegation in the Notice.

Request for Hearing

Texas Gas requests that PHMSA convene an in-person hearing. Texas Gas will be represented by legal counsel at the hearing and intends to raise the issues identified below in its Preliminary Statement of Issues. Texas Gas reserves the right to revise this Preliminary Statement Issues at or before the hearing based on any additional information that may be provided during this proceeding, including the informal meeting.

¹ 49 U.S.C. § 60117(b)(1) (2018), as amended by The Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020, Pub. L. No. 116-260, div. R, title I, § 108(a)(2), 134 Stat. 2221, 2223 (Dec. 27, 2020).

Preliminary Statement of Issues

Item 1: § 192.745(b) Valve maintenance: Transmission lines

Whether OPS has failed to satisfy its burden of proving a violation of § 192.745(b) because OPS has failed to establish that Texas Gas's block valve MLS 63-5 is inoperable.

Whether OPS has failed to satisfy its burden of proving that outstanding work orders for repairing a hand pump that is not required to operate the MLS 63-5 valve violate § 192.745(b).

Whether the proposed compliance order requiring that Texas Gas perform repairs to make block valve MLS 63-5 manually operable, when the valve already is manually operable, is inappropriate and unsupported by the facts, the case file, the Pipeline Safety Laws, and relevant Part 190 and Part 192 regulations.

Whether the proposed civil penalty is inappropriate and unsupported by the facts, the case file, the Pipeline Safety Laws and relevant Part 190 and Part 192 regulations.

Respectfully submitted,



Tony G. Rizk, P.E.
VP, Technical Services
Boardwalk Pipelines

December 19, 2024