



By Email Only

October 15, 2024

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: Gulf South Pipeline Company, LLC and Texas Gas Transmission, LLC
CPF No. 3-2024-064-NOA
Written Response to Notice of Amendment and Request for Hearing, Preliminary
Statement of Issues, and Request for Informal Meeting**

Dear Mr. Ochs,

Pursuant to 49 C.F.R. § 190.206(a) and § 190.211, Gulf South Pipeline Company, LLC (Gulf South) and Texas Gas Transmission, LLC (Texas Gas) submit a Written Response to the Notice of Amendment (NOA) issued on August 15, 2024.¹ Gulf South and Texas Gas also submit a Request for Hearing, Preliminary Statement of Issues, and Request for Informal Meeting to permit the parties to discuss resolution of Item 1, Item 2, and Item 3 of the NOA. Gulf South and Texas Gas do not contest Item 4 through Item 11 of the NOA.

Gulf South and Texas Gas also request that the presiding official delay scheduling a hearing to allow the parties sufficient time to convene a meeting to resolve issues.

Gulf South and Texas Gas request that they be provided with all documents or communications from PHMSA pertaining to the case or contained in the case file, which includes “all agency records pertinent to the matters of fact and law asserted.”² This request encompasses, but is not limited to inspector notes or other materials the Region intends to rely on to support the NOA and the Region Director’s “written evaluation of response material submitted by the respondent and recommendation for final action, if one is prepared.”³ Gulf

¹ Gulf South and Texas Gas are wholly owned operating subsidiaries of Boardwalk Pipelines, L.P. (Boardwalk). Although the NOA refers to “BW Pipelines,” Gulf South and Texas Gas operate separate pipeline systems and have different operator identification numbers (OPID). Gulf South’s OPID is 31728 and Texas Gas’s OPID is 19270. The two companies operate their pipeline systems pursuant to procedures that are maintained by Boardwalk on behalf of multiple Boardwalk-owned pipelines. Boardwalk does not operate any pipeline facility and does not have an OPID.

² 49 U.S.C. § 60117(b)(1)(C).

³ 49 C.F.R. § 190.209(b)(7) (2023).

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South and Texas Gas note that on August 26, 2024, they requested the case file for this enforcement proceeding and were provided only its own procedures. On September 20, 2024, Gulf South and Texas Gas specifically requested the notes associated with the NOA's allegations. Such notes constitute part of the "agency record." To date, PHMSA has not responded to the companies' request. Gulf South and Texas Gas reserve the right to supplement its written Response and Preliminary Statement of Issues to address any additional issues raised by the materials that PHMSA has been requested to provide.

The companies look forward to working with you and your staff to resolve the issues raised in Item 1, Item 2, and Item 3 of the NOA. Please do not hesitate to contact the undersigned if you have any questions.

Thank you for your attention on this matter.

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.
VP, Technical Services
Boardwalk Pipelines

Attachments

CC: Ryan McClure, Attorney Advisor, Office of Chief Counsel, PHMSA (Ryan.McClure@DOT.gov)
Mia Petrucci, Attorney Advisor, Office of Chief Counsel, PHMSA (Mia.Petrucci@DOT.gov)