



***By Email Only***

September 20, 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. 3-2024-065-WL  
Written Response to Warning Letter and Request for Withdrawal**

Dear Mr. Ochs,

Pursuant to 49 C.F.R. § 190.205, Gulf South Pipeline Company, LLC (Gulf South) and Texas Gas Transmission, LLC (Texas Gas) submit a Written Response to the Warning Letter issued August 14, 2024. Gulf South and Texas Gas recognize that PHMSA's regulations do not provide for the adjudication of warning letters. The companies are submitting this Response to address the patent legal and factual deficiencies reflected in the Warning Letter. Gulf South and Texas Gas request that this Response be posted in the public docket on PHMSA's internet website.

Gulf South and Texas Gas request that PHMSA withdraw the Warning Letter. Item 1 is inconsistent with the express language of § 192.607(a) and § 192.607(b) and is also factually unsupported. Item 2 is inconsistent with the Pipeline Safety Act, the pipeline safety regulations, and the regulatory history of § 192.624(a). Item 2 also creates regulatory uncertainty regarding the application of § 192.624(a)(2) to previously tested pipeline segments.

Gulf South and Texas Gas request that they be provided with all existing or future documents and communications that pertain to this Warning Letter. This includes "all agency records pertinent to the matters of fact and law asserted."<sup>1</sup> Please consider this a standing request.

Gulf South and Texas Gas are committed to public safety and operating their pipeline facilities in accordance with PHMSA's regulations. The companies take all allegations of non-compliance seriously, including those contained in a publicly-issued Warning Letter whose

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<sup>1</sup> 49 U.S.C. § 60117(b)(1)(C).

allegations and compliance order-type requirements lack either a legal or a factual foundation, but that cannot be adjudicated.

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: Alan K. Mayberry, Associate Administrator for Pipeline Safety,  
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