



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

8701 South Gessner, Suite 1110  
Houston, TX 77074

## NOTICE OF AMENDMENT

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 2, 2007

Mr. Timothy C. Felt  
President and CEO  
Explorer Pipeline Company  
P.O. Box 2650  
Tulsa, OK 74101

**CPF No. 4-2007-5020M**

Dear Mr. Felt:

On April 23-27, 2007, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code inspected your procedures for operations and maintenance in Tulsa, OK.

On the basis of the inspection, PHMSA has identified the apparent inadequacy found within Explorer Pipeline Company's procedures and are described below:

**§ 195.120 Passage of internal inspection devices. (a) Except as provided in paragraphs (b) and (c) of this section, each new pipeline and each line section of a pipeline where the line pipe, valve, fitting or other line component is replaced, must be designed and constructed to accommodate the passage of instrumented internal inspection devices.**

Explorer Pipeline Company's procedures did not clearly state that each new pipeline and each line section of a pipeline where the line pipe, valve, fitting or other line component is replaced, must be designed and constructed to accommodate the passage of instrumented internal inspection devices except as provided in paragraphs (b) and (c) of this section.

Explorer Pipeline Company submitted its amended procedures to this office on June 1, 2007, prior to the delivery of this Notice to them. My staff reviewed the amended procedures, and it appears that the inadequacy outlined in this Notice of Amendment has been corrected.

This letter is to inform you no further action is necessary and this case is now closed. Thank you for your cooperation.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within [number of days] days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

In correspondence concerning this matter, please refer to **CPF No 4-2007-5020M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



R.M. Seeley  
Director, Southwest Region  
Pipeline and Hazardous  
Material Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance*