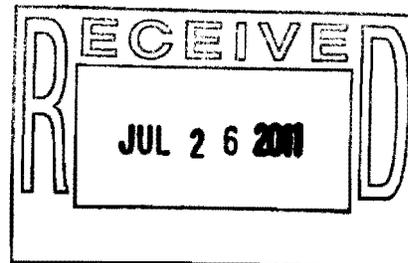


JOHN S. HOWELL
DEPUTY GENERAL COUNSEL
915-534-1412 DIRECT
john.howell@wnr.com

July 25, 2011

Via Federal Express

Mr. R.M. Seeley
Director, Southwest Region
Pipeline and Hazardous Materials Safety Administration
8701 South Gessner, Suite 1110
Houston, TX 77074



Re: Western Refining Pipeline Company
Notice of Probable Violation and Proposed Civil Penalty
CPF 4-2011-5008

Dear Mr. Seeley:

We have received and analyzed your letter of June 27, 2011 addressed to Mr. Emmett Reagan, our Senior Vice President of Western Refining Pipeline Company (the "Company") in El Paso, Texas. You have asserted a proposed civil penalty of \$13,500 related to 27 valves on the Company's Texas-New Mexico 16" pipeline in New Mexico.

We have analyzed the calendar year records and determined that the valves in question were examined in December, 2008, June and July of 2009 and January of 2010. If either the December, 2008 or the January, 2010 inspection had occurred in 2009, both requirements of the Pipeline Safety Regulations would have been met. As it stands, clearly the 7½ month requirement was fully met.

As you can see, the Company's intentions to meet the Pipeline Safety Regulations were met in spirit. As a result, the Company would request mitigation of the civil penalty to \$8,100. That sum represents a \$300 penalty applied to each of the 27 valves in question.

Please let me know if this request for mitigation meets with your approval. Feel free to contact me directly with any questions that you may have.

Very truly yours,

WESTERN REFINING

A handwritten signature in cursive script that reads "John S. Howell".

John S. Howell
Deputy General Counsel

JSH/cmc

cc: Emmett Reagan (via email)
Ron Copple (via email)