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CERTIFIED MAIL – 7010 0290 0002 6166 8275

October 17, 2011

David Barrett
Director, Central Region
Pipeline and Hazardous Materials Safety Administration
901 Locust Street, Suite 462
Kansas City, MO 64106-2641

Re: Ergon Trucking, Inc. – Magnolia Pipeline
Notice of Probable Violation and Proposed Compliance Order
CPF 3-2011-5011

Dear Mr. Barrett:

Ergon Trucking, Inc. – Magnolia Pipeline (ETK - Magnolia) received a Notice of Probable Violation and Proposed Compliance Order on September 19, 2011. This notice indicated that ETK – Magnolia must respond within 30 days of receipt. ETK – Magnolia has reviewed the Proposed Compliance Order and does not wish to contest it. ETK – Magnolia is currently revising the Operator Qualification (OQ) program to address the deficiencies listed in the Proposed Compliance Order.

Should you have any questions, please contact me using the contact information below.

Sincerely,

Ergon Trucking, Inc.

A handwritten signature in black ink that reads 'Jake Neihaus'.

Jake Neihaus, RPG, CHMM
Sr. Environmental Scientist
Office: 601.933.3123
Fax: 601.933.3369
Mobile: 601.209.6786
jake.neihaus@ergon.com

Cc: Ray Callahan – EHS
Russ Maroney – ETK
Earlo Duck – ETK
Tom Leyda – ETK – Magnolia
File (50-E-09-105-)

CERTIFIED MAIL – 7010 0290 0002 6166 8282
Gery Bauman
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Granville, OH 43023