

June 4, 2020

**VIA ELECTRONIC MAIL TO: richardcourtney@imtt.com**

Mr. Richard D. Courtney  
Chief Executive Officer  
IMTT – Pipeline, LLC  
321 St. Charles Avenue  
New Orleans, Louisiana 70130

**Re: CPF No. 1-2020-5003**

Dear Mr. Courtney:

Enclosed please find the Final Order issued in the above-referenced case. It makes findings of violation and specifies actions that need to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Eastern Region, this enforcement action will be closed. Service of the Final Order by electronic mail is effective upon the date of transmission as provided under 49 C.F.R. § 190.5.

Thank you for your cooperation in this matter.

Sincerely,

Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

Enclosures (Final Order and NOPV)

cc: Mr. Robert Burrough, Director, Eastern Region, Office of Pipeline Safety, PHMSA  
Mr. Richard Ambrosio, Director of Operations, IMTT-Pipeline, LLC,  
richardambrosio@imtt.com

**CONFIRMATION OF RECEIPT REQUESTED**

**U.S. DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

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**In the Matter of** )

**IMTT-Pipeline, LLC,** )  
**a subsidiary of Macquarie Infrastructure Corp.,** )

**Respondent.** )  
\_\_\_\_\_ )

**CPF No. 1-2020-5003**

**FINAL ORDER**

On April 14, 2020, pursuant to 49 C.F.R. § 190.207, the Director, Eastern Region, Office of Pipeline Safety (OPS), issued a Notice of Probable Violation (Notice) to IMTT-Pipeline, LLC (Respondent), a subsidiary of Macquarie Infrastructure Corporation.<sup>1</sup> The Notice proposed finding that Respondent had violated the pipeline safety regulations in 49 C.F.R. Part 195. The Notice also proposed certain measures to correct the violations. Respondent did not contest the allegations of violation or corrective measures.

Based upon a review of all of the evidence, pursuant to § 190.213, I find Respondent violated the pipeline safety regulations listed below, as more fully described in the enclosed Notice, which is incorporated by reference:

49 C.F.R. § 195.412(b) (**Item 1**) — Respondent failed to inspect each crossing under a navigable waterway to determine the condition of the crossing at intervals not exceeding 5 years.

49 C.F.R. § 195.573(a)(1) (**Item 2**) — Respondent failed to conduct tests on its protected pipeline at least once each calendar year, but with intervals not to exceed 15 months.

49 C.F.R. § 195.573(e) (**Item 3**) — Respondent failed to correct identified deficiencies in corrosion control as required by § 195.401(b)(1).

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

<sup>1</sup> SEC Form 10-K, *available at* <https://macquarie.gcs-web.com/static-files/c85faff8-9e6f-489d-bad5-1b9ff667a5aa> (last accessed May 21, 2020).

**COMPLIANCE ACTIONS**

Pursuant to 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the actions proposed in the enclosed Notice to correct the violations. On May 13, 2020, IMTT-Pipeline responded to the Notice and provided information and documents relating to the proposed Compliance Actions. The Director will make a determination regarding whether this response is sufficient to show compliance. The Director may grant an extension of time to comply with any of the required items upon a written request timely submitted by the Respondent and demonstrating good cause for an extension. Upon completion of ordered actions, Respondent may request that the Director close the case. Failure to comply with this Order may result in the assessment of civil penalties under 49 C.F.R. § 190.223 or in referral to the Attorney General for appropriate relief in a district court of the United States.

The terms and conditions of this order are effective upon service in accordance with 49 C.F.R. § 190.5.

June 4, 2020

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Alan K. Mayberry  
Associate Administrator  
for Pipeline Safety

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Date Issued