

Robert Hogfoss, Esq.
Hunton & Williams LLP
Bank of America Plaza, Ste 4100
600 Peachtree St. NE
Atlanta, GA 30308

Re: ExxonMobil Pipeline Company
CPF No. 4-2013-5027

Dear Mr. Hogfoss:

I am in receipt of the Petition for Reconsideration filed by ExxonMobil Pipeline Company (EMPCo) on October 21, 2015. Pursuant to 49 C.F.R. § 190.243, EMPCo has exercised its right to request that PHMSA reconsider the Final Order that was issued on October 1, 2015. As you are aware, the Final Order found nine violations in connection with the 2013 pipeline accident near Mayflower, Arkansas. The Agency assessed a civil penalty of \$2,630,400, and ordered corrective action set forth in a Compliance Order.

PHMSA is currently reviewing the Petition and intends to issue a decision after considering your position on the matter. In the meantime, the filing of the Petition automatically stays payment of the civil penalty pursuant to § 190.243(c). You have also requested that PHMSA stay the terms of the Compliance Order until a decision is rendered on the Petition.

The terms of the Compliance Order require EMPCo to modify its integrity management program and related processes, including those related to electric-resistance welded pipe, integrity assessment, and management of change. After reviewing the terms of the Compliance Order, PHMSA has determined that staying the conditions for 90 days while the Agency reviews your Petition will not compromise safety, particularly since the pipeline remains out of service. Accordingly, PHMSA is staying the Compliance Order until 90 days from the date of this letter.

Please note, this stay does not waive compliance with any applicable pipeline safety standards, nor does it affect any other administrative order that concerns facilities operated by EMPCo. In the event your Petition for Reconsideration is denied, EMPCo will be required to comply with the terms of the Compliance Order as set forth in the Final Order.

Thank you for your cooperation in this matter.

Sincerely,

Jeffrey D. Wiese
Associate Administrator
for Pipeline Safety

cc: Mr. Rod Seeley, Director, Southwest Region, PHMSA
Ms. Catherine Little, Hunton & Williams LLP
Bank of America Plaza, Ste 4100, 600 Peachtree St. NE, Atlanta, GA 30308

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED