

**Before the  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
Office of Pipeline Safety  
Washington, D.C.**

In the Matter of	)	
Kinder Morgan Liquid Terminals, LLC	)	CPF No. 1-2023-036-NOPV
Respondent.	)	Notice of Probable Violation
	)	

**Notice of Withdrawal of Request for Hearing**

Kinder Morgan Liquid Terminals, LLC (KMLT or the Company) and the Pipeline and Hazardous Materials Safety Administration (PHMSA) Eastern Region have reached an agreement that resolves the above-referenced Notice of Probable Violation (NOPV). As a result, and as set forth in the Consent Order and Agreement issued by PHMSA on October 23, 2023, KMLT is, without admission, withdrawing its request for hearing filed on October 31, 2023.

PHMSA issued the NOPV to KMLT on May 5, 2023, alleging four (4) probable violations of the 49 C.F.R. Part 195 regulations. Of those four (4) NOPV allegations, two (2) were issued as warning items and two (2) were issued as probable violations, which included a proposed civil penalty (totaling \$75,200) a proposed compliance order (PCO) obligation. KMLT timely contested the two of the alleged violations, elected not to contest the warning items, and requested a hearing. The hearing was most recently scheduled for November 16, 2023.

KMLT is committed to pipeline safety and integrity of its terminal facilities. KMLT filed its Request for Hearing because certain allegations required clarification of the facts at issue, existing documentation, and the applicable law. In the spirit of cooperation and consistent with its commitment to pipeline safety, KMLT nevertheless sought to resolve this action through informal settlement in coordination with the PHMSA Eastern Region. Pursuant to those discussions, KMLT, without admission and for purposes of settlement only, entered into a Consent Agreement with PHMSA to resolve this matter. Through the terms of the Consent Agreement, PHMSA agreed to extend the timeframe to complete the PCO and reduced the civil penalty amounts based on various factors, resulting in a final civil penalty of \$39,400. As required by the terms of the Consent Order and Agreement issued by PHMSA, the Company is hereby withdrawing its request for hearing.

Respectfully submitted,

*Mary Clair Lyons*

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