

**U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY**

In the Matter of

CITGO Pipeline Company,

Respondent.

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CPF No. 1-2024-033-NOPV

**REQUEST FOR INFORMAL CONFERENCE AND HEARING, PRELIMINARY
STATEMENT OF ISSUES AND REQUEST FOR DOCUMENTS**

I. Request for Informal Conference

Pursuant to 49 U.S.C. § 60117(b)(1)(B)(i)-(ii), CITGO Pipeline Company (CITGO) respectfully requests an informal conference to discuss the allegations, proposed civil penalty, and compliance order in the above-referenced Notice of Probable Violation, Proposed Civil Penalty, and Proposed Compliance Order (NOPV). CITGO is hopeful that through further discussion these allegations can be resolved without a hearing.

II. Request for Hearing

Pursuant to 49 C.F.R. §§ 190.208(a)(4), 190.208(b)(4), and 190.211(b), CITGO respectfully requests an in-person hearing at PHMSA's Eastern Region office to discuss the alleged violations, proposed civil penalty, and proposed compliance order. If a hearing is held, CITGO will be represented by counsel at the hearing.

III. Preliminary Statement of Issues

CITGO respectfully contests the allegations, proposed civil penalty and proposed

compliance order included in the NOPV. At the hearing, CITGO intends to raise the following issues:

Item 1 – 49 C.F.R. § 195.402(a)

- A. Whether the allegation of probable violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a probable violation occurred.
- C. Whether the allegation of probable violation is duplicative of other allegations issued to CITGO and should be withdrawn.

Item 2 – 49 C.F.R. § 195.402(a)

- A. Whether the allegation of violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a violation has occurred.
- C. Whether the allegation of violation is duplicative of other allegations issued to CITGO and should be withdrawn.
- D. Whether the proposed civil penalty is appropriate or should be withdrawn or reduced.

Item 3 – 49 C.F.R. § 195.402(c)(13)

- A. Whether the allegation of violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a violation has occurred.
- C. Whether the proposed compliance order is appropriate or should be modified or withdrawn.

Item 4 – 49 C.F.R. § 195.402(d)(5)

- A. Whether the allegation of violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a violation has occurred.
- E. Whether the allegation of violation is duplicative of other allegations issued to CITGO and should be withdrawn.

- C. Whether the proposed compliance order is appropriate or should be modified or withdrawn.

Item 5 – 49 C.F.R. § 195.403(c)

- A. Whether the allegation of violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a violation has occurred.
- C. Whether the proposed civil penalty is appropriate or should be withdrawn or reduced.
- D. Whether the proposed compliance order is appropriate or should be modified or withdrawn.

Item 6 – 49 C.F.R. § 195.446(c)(3)

- A. Whether the allegation of violation is supported by the facts and the evidence.
- B. Whether PHMSA has met its burden of proof that a violation has occurred.
- C. Whether the allegation of violation is duplicative of other allegations issued to CITGO and should be withdrawn.
- D. Whether the proposed compliance order is appropriate and should be withdrawn.

CITGO reserves the right to supplement this preliminary statement of issues in response to any additional information or arguments from PHMSA.

IV. Request for Documents

Pursuant to 49 C.F.R. § 190.212(c)(2), (c)(3), and (c)(7) and in order to ensure a full and fair hearing, CITGO respectfully requests that PHMSA provide a copy of the excel spreadsheet that supports the Civil Penalty Worksheet issued in this case. CITGO also requests copies of any notes, documents, or electronic records pertaining to the inspection that occurred in this case.

Respectfully submitted this 22nd day of
November 2024.



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