

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

In the Matter of)

Gary Climate Solutions,)

Respondent.)

CPF No. 3-2023-021-NOPV

NOTICE OF WITHDRAWAL OF REQUEST FOR HEARING

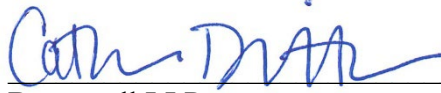
This notice is to advise that Gary Climate Solutions, LLC (Respondent) and the Pipeline and Hazardous Materials Safety Administration (PHMSA) Central Region have reached an agreement that resolves the above-referenced Notice of Probable Violation (NOPV). As a result, and as set forth in the Consent Agreement and Order issued by PHMSA on July 29, 2024, Respondent is, without admission, withdrawing its request for hearing.

PHMSA issued the NOPV to Respondent on September 18, 2023, following an inspection conducted in 2022, alleging four violations and two warning items, the majority of which related to actions or omissions of a prior operator in 2017-2021. The NOPV also proposed a civil penalty and compliance order items. In response to the Notice, Respondent contested the allegation of violation for Item 6, along with its proposed civil penalty and proposed compliance order, requested a reduction of the civil penalties for Items 2 and 3, and provided additional information regarding the actions it had taken towards compliance with PHMSA regulations since assuming ownership of the facility in mid-2021.

In the spirit of cooperation and consistent with its commitment to pipeline safety, Respondent requested a hearing and the opportunity to meet informally with PHMSA to discuss the NOPV. As a result of those discussions, and without admission and for purposes of settlement only, Respondent entered into a Consent Agreement with PHMSA to resolve this matter, which resulted in a reduced civil penalty of \$57,500 and modified compliance order terms.

As required by the terms of the Consent Order and Agreement issued by PHMSA, Respondent is hereby withdrawing its request for hearing.

Respectfully submitted for Gary Climate Solutions, LLC



Bracewell LLP

Catherine Little, Esq.

Annie Cook, Esq.

2001 M Street NW, Suite 900

Washington, D.C.

20036-3310

(202) 828-5800

Catherine.Little@Bracewell.com

Annie.Cook@Bracewell.com

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