



September 7, 2021

Ms. Kristin Baldwin
Presiding Official
Office of the Deputy Chief Counsel
Pipeline and Hazardous Materials Safety
Administration
East Building, 2nd Floor
1200 New Jersey Avenue, SE
Washington, DC 20590

Via Email: Kristin.Baldwin@dot.gov

Re: ExxonMobil Pipeline Company ("Respondent")
Respondent's Pre-Hearing Submissions
CPF No. 4-2021-018-NOPV

Dear Ms. Baldwin:

Pursuant to your letter dated July 27, 2021, attached please find Respondent's pre-hearing submissions in this case, same related to the hearing scheduled for September 16, 2021, via videoconference, regarding the referenced Notice of Probable Violation ("NOPV"). The following materials are submitted herewith:

- A. Letter from Barbara F. Romanowsky to Karen R. Bailor (date unknown)
- B. Facsimile exchange between Bob Gillett and Chuck Rogers, dated April 4, 2003
- C. Letter from Karen Bailor to Louisiana Department of Environmental Quality, Re: Semi-annual Notice of Construction Progress, dated February 17, 2003
- D. Sample Collection, New Pipe Hydrotest Water, LDEQ Permit No. LAG679023, Sample receipt dated April 3, 2003
- E. Petroleum Laboratories, Inc., Report for Location: St. James Tank 45667, dated April 10, 2003
- F. Field-Erected Storage Tank Inspection Record, Tank No. 45667
- G. Excerpt, Attachment 1 - Program Details, FIMMS Atmospheric Corrosion Inspection Program (believed to be same document as EXHIBIT E-1 to Pipeline Safety Violation Report)
- H. Excerpt, Attachment 1 - Program Details, Facilities Inspection and Maintenance Management System, Atmospheric Corrosion Inspection Program, Rev. 16.00, dated September 28, 2020.
- I. Out-of-Service Tank Inspection, Tank Number 45667, June 2012



Know what's below.
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Please note that document I. Out-of-Service Tank Inspection listed above is a large file which may not transmit via email; if not, Respondent will coordinate with the recipients of this letter to arrange an alternate delivery method.

By copy of this letter, Respondent is providing said materials to Region counsel, Melanie Stevens, as well as the Director, Southwest Region, Mary McDaniel.

During the hearing, Respondent intends to call the following individuals as witnesses:

1. Elliot Botts, Second Line Supervisor, ExxonMobil Pipeline Company
2. Tommy Fulkerson, Retired Employee, ExxonMobil Pipeline Company

Respondent also plans to have the following individuals attend the hearing:

- Caroline Henderson, Safety, Health and Environment Manager, ExxonMobil Pipeline Company
- Ted Burger, Safety, Health and Environment Supervisor, ExxonMobil Pipeline Company
- Johnita Jones, Vice-President of Operations, ExxonMobil Pipeline Company
- Court Reporter; the company and the individual's name will be provided prior to the hearing date.

Respondent intends to question OPS personnel with personal knowledge of the facts underlying the alleged violations and the proposed civil penalties set forth in the NOPV and in the underlying case file and Violation Report.

Respondent will be represented at the hearing by the undersigned and Vince Murchison of Murchison Law Firm, PLLC, as well as Daniel Brink and Rebekah Bennett of ExxonMobil Pipeline Company.

Respondent requests, and reserves the right, pursuant to 49 C.F.R. § 190.211(g), to submit further written material after the hearing for inclusion in the record. Respondent further requests the opportunity to receive and respond to (A) the Director's written evaluation and recommendation (49 C.F.R. § 190.209(b)(7)) and (B) the Presiding Official's recommended decision (49 U.S.C. § 60117(b)(1)(D) (2020)).



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Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads 'Roina Baker'.

Roina Baker

Counsel for Respondent

cc: Melanie Stevens, PHMSA (Via Email: Melanie.Stevens@dot.gov)
 Mary L. McDaniel, PHMSA (Via Email: Mary.McDaniel@dot.gov)
 Elizabeth Nugent, PHMSA (Via Email: Elizabeth.Nugent@dot.gov)
 Vince Murchison, Murchison Law Firm (Vince.Murchison@pipelinelegal.com)
 Daniel J. Brink, ExxonMobil Pipeline Company
 Rebekah R. Bennett, ExxonMobil Pipeline Company