



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

April 5, 2013

BY PERSONAL HAND DELIVERY AND REGULAR U.S. MAIL

Mr. Mark Weesner
ExxonMobile Pipeline Company Incident Command Post
7101 Interstate Dr.
Mayflower, AR 72106

RE: Clean Water Act, Section 308 Information Request
Exxon-Mayflower Pegasus Pipeline oil spill that occurred on or about March 29, 2013
NRC Report No: 1042466

Dear Mr. Weesner:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. Section 1318 et seq., the United States Environmental Protection Agency (EPA) has the authority to request information pertinent to carrying out its responsibilities under the CWA. Accordingly, this Information Request is hereby served on you and ExxonMobil Pipeline Company ("Exxon").

Compliance with the provisions of this letter is mandatory. **Your responses to the questions are to be submitted to EPA within 24 hours of receipt of the hand-delivered copy of this letter to the Exxon official, employee and/or representative at the scene of the spill response.** The response to this information request must be signed by a duly authorized official of Exxon. The information will be considered for the following: 1) the on-going spill response; 2) the evaluation of the extent of your compliance with the instructions of the on-scene coordinator overseeing and coordinating the on-going response pursuant to Section 311(c) of the CWA, 33 U.S.C. 1321(c) and/or Section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9604(a), and; 3) the evaluation of your compliance with federal regulations governing the on-going response and the discharge, or threat of discharge, of oil, hazardous substances, pollutants, or contaminants into navigable waters of the United States.

Failure to respond fully and truthfully to the Information Request, or to adequately justify such failure to respond, will be considered a violation of Section 309 of the CWA, as amended by the Water Quality Act of 1987, which can result in enforcement action by EPA. Section 309 of the CWA permits EPA to seek the imposition of civil and criminal penalties for failure to submit information requested under Section 308 of the CWA, including issuance of an Administrative Penalty Order or referral to the United States Department of Justice for judicial action with monetary fines. Please be further advised that providing false, misleading, or fraudulent statements or representations, may subject you to criminal penalties under Section 309 of the CWA.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act, of 1980, as amended, 44 U.S.C. Section 3501, et. seq., as described in 5 CFR Part 1320.3(c).

You are hereby requested to provide the following information regarding the oil spill, which occurred on or about March 29, 2013, at or near Mayflower, Arkansas, presumably from a 20" pipeline known as the "Pegasus Pipeline":

1. At the beginning of this response, Exxon provided EPA a Material Safety Data Sheet (MSDS) on WABASCA CRUDE OIL, which was revised in January, 2013. Does that MSDS sheet accurately describe all materials released/discharged from the pipeline in Mayflower, Arkansas on March 29, 2013?
2. Identify the origin of the crude oil and describe in detail what changes, if any, were made to the crude from the wellhead until it entered the pipeline and was released/discharged on March 29, 2013.
3. Can the oil accurately be described as tar sand oil, or a type of diluted bitumen (dilbit)? If not, how would Exxon accurately describe the oil released/discharged from the pipeline on March 29, 2013?
4. Identify any additional materials, including but not limited to solvents, additives or other diluents, that were mixed with this crude prior to and/or at the time of release/discharge on March 29, 2013.
5. Identify any potentially unique environmental and/or ecological impacts from the oil and/or any additives released/discharged on March 29, 2013.
6. Provide any unique oil spill cleanup strategies implemented by Exxon or its response contractors due to the constituents of the material released/discharged on March 29, 2013.
7. Provide any environmental monitoring and/or sampling strategies implemented by Exxon or its response contractors due to the constituents of the material released/discharged on March 29, 2013.
8. Provide all analytical results of any samples collected from the pipeline after the release/discharge on March 29, 2013.

In some instances, information requested by EPA may be considered confidential business information (CBI) by the provider of that information. Should any of the information requested by EPA as part of this request for information be considered CBI material by Exxon, you must assert that claim as part of your reply. The final determination regarding this material will be made by EPA per the regulations found in 40 CFR Part 2.204.

Please provide in writing your response to the following address:

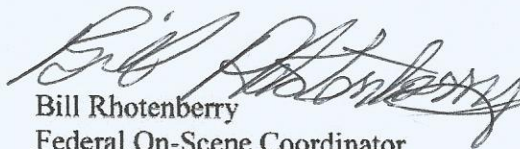
Bill Rhotenberry
Federal On-Scene Coordinator
Superfund Division (6SF-PC)
U. S. EPA Region 6
Incident Command Center
Mayflower, AR 72106

If you have any questions relating to this Information Request, please contact On-Scene Coordinator Bill Rhotenberry at (214) 437-9804.

Sincerely yours,



Robert R. Broyles
Associate Director
Prevention and Response Branch
Superfund Division

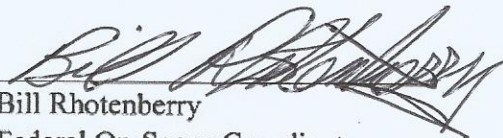


Bill Rhotenberry
Federal On-Scene Coordinator
Prevention and Response Branch
Superfund Division

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing, 3-page "Clean Water Act (CWA) Section 308 Information Request," dated April 5, 2013, issued pursuant to Section 308 of the CWA, 33 U.S.C. Section 1318, and concerning the Pegasus Pipeline oil spill that occurred on or about March 29, 2013, was delivered at : 5:10 O' Clock ____ (am/pm) on this 5 day of April, 2013, by personal hand delivery, to:

Mark Weesner, ExxonMobil Incident Commander
ExxonMobile Pipeline Company
Incident Command Post
7101 Interstate Drive
Mayflower, Arkansas 72106


Bill Rhotenberry
Federal On-Scene Coordinator