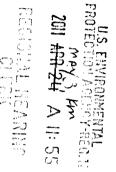


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April 29, 2011

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

U.S. Environmental Protection Agency, Region 2 Regional Hearing Clerk 290 Broadway, 16th Floor New York, New York 10007-1866



Re: In the Matter of: Enterprise Terminals and Storage, LLC and Enterprise Products Operating, LLC

Docket Number: SDWA-02-2011-8902

Dear Regional Hearing Clerk:

I have enclosed an Answer and Request for Hearing on behalf of Enterprise Terminals and Storage, LLC and Enterprise Products Operating, LLC in the above-referenced mater. Please file-stamp that additional copy enclosed and return to me in the enclosed self-addressed, stamped envelope.

If you have any questions, please contact me at (713) 651-3760.

Very truly yours,

Edward Lewis

ECL/mm

Enclosure

Regional Hearing Clerk April 29, 2011 Page 2

cc: Lauren Fischer Esq. Assistant Regional Counsel Water & General Law Branch U.S. Environmental Protection Agency, Region 2 290 Broadway, 16th Floor New York, New York 10007-1866

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

DOCKET NO. SDWA-02-2011-8902



IN THE MATTER OF	§
	§
Enterprise Terminals and Storage, LLC	§
1100 Louisiana Street	§
Houston, Texas 77002	§
	§
Enterprise Products Operating, LLC	§
1100 Louisiana Street	§
Houston, Texas 77002	§
	§
Respondents	§

Proceedings Under Section 1423(c) of the Safe Drinking Water Act, 42 U.S.C. § 300h-2(c)

Answer and Request for Hearing

Enterprise Terminals and Storage, LLC ("Enterprise Terminals") and Enterprise Products Operating, LLC ("Enterprise Products") (collectively, "Respondents") file this Answer and Request for Hearing ("Answer") in response to the Complaint, Notice of Violation, Proposed Administrative Order with Civil Penalty and Opportunity to Request a Hearing ("Complaint") filed by the United States Environmental Protection Agency, Region 2 ("EPA") on March 31, 2011.

Respondents acknowledge receipt of the Complaint on April 7, 2011 and file this Answer pursuant to 40 C.F.R. § 22.15.

Respondents deny each and every factual allegation, jurisdictional finding and finding of violation contained in the Complaint.

In particular, Respondents deny that the injection of brine into an injection well utilized to inject Liquefied Petroleum Gas ("LPG") for storage purposes causes the well to be subject to regulation under the EPA's Underground Injection Control ("UIC") Program. EPA's UIC regulations state that certain *wells* are "not covered by [the UIC] regulations. 40 C.F.R. § 144.1(g)(2). Among these are "injection wells used for injection of hydrocarbons which are of pipeline quality and are gases at standard temperature and pressure for the purpose of storage." 40 C.F.R. § 144.1(g)(2)(iv). The provision does not refer to the injection of hydrocarbons as being what is excluded; rather, what is excluded are injection wells used for injection of hydrocarbons as used for injection of brine to facilitate the injection of hydrocarbons does not bring a well

otherwise clearly excluded - i.e., one used for hydrocarbon storage - within the scope of the regulations.

Further, Respondents contest the proposed penalty and compliance measures included in the Complaint, based on the applicability of the exemption from regulation set forth at 40 C.F.R. § 144.1(g)(2)(iv).

Finally, Respondents request that a hearing be held on the issues raised by the Complaint and this Answer.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

Bv:

Edward Lewis State Bar No. 00786058 Paul Sarahan State Bar No. 17648200 Fulbright Tower 1301 McKinney, Suite 5100 Houston, TX 77010-3095 Telephone: (713) 651-5151 Facsimile: (713) 651-5246

Attorneys for ENTERPRISE TERMINALS AND STORAGE, LLC and ENTERPRISE PRODUCTS OPERATING, LLC