Memorandum

To: Susan Casper

From: Christopher Kirkpatrick

Cc: Manuel Gomez

Subject: Board Action Report – Notation Item 335

Date: January 18, 2005

On December 7, 2004, the Board approved Notation Item 335, thereby designating recommendations 2001-05-I-DE-R3 through R9 (to the Motiva Enterprises – Delaware City Refinery and Motiva Enterprises LLC) (from the Motiva investigation) with the following status:

2001-05-I-DE-R3: Closed – Acceptable Action
2001-05-I-DE-R4: Open – Acceptable Response or Alternate Response
2001-05-I-DE-R5: Closed – Acceptable Action
2001-05-I-DE-R6: Closed – Acceptable Action
2001-05-I-DE-R7: Closed – Acceptable Action
2001-05-I-DE-R8: Open – Acceptable Response or Alternate Response

Voting Summary – Notation Item 335

Disposition: APPROVED

Disposition date: December 7, 2004

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<th>Disapprove</th>
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