



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

840 Bear Tavern Road, Suite 300
West Trenton, NJ 08628
609.771.7800

WARNING LETTER

VIA ELECTRONIC MAIL TO: smlyon@marathonpetroleum.com

March 25, 2022

Mr. Shawn Lyon
President and Chief Executive Officer
Marathon Pipe Line LLC
539 South Main Street
Findlay, Ohio 45840

CPF 1-2022-039-WL

Dear Mr. Lyon:

From August 3, 2020 to December 16, 2020, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Marathon Pipe Line LLC's (Marathon) control room management.

As a result of the inspection, it is alleged that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item inspected and the probable violation is:

1. **§ 195.446 Control room management.**
 - (a) ***General.*** This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by §195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. The procedures required by paragraphs (b), (c)(5), (d)(2) and (d)(3), (f) and (g) of this section must be implemented no later than October 1, 2011. The procedures required by paragraphs (c)(1) through (4), (d)(1),

(d)(4), and (e) must be implemented no later than August 1, 2012. The training procedures required by paragraph (h) must be implemented no later than August 1, 2012, except that any training required by another paragraph of this section must be implemented no later than the deadline for that paragraph.

Marathon failed to follow its written control room management procedures. Specifically, Marathon failed to follow its *Findlay Operations Center Control Room Management Plan, Rev. 12, Revision Date December 5, 2019* (CRMP) by not training certain individuals as prescribed in § 195.446(a), in accordance with § 195.446(h)(6)¹.

The CRMP referenced *Team Training Program Documentation*. Marathon's *Team Training Program Documentation Revision no.: 1, Revision Date 12/21/2018* (2018 Training Program) and *Team Training Program Documentation Revision no.: 2, Revision Date 12/17/2019* (2019 Training Program), Team Training - Training Exercises section stated in part: "Annually, typically as part of the Semi-Annual Meetings, team training exercises will be coordinated by the Operations Center with each training session including Analysts, Specialists, Supervisors and other members of the groups identified in the 'Identifying the Team for Team Training' section above." Additionally, the 2018 and 2019 Training Programs, Identifying the Team for Team Training section stated in part: "Operations Center has identified the support personnel who interact with Operations Center most frequently during a Stop-Help-Start event. These groups include, but are not limited to: Operations Center Analysts, Operations Center Specialists/Backup Specialists, Operations Center Daytime Specialist, Operations Center Supervisor, Operations Center Manager, O&L Coordinator, SCADA, CPM, Hydraulics, System Schedulers, Area Managers, Operations Supervisors, Operations Superintendents, and Technicians."

During this inspection, a PHMSA inspector reviewed Marathon's team training records on a spreadsheet titled "*CRM_OC Team Training History*" (Training Record). The Training Record revealed that SCADA, CPM, System Scheduler, Operations Superintendents, and Technicians groups did not complete the team training in the calendar year 2018 and 2019 as stipulated in the 2018 and 2019 Training Programs.

Therefore, Marathon did not follow its written control room management procedures as prescribed in § 195.446(a), in accordance with § 195.446(h)(6).

¹ §195.446 Control room management.

(a) ...

(h) *Training*. Each operator must establish a controller training program and review the training program content to identify potential improvements at least once each calendar year, but at intervals not to exceed 15 months. An operator's program must provide for training each controller to carry out the roles and responsibilities defined by the operator. In addition, the training program must include the following elements:

(1) ...

(6) Control room team training and exercises that include both controllers and other individuals, defined by the operator, who would reasonably be expected to operationally collaborate with controllers (control room personnel) during normal, abnormal or emergency situations. Operators must comply with the team training requirements under this paragraph no later than January 23, 2018.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations. For violation occurring on or after November 27, 2018 and before July 31, 2019, the maximum penalty may not exceed \$213,268 per violation per day, with a maximum penalty not to exceed \$2,132,679. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022.

We have reviewed the circumstances and supporting documents involved in this case and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in Marathon Pipe Line LLC being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 1-2022-039-WL**. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,

Robert Burrough
Director, Eastern Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration