



August 20, 2012

Mr. Wayne T. Lemoi
Director, Office of Pipeline Safety
U.S. Department of Transportation
PHMSA Southern Region
233 Peachtree Street, Suite 600
Atlanta, GA 30303

RE: CPF 2-2012-5007

Dear Mr. Lemoi:

On May 25, 2012, MarkWest received a Notice of Proposed Violation, Proposed Civil Penalty, and Proposed Compliance Order as a result of a public awareness inspection conducted on the MarkWest Ranger Pipeline Company (ALPS) assets on March 28-29, 2012.

Per your request for a written response, please see the following response to the NOPV.

1. §195.440 Public awareness.

...(b)The operator's program must follow the general program recommendations of API RP 1162 and assess the unique attributes and characteristics of the operator's pipelines and facilities.

MarkWest did not assess the unique characteristics and attributes of its ALPS (i.e. pipeline and facilities) in its Public Awareness Program and baseline message brochures. The ALPS transports natural gas liquids, which fall under the definition of highly volatile liquids (HVL) in §195.2.

MarkWest's baseline message brochures sent (or otherwise delivered) to the affected public, excavators, emergency responders, and public officials for calendar years 2009, 2010, and 2011 did not identify the product transported as natural gas liquids or as an HVL, and did not describe its unique attributes and characteristics. Moreover, the baseline message brochures sent (or otherwise delivered) to the affected public, farmers, excavators, public officials, and emergency responders in 2011 incorrectly identified the product transported in the ALPS as natural gas; a product with different characteristics and attributes.

MarkWest provided baseline messages to the stakeholder audiences in a "collaborative" mailing effort with other operators. Liquid, Gas and Highly Volatile Liquid product types and associated characteristics/attributes are addressed in the "collaborative" effort brochure for the years 2009, 2010, and 2011. In fact, Liquid Products and High Volatile Liquids are mentioned at a minimum of 10 times in the above-mentioned brochures for each of the stakeholder groups' baseline message.

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The 2011 effort was altered to include the MSDS in the brochure. Due to the fact these were collaborative; the MSDS that was included was for natural gas. This was additional information only and did not detract from the information presented in the brochure.

As you mentioned at our meeting, in your view, this matter should be handled via written correspondence, and if MarkWest would like to present its case in person, it should also request a hearing. Please consider this letter as a formal request for hearing. Please contact me with additional questions/clarifications.

Sincerely,

A handwritten signature in black ink that reads "Matt Carnes (A.S.)". The signature is written in a cursive style with a large, prominent "M" and "C".

Matt Carnes
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