

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 15, 2014

Mr. Marius Green
Vice President & Operations Manager
Wolverine Pipeline Company
8075 Creekside Drive, Suite 210
Portage, Michigan 49024

CPF 2-2014-5005W

Dear Mr. Green:

From April 28, 2014, through September 12, 2014, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Southern Region, Office of Pipeline Safety inspected the Wolverine Pipeline Company (Wolverine) operations and maintenance program at Portage, Michigan, pursuant to Chapter 601 of 49 United States Code.

As a result of the inspection, it appears that Wolverine has committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is as follows:

1. **§195.428 Overpressure safety devices and overfill protection systems.**
 - (a) **Except as provided in paragraph (b) of this section, each operator shall, at intervals not exceeding 15 months, but at least once each calendar year, or in the case of pipelines used to carry highly volatile liquids, at intervals not to exceed 7 ½ months, but at least twice each calendar year, inspect and test each pressure limiting device, relief valve, pressure regulator, or other item of pressure control equipment to determine that it is functioning properly, is in good mechanical condition, and is adequate from the standpoint of capacity and reliability of operation for the service in which it is used.**

Wolverine did not, at intervals not exceeding 15 months, but at least once each calendar year, inspect and test each pressure limiting device, relief valve, pressure regulator, or

other item of pressure control equipment to determine that it was adequate from the standpoint of capacity and reliability of operation for the service in which it was used.

Wolverine operates and maintains approximately 629 miles of pipeline along with five breakout tanks at Stockbridge, Michigan.¹ The Wolverine Operations Control Center located in Portage, Michigan, monitors the overpressure protection for the pipeline system consisting of 15 relief valves and the overfill protection system for each breakout tank.

Wolverine field technicians provided records to document the annual inspection and testing of the 15 relief valves. However, the technicians did not present records to document that Wolverine had determined its 15 relief valves were adequate from the standpoint of capacity and reliability of operation for the service in which they were used in calendar years 2012 and 2013.

Under 49 United States Code, § 60122, Wolverine is subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a related series of violations. 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 items identified in this letter. Failure to do so will result in Wolverine 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 2-2014-5005W**. 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,

Wayne T. Lemoi
Director, Office of Pipeline Safety
PHMSA Southern Region

¹ While operated by Wolverine, one of the five breakout tanks was actually maintained by Marathon.