



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

901 Locust Street, Suite 462
Kansas City, MO 64106-2641

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 14, 2017

MarkWest Energy Partners, L.P.
Attn: Ms. Leanne M. Meyer, P.E.
VP Environmental, Safety, Pipeline Integrity and Operations Support Services
1515 Arapahoe Street,
Tower 1, Suite 1600
Denver, CO 80202

CPF 3-2017-6001W

Dear Ms. Meyer:

On September 20-22, 2016, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your MarkWest Michigan Pipeline (MarkWest) Control Room in Canonsburg, PA.

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

1. **§195.446 Control room management.**
 - (c) **Provide adequate information. Each operator must provide its controllers with the information, tools, processes and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following:**
 - (3) **Test and verify an internal communication plan to provide adequate means for manual operation of the pipeline safely, at least once each calendar year, but at intervals not to exceed 15 months;**

MarkWest failed to test and verify the internal communication plan for manual operation of the pipeline safely at least once each calendar year but at intervals not exceeding 15 months. Specifically, MarkWest did not test and verify the plan in 2014 and 2015. MarkWest did test and verify the internal communication plan on 1/3/2016.

2. §195.446 Control room management.

(j) Compliance and deviations. An operator must maintain for review during inspection:

(1) ...

(2) Documentation to demonstrate that any deviation from the procedures required by this section was necessary for the safe operation of the pipeline facility.

MarkWest did not document the deviation from its CRM procedures. During the review of records, it was discovered that no deviation record existed for an employee that worked 16.5 hours. MarkWest did not include training time as time worked. Specifically, on 9-8-16 and 9-9-16 the employee worked 16.5 hours without a deviation report.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$205,638 per violation per day the violation persists up to a maximum of \$2,056,380 for a related series of violations. For violation occurring between January 4, 2012 to August 1, 2016, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$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 MarkWest 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 3-2017-6001W**. 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,

A handwritten signature in blue ink that reads "Allan C. Beshore". The signature is written in a cursive style with a large initial 'A'.

Allan C. Beshore
Director, Central Region, OPS
Pipeline and Hazardous Materials Safety Administration