



Marathon Pipe Line LLC

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June 1, 2010

U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Mr. Chris Hoidal, Director, Western Region
12300 W. Dakota Ave., Suite 110
Lakewood, CO 80226

Re: Notice of Probable Violation and Proposed Compliance Order CPF 5-2010-5013

Dear Mr. Hoidal:

This letter is in response to the Notice of Probable Violation (NOPV) and Proposed Compliance Order CPF 5-2010-5013 issued by you to Marathon Pipe Line LLC (MPL), dated April 26, 2010 and received May 3, 2010. The NOPV was issued following the inspection of our Red Butte Pipeline System in central and northwestern Wyoming in July 2009.

In responding to Item 1 in the referenced NOPV, MPL respectfully disagrees with PHMSA's findings regarding 49 CFR 195.401 and requests the NOPV and the Proposed Compliance Order Item 1 be withdrawn.

In 2003, MPL made modifications to install an orifice plate to assist in the control valve holding needed backpressure. We believe it was the noise at the orifice plate that was the primary cause of the concern identified in the field audit. With the 2003 installation, MPL provided even more assurance for safe operations by making the control valve a more reliable installation. Maintaining adequate backpressure avoids slack flow conditions, increasing the reliability of our leak detection systems. The fact that there could be cavitation at the orifice plate is not a condition that adversely affects safe operations. As further evidence that cavitation is not a threat to safe operations, we inspected the pipe, plug valve, and orifice plate downstream of the control valve and there were no impacts observed.

Further, MPL does not believe that the conditions observed in the field audit would adversely affect the safe operation of our pipeline system. While cavitation can damage pipeline equipment such as pumps, valves and control valves, MPL has never experienced a pipeline failure due to this phenomenon. Consultation with Kiefner, Inc. and DNV Columbus has also suggested the industry has not experienced failures of piping due to cavitation.

With regard to the ball valve downstream of the control valve being used in an unacceptable manner, we offer the following:

- The valve is actually a plug valve.
- The sole purpose of the plug valve is for equipment isolation; it was not being used for backpressure control.
- While the reason for the plug valve being slightly closed remains uncertain, it is certain that it was not due to purposeful positioning, and it was not a threat to safe operations. The plug valve has been placed in a full open state and will be observed to ensure that its position remains appropriate.

In summary, the conditions noted in Item 1 of the April 26 letter were not conditions that could adversely affect the safe operation of the pipeline system and we respectfully request that this be withdrawn. MPL agrees with Item 2.

MPL is fully committed to a positive working relationship with PHMSA to insure the public and the environment are protected. Please feel free to contact me if you would like to discuss the matter further.

Sincerely,



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