



June 22, 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 2-2012-5005M

Dear Mr. Lemoi:

On May 25, 2012, we received a Notice of Amendment from your office as a result of a public awareness inspection that was conducted at our MarkWest Ranger Pipeline Company on March 28-29, 2012. We are not contesting the Notice of Amendment, and have addressed the inadequacies in the Notice as discussed below.

1. §195.440 Public awareness.

(a) Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §195.3).

MarkWest's Public Awareness Program procedures did not define the various stakeholder audiences in adequate detail to assure the proper audience members were fully identified. Moreover, the plan did not provide a measureable way to quantify the audience members, such as by distance from pipeline, location in a given county or other geographic description. American Petroleum Institute Recommended Practice 1162 (API RP 1162), Section 3 Stakeholder Audiences states "One of the initial tasks in developing a Public Awareness Program is to identify the audience(s) that should receive the programs messages.

MarkWest revised Section VI of the attached MarkWest Public Awareness Program for review.

2. §195.440 Public awareness.

(a) Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §195.3).

MarkWest's Public Awareness Program procedures did not consider the effects of the mountainous terrain in and around its pipeline on the vapor dispersion of the highly volatile liquid (HVL) product the pipeline transports when it identified audience members.

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API RP 1162, Section 3 Stakeholder Audiences states "One of the initial tasks in developing a Public Awareness Program is to identify the audience(s) that should receive the programs messages."

MarkWest revised Section VI of the attached MarkWest Public Awareness Program for review.

3. §195.440 Public awareness.

(a) Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §195.3).

MarkWest's Public Awareness Program procedures did not establish methods for conducting an annual audit or a review of whether the program has been developed and implemented in accordance with API RP 1162, Section 8.3 Measuring Program Implementation. The procedures required that an annual evaluation be done that will

- "Assess whether the current program is effective in achieving its objectives,
- Provide MarkWest information on implementing improvements in its Public Awareness Program effectiveness; and,
- Demonstrates to company management and regulators, the status and validity of MarkWest Public Awareness Program."

That said, the procedures did not require that the Public Awareness Program be reviewed to assure it achieved the requirements of API RP 1162 and that the program had been implemented and documented as planned.

MarkWest revised Section VIII of the attached MarkWest Public Awareness Program for review.

Appendix A has been added and provides specific guidance on how the annual program will be reviewed.

4. §195.440 Public awareness.

(a) Each pipeline operator must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practice (RP) 1162 (incorporated by reference, see §195.3).

MarkWest's Public Awareness Program procedures did not establish detailed processes or metrics for conducting the "Program Evaluation" in accordance with API RP 1162, Section 8.4 Measuring Program Effectiveness. Appendix A of MarkWest's Public Awareness Program contained a "Program Evaluation" form which did not include sufficient detail to fulfill the requirements. Additional procedures are needed to explain how the elements of API RP 1162 will be accomplished and what metrics will be used to establish adequacy of the program evaluation.

MarkWest revised Section VIII and Appendix B of the attached MarkWest Public Awareness Program for review.

5. **§195.440 Public awareness.**

(g) The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area.

MarkWest's Public Awareness Program procedures did not contain procedures for determining if languages other than English are needed.

MarkWest revised Section VII of the attached MarkWest Public Awareness Program for review.

Please contact me with additional questions/clarifications.

Sincerely,



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