



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

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

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 27, 2019

Shawn M. Lyon
President
Marathon Pipe Line LLC
539 South Main Street
Findlay, OH 45840

CPF 3-2019-5018W

Dear Mr. Lyon:

Between March 13th and September 27th, 2018 representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected your Midwest Crude Pipeline Systems in Illinois, Indiana, Michigan, Ohio and Kentucky.

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 (CFR). The items inspected and the probable violations are:

1. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to ensure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

§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 7½ 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.

Marathon Pipe Line LLC (Marathon) failed to follow the Major Pressure Relief Valve DOT Inspection Task List procedure (MPL-MNT-00966-PRS) in its Operations and Maintenance manual which requires "documenting all measurements and settings on the Major Relief and Pressure Regulator Valve Inspection Form (PLMAJR) or in SAP." While Marathon records the "as left" settings of pressure relief valves, it does not always record the "as found" settings when testing and inspecting pressure relief devices. Recording the "as found" information during regular inspections is necessary so that the operator can assess whether a set point is drifting after it has been calibrated. Drifting can result in the device having an improper set point, which could cause a pipeline to fail during an overpressure event. Therefore, developing a track record of the devices' performance helps to assure reliable equipment operation.

2. **§195.452 Pipeline integrity management in high consequence areas.**
- (a) . . .
- (i) *What preventive and mitigative measures must an operator take to protect the high consequence area?—*
- (1) . . .
- (4) **Emergency Flow Restricting Devices (EFRD).** If an operator determines that an EFRD is needed on a pipeline segment to protect a high consequence area in the event of a hazardous liquid pipeline release, an operator must install the EFRD. In making this determination, an operator must, at least, consider the following factors - the swiftness of leak detection and pipeline shutdown capabilities, the type of commodity carried, the rate of potential leakage, the volume that can be released, topography or pipeline profile, the potential for ignition, proximity to power sources, location of nearest response personnel, specific terrain between the pipeline segment and the high consequence area, and benefits expected by reducing the spill size.

At the time of the inspection, EFRD studies were completed for all in scope assets with the exception of four segments. Those four pipeline segments included Patoka-Martinsville 20", Patoka-Robinson 20", Roxana-Patoka 20-12" and Samaria-Detroit. Marathon has since advised PHMSA in February of 2019 that EFRD studies have been scheduled for the four segments with a completion date of 2019 for the first segments and a completion date of 2020 for the fourth segment.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$213,268 per violation per day the violation persists, up to a maximum of \$2,132,679 for a related series of violations. For violation occurring on or after November 2, 2015 and before November 27, 2018, the maximum penalty may not exceed \$209,002 per violation per day, with a maximum penalty not to exceed \$2,090,022. For violations occurring prior to November 2, 2015, 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. 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 Marathon Pipe Line LLC being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **3-2019-5018W**. 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,



Allan B. Beshore, P.E.
Director, Central Region
Pipeline and Hazardous Materials Safety Administration